

CRITICAL ISSUES IN **GENERAL CRIME**



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ABOUT THIS REPORT

Wilder Research has been asked by the Minnesota Department of Public Safety, Office of Justice Programs, to develop brief reports that “tell the story” of victim services in the state and suggest new directions to forge ahead for the future. This report was made possible with funding from the U.S. Department of Justice, Office for Victims of Crime, and Office on Violence Against Women, and from the U.S. Department of Health and Human Services, Family Violence Prevention and Services Grant Program. Points of view in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice or the U.S. Department of Health and Human Services.

Reports in this series:

- Domestic violence (December 2005)
- Sexual assault (July 2007)
- General crime (March 2009)
- Child abuse (planned: 2009)

This report combines local and national trends, published research literature, and insights gained through interviews with 27 expert observers from diverse perspectives. Interview participants included advocates and service providers, judicial and legal staff, victims of general crime, culturally specific service providers, law enforcement personnel, and national and local experts.

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CONTENTS

3 BACKGROUND BRIEFING

General crime is a broad category of offenses with varying causes and consequences for victims.

8 LEGISLATIVE PROTECTIONS FOR VICTIMS

While Minnesota has a fairly comprehensive set of victim protections, these policies are not always followed.

11 WHO ARE THE PERPETRATORS?

A number of demographic and background characteristics increase the likelihood of committing a crime.

13 WHO ARE THE VICTIMS?

Victims of crime may experience a wide array of physical, psychological, social, and financial consequences.

16 GENERAL CRIME VICTIM SERVICES IN MINNESOTA

A wide array of services are available for victims of crime, though significant gaps remain.

23 LAW ENFORCEMENT AND JUDICIAL RESPONSE

It is important to provide opportunities for victim involvement in the law enforcement and judicial response to crime.

27 PREVENTION

A comprehensive approach to crime includes an array of community-level and targeted prevention activities.

Since 2005, Minnesotans who have been victims or survivors of crime have been invited to submit artwork to the annual Art of Recovery exhibition, sponsored by the Minnesota Department of Public Safety Office of Justice Program and the Minnesota State Arts Board. This report features the artwork created by three local artists. Additional artwork by these and other Minnesotans can be found on the Art of Recovery website: www.arts.state.mn.us/aor

We are pleased to present the third report in our series of critical issues in crime victim services. This report was challenging given the broad definition of general crime, but we believe the final product honors the past, documents the present, and enlightens the future of general crime victim services. We wish to extend our gratitude to all who informed the development of the General Crime Services report.

Funding for general crime victim services began with the creation of the Victims of Crime Act (VOCA) over 25 years ago. Over this time period, victim rights statutes were created and enhanced and funding was established for advocacy and support services across the state. The General Crime Coalition (now the Minnesota Alliance On Crime) was created to provide education, resources, and legislative support for general crime programs. The Minnesota Alliance on Crime is the only general crime coalition in the country.

The need for direct services to victims remains a constant. High quality, collaborative programs provide crucial opportunities for healing individuals, neighborhoods, and communities from the affects of violent crime. We thank general crime providers for the wonderful work they do our communities in assisting victims of crime. We are grateful for all their efforts and proud to be their partner.



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BACKGROUND BRIEFING

This report describes what is being done in Minnesota to provide support and services to victims of general crime. Services provided to victims of domestic violence, sexual assault, and child abuse are addressed specifically in other reports of this four-part series and will not be described here.

WHAT IS GENERAL CRIME?

General crime is a broad category of offenses, including both property crimes and crimes against persons. This report focuses primarily on Part I crimes, or those considered to be the most severe, including property crimes (theft, burglary, and motor vehicle theft) and crimes against individuals (assault, homicide, and robbery). Part II offenses comprise an extremely broad group of less severe crimes such as simple assault, terroristic threats (harassment or threatening communication), and identity theft. Some of the most common Part II offenses are also addressed in this report.

UNDERSTANDING THE DATA

Probably even more than most of us realize, our ideas about crime are shaped by the mass media—not only news reporting, where crime is prominently featured, but also crime drama

television series, films, and books where violent attacks by strangers seem common. However, in understanding general crime, we must look beyond the headlines to the statistics. How common is crime? What types of crime are reported most often, and who is most likely to be victimized?

Crime statistics come from two basic sources: law enforcement records and surveys of the public. Law enforcement agencies provide a regularly updated source of data, but they underestimate actual crime rates because many crimes go unreported. Two random surveys of individuals or households provide a balancing perspective at the state and national level: the National Crime Victim Survey and the Minnesota Crime Survey. While they include crimes not reported to the police, the surveys are not conducted every year, and their results are less reliable or unavailable at the regional or local level.

STATISTICS AND TRENDS

Minnesota crime rates tend to be somewhat lower than the national average. In Minnesota, property crimes are most common, accounting for about 9 of 10 crimes reported to law enforcement in 2007. Theft was especially prevalent, accounting for 73 percent of the property crimes.

FACT

Twenty percent of Minnesota residents say the fear of crime sometimes prevents them from doing the things they wanted to do.

(MINNESOTA CRIME SURVEY, 2002)

“Many people aren’t engaged enough in their community to know what’s happening – they’re at the mercy of what is in the media grabbing headlines.”

– Law enforcement

In Minnesota and across the nation, the rate of both property crime and violent crime has significantly declined over the past 30 years. Many factors likely contributed to this decline, including both societal trends and policy initiatives. A smaller population of youth under age 24 (the most likely group to commit general crime), reductions in crack cocaine use, and a strong economy were all likely contributors. Law enforcement strategies, including changes in gun control policies, expansion of prisons and jails, and more aggressive, community-based policing probably also played a role.

However, the downward trend in crime has slowed, with recent national data suggesting that crime rates may be leveling out. In Minnesota, property crime has generally decreased during the past five years. In 2007, the rate of violent crime in Minnesota decreased 9 percent. This is in contrast to the general increase in aggravated assault and robbery that occurred during the four previous years. It is too soon to assess whether this decrease represents the beginning of a downward trend in violent crime in Minnesota.

DRUG-RELATED CRIME

Because this report focuses on the needs of crime victims, we do not address individual drug-related crimes, such as possession. However, the

influence of drugs on crime cannot be overlooked. Drug-related crime is often underreported because victims who are involved in illegal activity fear arrest if they contact the police. Even when drug-related crimes are reported, the drug connection may not be evident. However, a national survey found that two-thirds of convicted jail inmates were involved with drugs prior to incarceration, and nearly one in five committed their offense to get money for drugs.

Between 2004 and 2007, approximately 20,000 narcotics arrests were made in Minnesota each year—about twice as many for possession as for sale of drugs. In 2007, over half of these arrests (60%) were related to marijuana. Although narcotics arrests are tracked through local, state, and national data, there is not a consistent way to measure the impact of drugs on other crimes.

UNREPORTED CRIME

According to the 2006 National Crime Victimization Survey, only 49 percent of violent crimes and 38 percent of property crimes were reported to the police. Similarly, two-thirds of respondents in the 2002 Minnesota Crime Survey had chosen not to report one or more crimes during the past year.

Why don’t victims report crimes? The reasons vary by the type of crime, according to data from the National Crime Victimization Survey (2004). While assault victims often did not report a crime to the police because it was a private or personal matter or because the crime was reported to another official, victims of robberies most often said they lacked proof or feared retaliation.

The same survey found that reasons for reporting crime also vary. Victims of violent crime reported it because they were trying to stop or prevent the incident or prevent the offender from committing the crime against someone else. Property crime victims were most likely to report the crime to recover their property. It stands to reason that when victims do not feel these positive results are likely, the motivation to report a crime is weaker.

Language barriers, lack of familiarity, or distrust of law enforcement within specific cultural communities can also lead to crimes going unreported. Among new immigrant and Hispanic communities, victims may fear that police involvement will trigger questions about legal resident status—their own or that of others involved in the situation.

HIGH-PROFILE CRIMES

In the very broad category of “general crime,” several offenses merit attention because of the public attention they receive, or because of their influence on prevention efforts, victim services, and legislative action.

GUN VIOLENCE

Between 1998 and 2001, more than two in five gun-related injuries in Minnesota were fatal. Most victims of gun violence are young males. African American males are especially overrepresented, with gun-related homicides their leading cause of death. In Minnesota, African American males are seven times as likely as White males to die by gun violence; the national rate is 10 times higher for African American males than for White males.

Despite extensive media coverage of school shootings and shootings involving multiple victims in public places, these events are rare and account for less than 1 percent of gun-related homicides. Media coverage of this type of crime has contributed to fear, particularly among children who spend the majority of their weekdays in school.

HATE CRIME

FACT: 53% OF STATE-LEVEL HATE CRIME STATUTES IN THE UNITED STATES INCLUDE GENDER AS A PROTECTED GROUP AND 61% INCLUDE SEXUAL ORIENTATION.

Hate crimes are motivated by prejudice against a trait, characteristic, or group affiliation of the victim. Most states and the District of Columbia have some form of hate crime legislation, with much inconsistency regarding protected groups, covered crimes, and special provisions for dealing with these crimes.

Minnesota has one of the most exhaustive hate crime statutes in the country. Protected characteristics include race, color, religion, sex, sexual orientation, disability, age, and national origin. The Minnesota statute also provides for increased penalties for hate crimes and law enforcement training to identify and respond to these crimes. Peace officers are required to classify a crime as a hate crime if they or the victim believe the offense was motivated by bias.

Under the U.S. Hate Crime Statistics Act, the Uniform Crime Report program publishes hate crime statistics annually. According to the 2006 Hate Crime Statistics report, a total of 7,722 hate crime incidents were reported in the United States.

However, many hate crime incidents go unreported, and reported incidents are not consistently classified as hate crimes.

Nationally, racial prejudice accounts for about half (52%) of reported hate crimes. Other common factors are religion (19%) and sexual orientation (16%). In Minnesota, a disproportionately high percentage of hate crimes are related to racial bias (72%).

Unlike other victims, hate crime victims are targeted because of an identifiable or perceived trait, rather than by chance, and they tend to belong to a negatively stereotyped minority group. Some studies have found that victims often suffer greater psychological trauma than victims of non-hate crimes, such as higher levels of depression, anxiety, anger, fear, and stress. Compared to other assault victims, hate crime assault victims often suffer more serious injuries that require medical attention.

Social groups and communities are also victimized by hate crime. Property-related hate crimes, such as vandalism or arson, are often committed against places of worship, victimizing a group rather than an individual. Even when hate crimes are committed against an individual, they are often seen as “message” crimes intended to intimidate the larger group or community.

GANG-RELATED VIOLENCE

In 2006, nearly half of the homicides recorded in Minneapolis were gang-related. Nationally, observers point to two trends: an overall increase in gang activity and a rise in the percentage of gang members who are age 18 and over. Nationwide, gang membership was estimated at 750,000 in 2000. According to Minnesota's Metro Gang Task Force, Minnesota gang members number in the thousands.

A handful of programs work with youth, families, schools, cities, and other agencies to prevent and intervene in gang membership and activity. Of those programs evaluated nationally, some showed modest and short-term positive impacts on the individual or community. According to the Bureau of Justice Assistance's Center for Program Evaluation, gang prevention and intervention programs have demonstrated less success at reducing gang membership than at reducing gang-related crime and behavior.

FINANCIAL CRIME

Financial fraud, Internet scams, and identity theft make up a fast-growing type of crime victimization in Minnesota. The precise extent is difficult to define, not only because of under-

reporting but also because inconsistent definitions of identity theft and financial fraud lead to inaccurate classification and statistics.

Nearly 820,000 consumer fraud cases nationwide were reported to the U.S. Federal Trade Commission in 2007, with an average loss of about \$900. This was a sharp increase, about 20 percent, from the prior year. Minnesota residents logged about 1 percent of these complaints. The rate of reported fraud cases in Minnesota is approximately 1 in 550 residents, the 14th highest rate in the United States.

Financial crimes, including online scams, financial exploitation, and identity theft, can be especially difficult to investigate and prosecute because of their technical complexity. Of the reports substantiated by law enforcement, arrests were made for just under 40 percent of the crimes (compared to approximately 20 percent for other Part I property crimes). Although this arrest rate is relatively high, law enforcement and prosecutors often lack the time and expertise to thoroughly investigate all crimes. As a result, prosecution may focus on cases involving larger sums of money, and perpetrators who commit crimes across jurisdictions may be more difficult to investigate and arrest.

VICTIM IMPACT: IDENTITY THEFT

When Sara's purse was stolen, she lost much more than the cash that was in it. The thief also had her recent paystubs, credit cards, and driver's license.

Sara acted quickly. When she called 911 to report the crime, the officer was kind but told her there was little he could do. She stayed up until 3 a.m. and took time off from work the next day to close her accounts and begin working with her bank. Despite these efforts, Sara learned that her name was being used to open different accounts. She began receiving notices from collection agencies indicating that her checks had bounced.

Unlike most identity theft perpetrators, Sara's was caught within weeks. This allowed her to start working with an investigator who also provided support and advocacy. Even with this support, the aftermath of the crime was time-consuming. For several months, Sara spent hours each week at her bank completing paperwork and notarizing identity theft affidavits. She checked her credit records and accounts regularly and collected documentation to replace her driver's license and other identification. She replaced her credit cards and opened new bank accounts. Because there is not a single way to notify creditors of a stolen identity, she gathered similar documentation for each creditor.

Seven months after the crime, Sara's perpetrator pled guilty to forgery and identity theft. Sara submitted a Victim Impact Statement, where she summarized what happened, described her financial losses, and shared her perspective regarding an appropriate sentence. Although Sara was awarded restitution, she doesn't expect to receive any payments.

Sara is an organized woman whose work situation allowed her the flexibility to handle the details associated with her identity theft. She also had the benefit of a specialized investigator to guide her through the process. However, resources as simple as a central checklist of steps and guidelines would have greatly eased the impact of the crime.

“Many financial crimes are committed in small amounts in many different places, making it difficult for anyone to see the big picture.”

– Service provider

The impact on victims of financial crime goes beyond actual financial loss. They often spend considerable time and resources to restore their credit, close or reopen financial accounts, and track down forms and paperwork. In the meantime, they may not be able to obtain new credit, access funds in their accounts, or make purchases with checks or credit cards. To minimize the impact of the crime, it is important that identity theft victims act quickly to report the crime and alert creditors. Unfortunately, many victims have trouble identifying the steps they can take to protect themselves from additional charges and theft, and few advocates have expertise in addressing financial crimes. This is further complicated by the lack of coordination among law enforcement agencies and the multiple credit agencies that are often involved in a case and the few resources available to help victims reestablish their credit, recover stolen money, and prevent additional theft.

Although many victims still find it difficult to receive assistance, recent legislation has expanded services and support for victims of financial fraud. The Minnesota Security Freeze Law allows identity theft victims to freeze their credit reports at the three major credit agencies without charge. This

is intended to prevent thieves from accessing the victim’s credit history or obtaining new credit cards or loans. In 2005, the Legislature gave permanent status to the Minnesota Financial Crimes Task Force, established to investigate and prosecute financial fraud, identity theft, and similar crimes. Although a victims’ assistance program has been authorized, no funding has been allocated.

IDEAS FOR ACTION:

- Provide individual- and community- support services that address the unique needs of victims of hate crimes.
- Develop an array of effective community-based programs that provide structure and support to youth at-risk of future gang involvement, targeting young children before they become involved in gang-related activities.
- Develop a statewide strategy to inform identity theft victims about the first steps to take to stop additional fraudulent use, information they will need to provide to investigators, and specific agencies to contact to resolve their credit issues.

FOOD FOR THOUGHT:

- As with other types of crime, general crime often goes unreported, especially among some cultural communities and immigrant groups. Unreported crime not only limits victims’ access to support following the crime, but also distorts public perceptions of crime, policy priorities, and funding for prevention and recovery services. What can be done to increase the rate at which crimes are reported?
- There is growing concern that crime rates may increase with the slowing economy. What steps can be taken to counteract this?

LEGISLATIVE PROTECTIONS FOR VICTIMS

The formal crime victims' movement can be traced back to the 1960s. Along with an increase in crime during this decade came greater concern about the rights and needs of the victims. Legislative and advocacy efforts emerged to create tougher penalties for offenders, and to ensure that victims are protected, have a meaningful role in the criminal justice process, and receive appropriate compensation or restitution.

Minnesota is generally seen as a leading state in the protection of victims of domestic violence. Related to general crime, the state has been seen as less of a leader in responding to victims. Minnesota does not lag behind other states, however, and does have a relatively comprehensive array of legislative protections for victims of general crime.

Yet these mandates are not always followed. The Crime Victim Justice Unit (CVJU), housed in the Minnesota Department of Public Safety, is a compliance office responsible for ensuring that victims are treated appropriately and granted their statutory rights. During the past five years, the number of complaints made to CVJU remained fairly consistent, with the office receiving approximately 1600 telephone calls from victims, advocates, and criminal justice professionals each

year. The CVJU opens approximately 60 formal investigations a year. Around one-third of these cases involved an alleged statutory rights violation, while others involved some type of alleged victim mistreatment, such as an inadequate investigation or failure to prosecute a case.

The most recent study to thoroughly examine barriers to compliance with mandated victim and witness rights in Minnesota was conducted in 1998. This study found that the greatest barriers to informing victims about their rights were workload, knowledge, and lack of information about the victim. Individuals who did not inform victims of their rights often perceived another professional or agency as having that responsibility.

Other practical challenges can stand in the way of victim rights mandates. One example is the speed with which misdemeanor cases can pass through the criminal justice system. Although prosecutors are required to notify victims when charges have been filed, inform them of the plea, and offer an opportunity to provide a victim impact statement, the speed of the process can make this difficult. Without safeguards in place, victim rights can be easily overlooked when they impede the standard legal or judicial process.

"Window of many colors"

ANDREA COSTOPOULOS, *Art of Recovery* exhibitor

“Experience says let’s get these cases out of here as soon as possible. Stopping a proceeding to go back and contact the victim is contrary to the reality of processing misdemeanors in Minnesota.”

– Victim advocate

To address the shortcomings of statutory victims’ rights provisions, a number of states have passed constitutional provisions to address crime victims’ rights. Specific provisions vary from state to state, but all are intended to increase the strength, permanence, and enforceability of victims’ rights. Minnesota has no state constitutional amendment to this effect.

IDEAS FOR ACTION:

- Reassess compliance with the statutory victims’ rights scheme and identify strategies for allowing these mandates to be fully met without undermining the efficiency of the judicial process.

FOOD FOR THOUGHT:

- In light of the challenges associated with fully protecting victims’ rights, would a constitutional amendment provide stronger protection to victims of crime?

TIMELINE: MINNESOTA AND UNITED STATES CRIME VICTIM SERVICES

1965

- The first crime victim compensation program is established in California.

1970s

- Crime Victims Reparations Act is enacted in Minnesota, allowing crime victims to receive financial compensation (1974).
- National Organization for Victim Assistance (NOVA) is formed (1975).
- First Minnesota prosecutor-based victim assistance program opens in Duluth (1976).
- Minnesota Legislature directs the Commissioner of Corrections to establish at least two “crisis centers” to support crime victims (1977).
- Parents of Murdered Children (POMC), a self-help support group, is founded in Ohio (1978).

1980s

- Mothers Against Drunk Driving (MADD) establishes its first two chapters in California and Maryland (1980).
- President Reagan appoints the first Task Force on Victims of Crime; its recommendations pave the way for federal victim programs and policies (1982).
- Federal Victim and Witness Protection Act establishes treatment standards for victims and witnesses in the federal system (1982).
- U.S. Office for Victims of Crime is created to implement recommendations from the President’s Task Force on Victims of Crime (1983).
- Minnesota Crime Victims Bill of Rights establishes the right to have information about, and limited participation in, prosecution of offenders (1983); Bill of Rights is expanded in 1986 and 1991.
- Victims of Crime Act (VOCA) establishes the Crime Victims Fund to support victim compensation and victim service programs (1984).

VOICES

“With every contact you have with a victim, you’ll do one of two things...you’ll reinjure them or assist them in their healing journey.”

— Victim advocate

- U.S. Office for Victims of Crime establishes National Victims Resource Center (1984).
- Minnesota Legislature establishes the Office of Crime Victims Ombudsman (1985).
- U.S. Office for Victims of Crime allocates funds for the Victim Assistance in Indian Country program to serve American Indians (1988).
- The right to give a victim impact statement becomes law (1988).

1990s

- Hate Crime Statistics Act requires documentation of crimes motivated by prejudice by race, religion, sexual orientation, or ethnicity (1990).
- President Clinton signs a comprehensive package of federal victims’ rights legislation as part of the Violent Crime Control and Law Enforcement Act (1994).
- Victims of Crime Act expands the definition of “crime victim” to include financial crime (1996).
- U.S. Office for Juvenile Justice and Delinquency Prevention includes victims’ rights recommendations in its Juvenile Justice Action Plan (1996).

2000s

- Following the September 11 terrorist attack, Congress increases funding and support for crime victim services (2001).
- Congress passes the Justice for All Act of 2004, providing substantive rights for victims of federal crime and mechanisms to enforce them (2004).





WHO ARE THE PERPETRATORS?

DEMOGRAPHIC CHARACTERISTICS OF PERPETRATORS

Because crime is often unreported, and because not all perpetrators are caught, it is difficult to estimate the number of perpetrators. In Minnesota, a total of 213,350 individuals were arrested in 2007, though not all of these individuals were found guilty of the offense.

While overall crime rates have declined, incarceration has grown steadily. Over the past 25 years, Minnesota's prison population increased by 189 percent—faster than the average growth of state and federal prison populations nationwide.

Much of this increase, especially in the past five years, is related to increased incarceration for drug offenses. As of July 2008, one-fifth of the state's adult inmate population was comprised of individuals charged with drug-related offenses.

Gender: The overwhelming majority of prisoners are male. According to the U.S. Bureau of Justice Statistics, approximately 9 in 10 of those in jails or prisons are male. However, the number of female inmates has increased in recent years.

Race: People of color—especially African Americans—are overrepresented among those

charged and sentenced for crimes. In 2006, African American individuals represented 12 percent of the U.S. population, but almost 40 percent of prison and jail inmates.

Age: Nationwide, juvenile crime arrests have decreased since 1994. Similar to national averages, Minnesota juveniles age 10 to 18 make up 21 percent of all arrests, and 32 percent of all arrests for Part I crimes. However, this age group represents approximately 15 percent of the population.

SIGNIFICANT RISK FACTORS FOR COMMITTING GENERAL CRIME

Many different theories attempt to explain the factors that contribute to criminal behavior. Some of the most promising recent research explores the influence of neuropsychological impairments (typically developing before birth or in early childhood) that can disrupt brain development, limiting abilities such as reasoning, problem solving, memory, and impulse control. While these impairments may not lead to criminal behavior on their own, they may be a tipping factor for children with other risks, such as those in troubled families or communities.

FACT

Across age groups, African American men are up to nine times more likely than White men to be incarcerated (2007).

From 1995 to 2007, the number of jail inmates per 100,000 U.S. residents rose from 193 to 259 (2008).

(BUREAU OF JUSTICE STATISTICS)

“When we talk about preventing street crime, we really need to target those at-risk youth where the home structure is non-existent.”

– Law enforcement

The family environment can be a strong predictor of criminal behavior. Risk factors include:

- Low levels of supervision
- Low levels of closeness and high conflict
- Negative discipline patterns and maltreatment
- Parents with criminal behavior

Other social and community risk factors can increase an individual’s likelihood of criminal behavior. These risk factors include:

- Poor academic performance and low IQ
- Poor attachment to school
- Association with peers engaging in deviant behavior
- Low socioeconomic status
- Weak connections to a larger social network (such as a neighborhood)

Children who engage in antisocial behavior are more likely to become juvenile offenders, and juvenile offenders are more likely to become adult offenders. However, it is important to note that most juvenile offenders do not become adult criminals. Many youth who enter the corrections system are charged with offenses associated with adolescent behavior (such as curfew violations, truancy, or substance use). Youth who exhibit more of the above risk factors are more likely to continue their criminal behavior into adulthood.

ROLE OF MENTAL HEALTH CONCERNS

Approximately one-quarter million individuals with severe mental illness are currently incarcerated, with about half arrested for nonviolent offenses. In addition to being vulnerable to abuse by other inmates and receiving inadequate mental health services, people with mental illness often face an increased risk of arrest, more serious charges, and stiffer sentences than other people accused of similar crimes.

Mental illness is two to four times more prevalent in adult corrections populations than in the general adult population. This includes a wide range of disorders, such as schizophrenia and depression. It has been estimated that 7 in 10 detainees with a serious mental illness also have a co-occurring substance use disorder. Among the juvenile population, the rates of mental health problems may be even higher, with some estimates as high as 50 to 75 percent.

FOOD FOR THOUGHT:

- What strategies can be used to address the needs of current or future offenders, to reduce their likelihood of committing offenses and victimizing additional individuals?
- As a result of increased incarcerations in the 1990s, a growing number of offenders will soon be eligible for parole. What support needs to be in place as these individuals are released? What policy strategies can be used to encourage self-sufficiency?
- Across the country, states and local jurisdictions are considering strategies for reducing the disproportionate representation of African American males in the criminal justice system. What are key strategies for reducing this over-representation and ensuring that everyone receives equitable treatment within the law enforcement and judicial systems?
- Why are youth and adults with mental health concerns over-represented in the correctional system? What types of comprehensive mental health supports should be established to meet the needs of these individuals before they engage in criminal behavior and after they have been arrested? To what extent is it the role of the correctional system to do so?

WHO ARE THE VICTIMS?

VICTIMS SERVED THROUGH THE MINNESOTA OFFICE OF JUSTICE PROGRAMS

In 2008, more than 31,500 Minnesotans were served by general crime victim programs with funding from the Minnesota Office of Justice Programs. Just over half of those served were female, and most were between the ages of 18 and 44. Three-quarters of the individuals served in 2008 identified themselves as White. An increasing percentage of African American and American Indian individuals received services through these programs.

The most common services provided were criminal justice advocacy, information and referral services, counseling, and personal advocacy.

CHARACTERISTICS OF VICTIMS

National data collected through crime reports and surveys demonstrate that victimization rates vary based on differences in age, income, race, and gender. Although these factors can influence one's likelihood of experiencing crime, there is not a typical profile that describes general crime victims. The following statistics define violent crime

victimization as including robbery, aggravated or simple assault, and sexual assault.

Age: Teens and young adults are more likely to experience violent crime than other age groups. Although the elderly (age 65 or older) experience less crime overall, they experience disproportionately high rates of property crime, especially theft.

Income: Persons living in low-income households may be more vulnerable to violent crime. In 2005, persons in households with an annual income under \$7,500 were robbed and assaulted at higher rates than those with higher household income.

Race: People of color are at increased risk of violent and property victimization. Nationally, in 2006 it was estimated that among African American individuals, 33 in 1,000 were victims of violent crime, compared to 23 White individuals and 19 individuals of other races. Although rates of property crime were much higher, the same trends were found across racial groups. In 2007, there were 111 cases of homicide reported in Minnesota, with 51 victims identified as persons of color.

Between 1993 and 1998, American Indians experienced violence at rates more than twice that of African Americans, 2.5 times that of Whites, and 4.5 times that of Asian Americans, according

to the Bureau of Justice Statistics' National Crime Victimization Survey. On average, nearly 12 percent of all American Indians over age 12 are victims of violent crime in any given year. The highest victimization rates occur from age 16 to 24, when one out of five American Indians was victimized by violent crime.

Gender: Men continue to be slightly more likely to experience violent crime than women. While men are more likely to be victimized by strangers, over half of female victims of violent crime know their offender.

OTHER SIGNIFICANT RISK FACTORS FOR VICTIMIZATION

In addition to demographic characteristics, several other factors increase the likelihood of becoming a victim of a crime. These risk factors highlight the link between victimization, perpetration, and repeat victimization. They include:

- *Prior victimization:* The best predictor of future victimization is past victimization. This pattern holds true across all types of crime and is especially true among youth. In particular, there are strong links between child abuse, adolescent victimization, and adult victimization.

“Our kids have seen more violence and have been subjected to more abuse than we have ever seen in our lifetimes, and they never get treatment for it.”

– Community organizer

- *Prior perpetration:* Being victimized puts young people at greater risk of becoming offenders, which puts them at risk of being re-victimized.

IMPACT OF CRIME ON VICTIMS

Crime victims experience physical, psychological, social, and financial consequences. They may need to recover from direct physical injuries or address emotions such as fear, anger, denial, helplessness, confusion, shame, guilt, grief, and anxiety. Depression and Post Traumatic Stress Disorder are also common among victims of violent crime. As victims deal with the emotional impact of crimes, they may withdraw and isolate themselves from friends and family. Relationships may become stressed and victims may be stigmatized in their communities.

It can be difficult to recover from the financial impact of crime, particularly for victims who are economically disadvantaged. The most recent national estimates of average out-of-pocket expenses for victims of crime include \$656 for health care, \$1,307 for property repair/replacement, and \$1,489 in lost wages for missed work. Many victims do not have the financial assets to repair

damages and recover losses resulting from crime, such as replacement of stolen or damaged property, replacement of locks, installation of security alarms, lost wages, equipment or home improvements to accommodate disabilities resulting from the crime, funeral expenses, court and investigation fees, and medical/hospital expenses.

YOUTH VICTIMS

Much is known about the impact of child abuse (the subject of another report in this series), but less is known about the impact of other types of crime on young victims. Research indicates, however, that crime against youth can affect physical and mental health, school performance, substance use, delinquent behavior, and future earning potential. Compared to services for adult victims or for juvenile offenders, services for juvenile victims tend to be less focused and comprehensive.

Children and youth are the least likely victims to report crimes. When crimes against them are reported, it is often by parents or officials. Reporting is most likely when the crime involves injury, adult or multiple offenders, or families with prior or current police contact.

“Red Lake High School”

MIKE SCHLEMPER, *Art of Recovery* exhibitor

“The impact of crime is not the same for everybody. The levels of victimization, the long lasting effects, the way people deal with it—every case, every individual, every victim is different.”

– Prosecutor

ELDERLY CRIME VICTIMS

While the elderly generally experience lower victimization rates, they are more susceptible to certain types of crime, such as property and financial crime. The elderly are especially vulnerable to these types of crime as they are more likely to live alone, be isolated, be home during the day, be more trusting of strangers, depend on others on a daily or regular basis, have failing health or disabilities, and have access to cash or retirement savings.

Perpetrators of crime and abuse against the elderly are more likely to be family members, caretakers, or close acquaintances than strangers. A national study reported that up to 60 percent of offenders who committed financial crimes against the elderly were relatives. Elderly victims often face the dilemma of wanting to recover their losses, but being hesitant to report family members to police. Other reasons elderly victims do not report crime include being unaware of the crime, feeling shame or embarrassment, blaming themselves for the crime, and fearing a loss of independence or being seen as incompetent to care for themselves.

Elderly crime victims are more vulnerable to

physical injury and less able to absorb the impact of crime physically, emotionally, and financially. Property and monetary losses are especially difficult, as many senior citizens do not have disposable income to replace stolen or ruined property and goods.

FACTORS THAT MEDIATE THE IMPACT OF CRIME

The more severe the crime, the more intense and long-lasting the impact can be. All victims experience crime differently, however, and have different internal and external resources to draw on. Perceived safety, level of support from friends and family, location of the crime, and the sense of personal invasion can all affect recovery.

Crimes that take place in the home can seriously disrupt the victims’ sense of safety. Similarly, random, violent crime can make the victim feel unsafe anywhere. Those who consider their home, vehicle, or other property as an extension of their personal space may feel extremely violated by property crimes, such as theft, burglary, or vandalism.

Other personal characteristics, including the victim’s financial stability, can impact coping and recovery after a crime. As one service provider put

it, a crime that does not seem too severe on the surface may be “the straw that breaks the camel’s back.” For example, the relatively small cost of changing the locks on a door may be too expensive for some households. Yet the family may not feel safe until they can afford the repair.

IDEAS FOR ACTION:

- Train health care providers, youth development staff, teachers, and others to identify and assess youth victims of crime and provide appropriate resources or referrals.
- Assess all youth involved in the juvenile justice system for victimization and provide victim support as appropriate.
- Ensure that all types of victim services (such as advocacy and support groups) include options that are well suited for youth and for elderly victims.
- Expand financial resources for recovery from crime to victims of property crime, especially for those with the most limited resources.

FOOD FOR THOUGHT:

- How do we effectively access and help elderly victims when they are reticent to report general crime perpetrated by family members?

GENERAL CRIME VICTIM SERVICES IN MINNESOTA

Victims of crime often need emotional support, advocacy, and assistance in dealing with the practical aftermath of the crime, including safety planning, repair of damaged property, or submission of insurance claims. Although many of these services are sought through victim assistance programs, national studies find that victims also turn to family and friends, social service agencies, and legal resources for help.

CRIME VICTIM SERVICES FUNDED THROUGH THE MINNESOTA OFFICE OF JUSTICE PROGRAMS

In 2007, the Office of Justice Programs (OJP) funded 61 agencies to service general crime victims in 67 of Minnesota's 87 counties. These programs provide a range of advocacy services, including 24-hour crisis intervention, transportation, victim support, and assistance with filing compensation claims. Another key role of these agencies is notifying victims of their rights, including the right to be informed of and participate in the prosecution. In addition to directly serving victims, all OJP-funded programs are expected to educate community members, train professionals who come in contact with victims, and collaborate

with other criminal justice agencies to improve services to victims.

A number of funded agencies serve victims of all types of crime, including domestic violence and sexual assault. Since 2003, the most common types of general crime addressed through these agencies have included theft, simple assaults, vandalism, and burglary. It is important to note that none of the programs serve victims of general crime exclusively. In 2007, approximately 13 percent of victims served through OJP-funded general crime victim service agencies were victims of domestic assault.

Most funded agencies fall into three major categories: county attorney offices, law enforcement programs, and community-based nonprofits. Although these agencies have a shared responsibility to assist victims of general crime, they reach victims in different ways.

County attorney offices: Thirty of the agencies funded by OJP to serve victims of general crime are county attorney offices. These programs all provide statute-required services, but are able to contact victims only after a case has been charged. Although they notify victims of the prosecution process and provide opportunities for victim involvement, their services typically end when the

MINNESOTA ALLIANCE ON CRIME (MAC)

The Minnesota Alliance on Crime (previously known as the General Crime Coalition) was established in 1993 after several crime victim service providers began meeting informally to share resources and knowledge. Today, the alliance consists of 60 to 65 diverse members across Minnesota, including advocates, service providers, law enforcement personnel, crime victims and survivors, and others interested in victim and survivor rights. The organization is believed to be the only statewide alliance in the nation to focus on the needs of general crime victims. Its mission recently expanded to promote victim services and victims' rights in Minnesota.

The alliance, which receives annual funding through OJP, provides resources for the victim advocacy community, including a quarterly newsletter, a victim service provider directory, and a lending library of advocacy resources. They also maintain the Minnesota Crime Clock, which uses crime data from the Office of Justice Programs and calculates the occurrence of crimes per hour and per day. The alliance also engages in legislative advocacy for victims and advocates. Recent efforts include advocating for increased funding for crime victim services, including emergency funds for auto theft victims. Other activities of the alliance include education for victim service providers, such as training on identity theft and traumatic grief.



VOICES

“Many prosecutor’s offices have support staff who have contact with victims, and maybe even have a lot of experience with victims, but they are not victim advocates and they don’t see themselves in that role.”

– Service provider

case is closed. Some counties have advocates on their staff, while others focus primarily on notifying victims about prosecution and referring them to community-based agencies to address other needs.

Law enforcement agencies: Far fewer OJP-funded programs are housed within local law enforcement agencies, such as city police departments or county sheriff offices. These programs work with victims immediately after a crime is reported, regardless of whether anyone is charged. Although some advocacy services are available within the agency, these programs often refer victims to community-based agencies for additional support and services.

Community-based agencies: Over 20 programs funded by OJP are community-based nonprofit agencies. They receive referrals from law enforcement agencies but are also contacted directly by victims. These agencies provide a variety of services, including peer support and court advocacy. Although they have greater flexibility to work with victims after the court process is over, they often have limited resources to advertise their services or reach out to individual victims.

TRENDS IN FUNDING

During the past five years, grant funds provided by OJP to agencies serving victims of general crime have remained relatively stable. However, there is growing concern that funding levels may decrease, due to cuts in the federal Victims of Crime Act (VOCA) funding and projected reductions in state revenue.

Funding for general crime victim services relies on both federal and state sources. Federal VOCA funding comes from offender fines and penalties. State grants for victim assistance are allocated after funding is dispersed across other program areas. In recent years, funding for direct victim compensation has increased, leaving less money for state grants. Proposed reductions in VOCA funds threaten to further reduce state grant funding. Anticipated budget shortfalls would reduce the available state General Fund dollars for victim services.

FACT

In 2001, more than 3.5 million victims were served through VOCA-funded programs. Just over one-quarter of these were victims of general crime.

(THE INSTITUTE FOR LAW AND JUSTICE, 2004)

“When you start talking about crime victims, you tend to think more about victims of sexual assault and domestic violence, and you forget about some of the other victims.”

– State administrator

Although some programs receive funding to serve victims of all types of crime, including general crime, domestic violence, child abuse, and sexual abuse, these funding streams are not interchangeable. In addition, federal block grants and other funding that can supplement services for other types of crime cannot supplement general crime victim programs that rely heavily on VOCA funds.

SPECIALIZATION OF VICTIM-SERVING PROGRAMS

A number of informants interviewed for this report commented on the compartmentalization of crime victim service funding in Minnesota into four categories: domestic violence, sexual assault, child abuse, and general crime. Some felt that domestic violence and sexual assault dominate the funding and services, and that the needs of general crime victims are not as well understood and recognized.

There are mixed views on the benefits of having crime victim services specialized in this way. On the one hand, victims of these four categories of crime type may have distinct needs that are best met through specialized services. On the other hand, the separation may create

complications for victims, making it more challenging to identify the correct service providers, especially when the victim’s situation involves more than one category of crime. The separation may also increase administrative overhead, with multiple agencies serving victims within the same community, and may increase competition for funding and other resources.

IMPORTANCE OF INFORMAL SUPPORT

Crime victims are more likely to receive support from informal networks than formal victim services. One study found that victims most need support from an intimate partner and that intimate partners likewise tend to provide more support than others within a victim’s social network. Other sources of informal support include families, friends, neighbors, and social organizations, such as churches and clubs. Informal support networks are more likely to assist victims with immediate needs after a crime, such as someone to talk to, child care, transportation, and replacement of locks or household items.

Those interviewed for this study identified a need to disseminate information and educate

informal networks, particularly faith organizations, on how to serve and support crime victims. Clergy members typically do not assist crime victims on a regular basis and when crime victims approach them for support, they may not know about available services and resources.

SPECIFIC SERVICE OPTIONS FOR VICTIMS

Some agencies provide services to victims of any general crime, while others specialize in helping with specific crimes. In both cases, the programs are intended not only to ensure that victims of general crime are treated equitably in the criminal justice system, but also to help victims receive the support and services they need.

Victims of general crime tend to underutilize the services available to them. Some do not seek formal support if they have informal assistance from family, friends, and neighbors. Others feel they do not need help or do not know about the services that are available. Crime victims are most likely to use formal services when they have higher levels of need and lack the resources to fulfill those needs, such as low-income victims and/or those who experienced more trauma resulting from the crime.

“The tragedy is that when crime victims come forward, the clergy aren’t aware of where to turn for help. Your job is to make sure that the person is connected with the right services, and then walk with them to that service. You have to be there with them ... that’s your role as a pastor. Your role isn’t all of the professional expertise that the victim service providers can provide.”

– Clergy member

Although many effective services are available, the crime victim service system can be a labyrinth. Few services are centralized under one roof. Although advocates can help victims navigate the service system, it would be better to ensure coordinated services and consistent, accurate information about them. When services are linked in a coordinated fashion, victims are more likely to receive services without delay. Coordinated victim response teams that include advocates, service providers, and law enforcement may be a useful model. These victim response teams are emerging in other states, but are not widely used in Minnesota.

In addition, service providers tend to lack capacity to meet the needs of diverse populations, such as cultural groups, age groups, rural populations, and people with disabilities. Language and communication barriers are a prominent challenge and restrict victims’ awareness and understanding of services.

ADVOCACY

Victim advocates have a major influence on victims’ satisfaction with services. Most advocates are based either in community-based organizations or in the county attorney’s office. Advocates contact victims almost immediately after a crime. They

provide a range of support to victims, such as informing them about available services and the legal system, notifying them about the status of their case, helping with paperwork to access services, walking through the legal system and court procedures, and assisting with decision-making. The most effective advocates are those who are experienced and knowledgeable.

MENTAL HEALTH SERVICES

Limited research is available about the mental health needs of general crime victims. The experience can lead to or exacerbate existing mental health problems, including post-traumatic stress disorder, depression, and anxiety disorder. This is more pronounced among victims who have experienced or witnessed violent crime, but is also true for some victims of property crime and other types of general crime.

Because crime victim services often begin when an arrest is made, and many general crime cases remain uncharged, victims without insurance or who cannot pay for mental health services may not seek treatment. Stigma is also a significant factor in not seeking appropriate mental health services, including groups with high rates of victimization, such as young African American males.

SUPPORT GROUPS AND SELF-HELP PROGRAMS

Support groups typically use a self-help approach to working with victims. Little research has explored the long-term benefit for victims’ coping or recovery. However, by providing a forum for information sharing and mutual support, groups may help victims feel less isolated and learn about available resources.

SERVICE GAPS—MEETING BASIC NEEDS

Many of the stronger community service programs focus on a single issue instead of broadly serving all victims of general crime. These services generally focus on recovery from the physical or emotional impact of the crime, or support in navigating the legal process. Some research suggests that access to affordable child care, housing, and transportation services continue to be significant gaps for victims in the aftermath of a crime. In some cases, the resources are simply not available. However, even in communities rich with resources and service options, coordination across systems can be challenging. Programs must work creatively to address the basic immediate needs of crime victims, including food and temporary housing.

“If you get shot by a gang member, where do you go for that? If your house is burglarized, where do you go for that? Domestic assault and sexual assault have very compartmentalized services for victims. The rest of it is kind of nebulous.”

– Service provider

FINANCIAL SUPPORT FOR VICTIMS OF CRIME

Options for meeting the immediate and longer-term financial needs of crime victims include reparations, restitution, and emergency funding.

REPARATIONS

A reparations program exists in every U.S. state to provide victims and their families with financial assistance. Reparation programs generally offer financial assistance for medical expenses, counseling/therapy, lost wages, loss of financial support from a spouse or parent, and funeral expenses. Medical expenses make up the largest category of compensation payments. In Minnesota, the maximum benefit amount per victim is \$50,000; however, most states have a much lower benefit of \$10,000 to \$25,000 per victim.

All crimes except property crimes are typically covered. Eligibility requirements vary from state to state. With a few exceptions, victims are eligible for reparations in Minnesota if:

- The crime is reported to the police within 30 days.

- The victim works with law enforcement in the investigation and prosecution of the crime.
- The reparations application is received within three years of the crime.
- The victim was not involved in criminal activity at the time of the crime.
- The victim has exhausted other sources of benefits, such as health insurance, medical assistance, auto insurance, and so on.

Victims generally apply to the reparations program in the state in which the crime occurred. If the crime occurred in another country that does not offer reparations, victims may then apply to the program in their state of residence.

RESTITUTION

Victims may also receive compensation from the offender through court-ordered restitution. Requests for restitution can be made by primary victims, survivors, or agencies impacted by the crime to cover expenses due to: medical/dental bills, counseling, transportation, lost wages due to injury, stolen or damaged property, or anticipated future expenses, such as physical therapy.

FACT

In 2007, Minnesota crime victims and their families received over \$3.5 million in compensation. Medical expenses comprised of 43 percent of all payments. (MINNESOTA REPARATIONS BOARD ANNUAL REPORT, 2007)

VICTIM IMPACT STORY

Jon’s only son, James, was robbed, shot, and murdered while on duty as a cab driver. He describes it as feeling like a tornado ripped through his life. When he called the hospital, they had no record of him. John and his family learned very little after several phone calls to the police. Then, finally, they received a call from the medical examiner’s office and all of a sudden James was a body.

Jon recalls the wake being the worst night of his life and the hardest thing he had ever done. However, he heard so many stories and learned about a side of his son that he never knew. For example, a physically handicapped man approached him and told him about how James had helped him get to his monthly doctor’s appointments free of charge.

Several weeks after the funeral, Jon and his wife attended a support group at Parents of Murdered Children. He was skeptical at first, but found there is something magical about talking to people who know what you are going through—it works.

It took several months for the case to be solved. Jon kept in contact with the detectives, but violent crimes in their county don’t assign an advocate to lead victims through the complicated criminal justice process until someone is charged. Jon and his family felt that without the help of the detectives, they would not have known about the available resources and how to accept their new life.

Although restitution is determined at sentencing, the total award can be left undetermined until the offender has completed probation or supervised release. The total amount of the award is based on two factors: the expenses associated with the crime and the offender’s ability to pay.

Even when restitution is ordered, payment is not guaranteed. Offenders may be required to first pay court fines or incarceration costs. Some offenders simply do not make their restitution payments. There is currently little enforcement imposed on offenders who do not make restitution, leaving many victims not only without financial compensation, but also without realistic expectations regarding future payments.

Restitution, although not consistently enforced, has a powerful influence on victims’ satisfaction with the criminal justice system. To increase the percentage of victims who receive restitution, some states and jurisdictions have moved toward greater oversight and enforcement, such as making the restitution payment directly to the victims and then taking responsibility for collecting the funds from the offender.

EMERGENCY FUNDS

Emergency funds for crime victims are typically available within a few days to a week. Victims are eligible if they were not involved in a criminal activity at the time of the crime and demonstrate a need for emergency assistance. Emergency grant funds are distributed to about 70 victim assistance programs throughout Minnesota and cover specific expenses, such as replacement of necessary property, purchasing and installing home security devices, transportation costs, some medical expenses, crime scene cleanup costs, and under certain circumstances, travel or living expenses related to attending court proceedings. In 2006, the size of grants awarded to victim assistance programs ranged from \$1,000 to \$5,000. This is inadequate to meet all emergency needs of victims served by these agencies.

Auto Theft Impound Fund

Established by the Minnesota Legislature in 2007, this \$75,000 fund provides reimbursement for towing and storage fees when a recovered stolen vehicle is impounded, up to \$300. Prior to this legislation, no funding sources provided financial assistance specific to victims of motor vehicle theft. However, this was a one-time appropriation for the FY08-09 biennium, and may not be continued in the future.

CHALLENGES IN SERVING RURAL COMMUNITIES

Victims in rural areas need the same services as those in urban communities, but distance and limited resources pose significant barriers. Access to advocacy and support in rural areas often depend on having reliable transportation. Small agencies that serve a wide area often do not have sufficient staffing to drive to victims’ homes. In addition, concerns about privacy prevent some rural victims from reporting the crime or seeking services.

State funding allocations for victim services throughout the state are based on crime rates, population, land area, minority population levels, and prior levels of corporate and foundation funding. Although this is intended to distribute funds equitably, it reduces the funding available in rural areas of the state.

In addition, victim advocates in rural areas spend more time on administrative duties not directly related to providing services to victims. Due to limited staff and resources, advocates are also less likely to accompany a victim to court.

To address these concerns, rural service providers have worked on establishing co-located services in accessible locations, developing partnerships across agencies, involving volunteers as victim advocates, and working with faith communities to reach victims of crime.

FOOD FOR THOUGHT:

- Programs in other states have developed strategies to improve restitution. For example, in Massachusetts, the Earn-It program places adult offenders as employees of local businesses and requires them to pay two-thirds of their income to victims. What strategies can increase the rates of restitution payment in Minnesota?
- How can victim services and resources be made more accessible to rural victims? Could technology play a role? What can victim assistance agencies do in rural areas to assure crime victims’ privacy and confidentiality?
- Are victims better served by agencies that are specialized to deal with specific types of crime? Can a single agency provide integrated and coordinated service, while still meeting the unique needs associated with different types of crime? Which model is in the best interest of victims?

- Reductions in funding allocations inevitably lead to competition among service providers. What process should policymakers use to ensure all victims are treated equitably, regardless of type of crime? How can service providers better coordinate their efforts to serve all victims when funding becomes more limited?
- How can agencies work together to ensure victims have access to necessary services throughout the recovery and healing process?

IDEAS FOR ACTION:

- Create a victim service center with a variety of services in one location, such as financial compensation, counseling/mental health services, legal/law enforcement advice, and medical services.
- Conduct a service needs assessment of diverse populations, including communities of color, people with disabilities, and rural populations, and provide training and support for victim assistance agencies to address the gaps.



LAW ENFORCEMENT AND JUDICIAL RESPONSE

COMMUNITY POLICING

When community residents have stronger relationships with the police, they are more likely to report crimes, participate in investigations, and support crime prevention efforts. The community policing model, which has spread in recent years, aims for closer partnerships between police and residents to increase public safety and reduce crime. Under this model, community members may play more significant roles in advising police, planning tactical responses, and conducting outreach to other residents.

Community policing requires significant change in police departments. Police are encouraged to be more visible in the community by conducting more street or bicycle patrols, having more informal conversations with residents, and attending neighborhood meetings. There is also an expectation that police will work more broadly to address community well-being, such as resolving conflicts and helping victims.

Research has found that community policing models can have a strong impact on the attitudes of police officers. They can also improve relationships between police and residents and increase the sense of safety in the community. However, evidence that community policing reduces crime is less consistent.

OVERVIEW OF ARREST AND PROSECUTION DATA

Decisions regarding investigation and prosecution can have a profound impact on victims, influencing not only their perceptions of justice but also their opportunity to be involved in the process.

In 2006, a total of 224,287 arrests were made in Minnesota. Crimes against persons were relatively likely to result in an arrest. For example, arrests were made in 73 percent of the murders, 60 percent of the assaults, and 53 percent of aggravated assaults. In contrast, less than one-quarter of reported property crimes led to arrests. There is similar variability in the rate of convictions. At the felony level, approximately two-thirds of those arrested for murder or non-negligent manslaughter are convicted; the rate is lower for individuals arrested for felony-level burglary, robbery, and aggravated assault.

Many factors can account for the variability in arrest and conviction rates. Quality of the investigations can vary considerably, depending on the severity of the crime, the nature of the evidence, and the availability of resources. Once an arrest is made, prosecutors may choose not to proceed with the case due not only to resource limitations, but also their perception that the case is not “winnable.”

FACT

In 2007, less than one quarter of larceny, burglary, robbery, and auto theft offenses resulted in an arrest.
(2007 MINNESOTA UNIFORM CRIME REPORT)

“Law enforcement needs to change the way they do business with communities—build on those relationships so people will be willing to talk to them.”

— State administrator

LAW ENFORCEMENT AND CORRECTIONAL RESPONSE TO CRIME VICTIMS

Over the past decade, the basic philosophy of correctional agencies has shifted. Traditionally, correctional agencies viewed their role as punishing and rehabilitating offenders. Today, serving crime victims is also widely accepted as an important part of the mission of correctional agencies.

Rather than being seen only as witnesses, victims are more often seen as important stakeholders who need vital services. In recent decades, the correctional system has become more involved in protecting victims from intimidation and harassment, providing them with information about offenders’ status and scheduled release, and allowing greater input into court and release decisions.

Increased law enforcement involvement in victim advocacy can also provide some important advantages. For example, they may be in the best position to keep victims informed and involved in cases that do not result in county attorney involvement, such as unsolved murders that do not lead to an arrest. However, there are also concerns about this role. In light of funding and resource limitations, it can be challenging to expect law enforcement personnel to act on

behalf of victims, while also fulfilling their fundamental roles to investigate crimes and promote public safety.

THE VICTIM IMPACT STATEMENT

The victim impact statement, an oral or written statement usually presented at sentencing, gives victims an opportunity to participate in the criminal justice process. Victims describe to the judge, prosecutors, and offenders the harm and losses caused by the crime. A recent study found that more than 80 percent of crime victims felt the option to make an impact statement was “very important.” Victims who feel their impact statement and participation is important in their case tend to be more satisfied with the criminal justice process.

VICTIM NOTIFICATION

Under Minnesota law, victims are to be notified of their rights and of the status of their case. These notifications occur at specific points. When law enforcement personnel first encounter victims, they are required to notify victims of their rights to privacy, to participate in the criminal justice process, and to request reparations and restitution. Prosecutors are also required to inform victims about their rights, in addition to providing notice of the status of the prosecution,

such as bail hearings, plea bargain agreements, case disposition and sentences, and status of appeals. Correctional personnel have additional requirements, such as notifying victims (on prior request) when offenders are being released or have escaped from confinement.

These notifications serve several important functions. They help keep people safe from further victimization and they are necessary if victims participate in the judicial process by providing victim impact statements or making court appearances. While many victims receive timely notifications, the process does not always work as intended. Prosecutors and correctional staff are generally required only to make a good-faith effort. Victims who are difficult to reach, or who do not have updated contact information, may not receive notifications. Victims may also find the various notifications confusing, as they do not have a single point of contact for receiving information.

Minnesota participates in the Victim Impact and Notification Everyday (VINE) system. VINE is an automated service allowing victims to have 24 hour access to information about their offender’s custody status, criminal charges, and sentence expiration dates; as well as, notification if offenders are transferred, released, escaped, or die while in custody.

“Restorative justice views crime not just as a violation of the law or code. Crime is a wound within the community and justice requires accountability and healing.”

– Service provider

RESTORATIVE JUSTICE APPROACHES

Restorative justice is a model that aims to repair the harm caused by crime through actively engaging all stakeholders. The intent is to hold offenders accountable to repair the harm they caused and make amends to the victims and community. Approaches to restorative justice include victim-offender mediation, talking circles, and conferences.

Restorative justice is possible only when the crime is reported, an identifiable offender is prosecuted and admits to the crime, and all stakeholders agree to participate voluntarily. It is most successful and less likely to revictimize the individual when offenders admit to the crime and take responsibility for their actions. Offenders who go through a restorative justice process have higher rates of compliance with restitution agreements and lower rates of recidivism than other offenders.

Restorative justice allows victims to have a direct role in the criminal justice system by having the opportunity to tell their story, express how the crime impacted their lives, ask questions, have direct dialogue with the offender, and make decisions about restitution. Many studies find that

victims who go through the restorative justice process are more satisfied with outcomes and less fearful of re-victimization than victims who go through the conventional criminal justice system.

POST-CONVICTION VICTIM SERVICES

The stated rights of crime victims often emphasize events immediately following a crime and during the court process. However, some victims need additional support for concerns that emerge after conviction. Victims typically must be proactive in seeking post-conviction support, such as requesting opportunities for victim-offender dialogue through a victim impact panels, or post-conviction notification through the Department of Corrections. Victims also need to update their contact information with the Department of Corrections in order to learn about upcoming parole hearings and their right to participate. Victims may also have questions in regard to their safety, what they can expect through restitution, and what terms of probation the offender will have upon release. Currently, few resources are in place to help victims navigate the system after the offender is convicted.

COLLATERAL CONSEQUENCES OF OFFENSES

Although victims want perpetrators to be held responsible for their crimes, there is a need to balance punishment with opportunities for rehabilitation. A growing body of data describes how the consequences of incarceration make it difficult for offenders to successfully reintegrate into society. More than 1 in 100 adults in the United States is currently in prison or jail, as a 2008 report from The Pew Center on the States noted. In Minnesota, the prison population has quadrupled during the past 25 years. Policies intended to deter criminals and protect public safety, such as “three-strikes” measures, have led to more incarcerations and longer stays behind bars. There is growing recognition of the consequences associated with having a criminal record, which make it difficult for offenders to obtain housing, employment, and other benefits upon release. These disparities are magnified among populations that are overrepresented in Minnesota’s jails and prisons, especially young Hispanic and African American men.

A recent report to the Minnesota State Legislature issued by the Collateral Sanctions Committee (2008) recommends a number of policy

changes to balance public safety and successful offender reintegration. These recommendations focus on ensuring a clear association between the type and severity of a crime and employment limitations, utilizing diversion programs when appropriate, and providing effective rehabilitation and reentry services. Federally, the Second Chance Act of 2007 is intended to increase funding for reentry and rehabilitation programs.

While it is important that offenders face appropriate penalties and sanctions for their actions, these collateral consequences may reduce their opportunities for rehabilitation and restitution and increase the likelihood of recidivism.

FOOD FOR THOUGHT:

- Could the victim notification process be centralized, making it less burdensome and confusing to victims by providing a single point of contact? If coordination is not possible, how can victims have a clearer understanding of the notification process and any action they need to take to be notified of events, from investigation through conviction and incarceration?
- What are the best ways to work with offenders in order to hold them accountable and promote public safety, while also preparing them for reentry and reducing the risk of recidivism?

- Recent reductions in funding for law enforcement, courts, probation, and prosecutors not only impact the ability of these agencies to work towards the conviction of criminals, but can also leave them without adequate staffing to provide victim advocacy services. Given these budget constraints, how should these criminal justice agencies balance their responsibilities to public safety and individual victims?

IDEAS FOR ACTION:

- Assess victim rights compliance in misdemeanor and felony cases to identify and minimize barriers to providing victims with required notices and opportunities for involvement.
- In partnership with victim service providers, provide training for correctional staff regarding the rights and needs of crime victims.
- Enhance training for probation officers to effectively work with victims of crime to assess needs, establish safety plans, and respond to other questions when the offender is released.
- Consider strategies to increase communication between probation officers, corrections staff, and community-based service providers about victim needs and services available in the community.

SPECIALTY COURTS

Specialty courts, such as drug courts, are increasingly being used to offer alternatives to incarceration for drug offenses and other misdemeanor crimes. These courts provide alternatives to traditional incarceration, including intensive supervision, case management, treatment, and support services. Research suggests that participating individuals not only have better health and recovery outcomes, but also have lower recidivism rates. While specialty court services tend to be more expensive, there is some evidence that they ultimately save the correctional system money, by reducing future costs associated with recidivism and relapse. In 2007, there were nearly 1,700 drug courts functioning across the United States, including 19 in Minnesota.



PREVENTION

A comprehensive approach to crime includes prevention efforts. Broadly speaking, prevention efforts either focus on entire communities, or offer targeted intervention to those at higher risk of committing a crime.

COMMUNITY-LEVEL APPROACHES TO CRIME REDUCTION

In addition to community policing efforts, discussed earlier in this report, other common community-wide crime prevention efforts include Neighborhood Watch programs and comprehensive prevention approaches.

Neighborhood Watch is a community mobilization strategy in which residents organize to prevent and report community crime. Comprehensive approaches, such as the Comprehensive Communities program and Weed and Seed models, may include law enforcement strategies, resident mobilization, neighborhood revitalization, and other approaches.

Very little research has assessed the impact of these efforts on the ultimate goal of reducing crime. The research that has been done has generally not found a strong impact on crime reduction; however, this research has been plagued by a wide range of methodological challenges (such as small sample sizes and data collection challenges). More often, research has highlighted the potential intermediate outcomes of these efforts, such as increasing satisfaction with police, reducing fear of crime, increasing residents' involvement in neighborhood crime prevention programs, and improving resident/policeman interaction.

Research suggests that prevention efforts are more successful when they:

- Have strong and consistent leadership
- Are coordinated and multidisciplinary
- Address local circumstances and issues
- Build on existing partnerships

"Grounding Quilt"

LINDA BRANT-MALM, *Art of Recovery* exhibitor

“Prevention is never-ending and it’s ongoing. The reality is that we are going to continue being victimized by other people in our society.”

– Service provider

TARGETED INTERVENTION: SUPPORT FOR HIGH-RISK INDIVIDUALS

Other prevention approaches focus on individuals who may be considered at higher risk of committing crimes, such as youth showing early signs of delinquent behavior, children from families experiencing high levels of violence, or adult offenders at risk of re-offense.

According to a comprehensive review published in 1999, the following approaches have the best evidence for success:

- Family therapy and parent training about delinquent and at-risk preadolescents
- Ex-offender job training for adult men no longer under criminal justice supervision
- Drug treatment in prison in therapeutic community programs
- Nuisance abatement threatening civil action against landlords for not addressing drug problems on their premises

Other models identified as promising include:

- Gang offender monitoring by community workers
- Community-based mentoring by Big Brothers Big Sisters
- Community-based after-school recreation programs
- Prison-based vocational education programs for adult inmates
- Drug courts
- Drug treatment in jails followed by drug testing in the community
- Intensive supervision and aftercare of juvenile offenders
- Fines for criminal acts in combination with other penalties

WEED AND SEED

The U.S. Department of Justice created Operation Weed and Seed in the early 1990s to establish crime-free and drug-free neighborhoods in targeted high-crime areas. Communities can receive up to five years of federal funding to create community-based collaboratives, where law enforcement and prosecutors “weed” out crime through promoting services which “seed” the community with services that encourage prevention, intervention, treatment and neighborhood revitalization. Since 1996, Minnesota has received funding for several Weed and Seed initiatives, including the Phillips, North, and Central neighborhoods in Minneapolis; Summit University neighborhood in St. Paul; Cass Lake (White Earth); and Mahnommen County.

Due in part to the complexity of the Weed and Seed initiatives, there is limited evaluation data to demonstrate their success. At the state level, the program is perceived to be effective in bringing communities together and identifying community needs. The “weeding” strategies are sometimes perceived as more successful, because it is easier to identify law enforcement outcomes. It is hard to see the impact of the “seeding” when funding is spread across multiple programs.

Several factors promote the success of these comprehensive initiatives. Success is more likely in neighborhoods with smaller, more narrowly defined populations. Communities with a pre-established network of community-based organizations and government staff, and the ability to access supplemental sources of funding, tend to be more effective. Weed and Seed neighborhoods characterized by transient populations, severe crime problems such as gang violence, and economic distress have not been as successful.

SCHOOL-BASED PREVENTION OF BULLYING

The Olweus Bullying Prevention Program, developed in Norway, has been used in the United States since the 1990s. This program targets elementary through junior high school youth, with a goal of preventing and reducing bullying at school and improving peer relationships.

Program components are implemented at the school, classroom, and individual level to restructure the school environment so that there are reduced opportunities and rewards for bullying. School staff members implement the program and structure the environment. They receive bullying prevention training and are responsible for developing school-wide rules against bullying and coordinated supervision practices. Dialogue and discussion of bullying and peer relationships take place in the classroom and with parents. At the individual level, interventions occur with youth who have been identified as a bully or a victim of bullying.

Studies find that this program effectively decreases youth reports of bullying others and being bullied, as well as adults' observations of bullying.

Strategies found to be ineffective for preventing or reducing crime among high-risk youth include summer job or subsidized work programs; short-term nonresidential training programs for at-risk youth; diversion from court to job training for adult offenders as a condition of case dismissal; arrests of juveniles for minor offenses; correctional boot camps using traditional military basic training; Scared Straight programs; shock probation and shock parole; home detention with electronic monitoring for low-risk offenders; intensive supervision on probation and parole; rehabilitation programs using counseling that does not specifically focus on each offenders' risk factors; and residential programs for juvenile offenders in rural settings, such as wilderness or challenge programs.

SCHOOL-BASED PREVENTION EFFORTS

School crime and violence affects the well-being of students and school staff, students' learning, the school environment, and the community. Generally, the total crime victimization rate for students 12 to 18 years old has decreased since the early 1990s; however, schools continue to experience issues, such as bullying, fights, gangs, and drug and alcohol use. According to the 2007 Indicators of School Crime and Safety report by the National Center for Education Statistics, students 12 to 18 years old were victims of about 1.5 million nonfatal crimes, such as theft, simple assault, or aggravated assault. Fatal crimes are rare, but have traumatic effects on students, school staff, and others in the community.

Victimized students are more likely to experience loneliness, adjustment difficulties, and depression. Academic consequences are also common, including poor academic performance, truancy, and an increased likelihood of dropping out of school.

In recent years, schools have become an increasingly important venue for crime prevention efforts.

Effective school-based approaches include:

- Clarifying and communicating norms about behavior through rules, reinforcement of positive behavior, and school-wide initiatives (such as anti-bullying campaigns)
 - Curricula which teach social competency skills such as stress management, problem solving, self-control, and emotional intelligence (to reduce delinquency and substance abuse or conduct problems)
 - Training or coaching in thinking skills for high-risk youth using behavior modification techniques or rewards and punishments (to reduce substance abuse)
- Promising school-based approaches include:
- “Schools within schools” programs that group students into smaller units for more supportive instruction
 - Training or coaching in thinking skills for high-risk youth using behavior modification techniques (to reduce delinquency)

A number of school-based prevention efforts have been found ineffective in reducing crime, delinquent behavior, and substance abuse. These ineffective programs include: individual counseling and peer counseling of students in school; Drug Abuse Resistance Education (DARE); fear arousal, moral appeal, self-esteem education; and school-based leisure time enrichment programs.

IDEAS FOR ACTION:

- Conduct research to demonstrate the cost-benefit of prevention efforts, especially for those programs designed as being “promising,” and expand the use of effective approaches.
- Involve more community stakeholders in planning targeted prevention efforts. Expanded partnerships could include police, prosecutors, and members of the public.

FACT

Twenty-eight percent of students 12 to 18 years old reported being bullied at school in 2005.

(NATIONAL CENTER FOR EDUCATION STATISTICS, 2007)

