CHAPTER 5
COMMUNICATION WITH VICTIMS AND SURVIVORS

Nancy Lewis and Ann Jaramillo*

This chapter introduces a communications framework in which to develop effective skills for understanding and assisting victims of crime. By developing an awareness of the various cultural styles of communication, victim service providers can strengthen their skills in active listening and paraphrasing the victim’s statements to build trust and to demonstrate that he or she has been heard. Also addressed here are the many barriers that must be overcome to be effective in communication, including cultural barriers, program barriers, language barriers, and emotional barriers. Communicating with child victims calls for additional skills. Communication in a victim needs assessment is one specific area where the service provider must be sensitive and alert to the verbal and nonverbal communication from the victim.

COMMUNICATIONS FRAMEWORK

Victim service providers have an opportunity and a responsibility to advocate for victims in the aftermath of a crime and throughout their involvement in the criminal or juvenile justice system. Victim service providers must be able to communicate effectively with crime victims and survivors, who may be in crisis and in a hypersensitive state, in order to assess the situation and respond effectively to their needs. Victim service providers who practice good communication skills are better able to help victims move forward and reclaim the control they have lost as a result of their victimization. Poor communications can further traumatize and revictimize the victim.

* The authors of this chapter are Nancy Lewis, Colorado Organization for Victim Assistance, Denver, CO; and Ann Jaramillo, Introspect Consulting, Evergreen, CO.
The goals of effective communication with crime victims are to:

- Identify victims’ needs and attempt to meet them.
- Explain the justice process and the role of the victim service provider and allied professionals.
- Help victims to understand and exercise their statutory and constitutional rights in accordance with the law.
- Protect the safety of victims.
- Provide information.
- Obtain information.
- Be sensitive to special needs or concerns.

Good communication requires that the message be sent and received as it was intended. Thus, the victim service provider must use clear and concise language and provide timely, accurate information to avoid misunderstanding and confusion. Good listening skills must be employed to make sure the needs of the victim are identified and clearly understood. This chapter offers communication concepts and techniques to help the victim service provider communicate effectively.

**SKILLS WITHIN THE COMMUNICATION FRAMEWORK**

A victim service provider uses many skills within the victim services communication framework, including:

- Building trust.
- Using active listening.
- Understanding and overcoming communication barriers.
- Conducting an effective assessment through observation and asking questions.

**Building Trust**

The experience of being victimized has the potential to turn every aspect of a crime victim’s life into chaos and disarray. A common feeling reported by victims in the aftermath of a crime is a loss of control. Because victims had no control over their victimization, this sense of helplessness can persist into other areas of their lives and create suspicion and mistrust of other people and of the criminal or juvenile justice system in general. It is important for victims to begin to regain some control of their lives and to develop trusting relationships with people who can help them cope with their
victimization, access support and services, and navigate through the criminal or juvenile justice system. Victim advocates should attempt to develop a positive relationship with the victim by establishing mutual trust.

Many victims seek and obtain services from a variety of service providers who are both system- and community-based. Collaborative casework requires collaborative communications and management among service providers who share responsibility for helping a crime victim. If victims are required to deal with new service providers as they seek supportive services and navigate through the system, it is essential to ease the transition from one victim service provider into a “new” relationship.

### Tips for Building Trust with Crime Victims

- Find out as much as you can about the individual victim and his or her case before making contact. If this is not possible, take time to listen closely to what the victim has to say.
- Properly identify yourself (show your official identification) and explain your specific role, what your agency or organization does, and how you can help the victim.
- Ask the victim how he or she would like to be addressed, i.e., by first name, surname, etc. Then use the victim’s preferred name (and if the communication is written, always check for the correct spelling).
- Express empathy for what has happened.
- Be aware of your own style of communication (e.g., tone, pitch, speed, method, organization, what you say, and what you don’t say) to determine if it is appropriate for the situation, and adapt it accordingly.
- Pay attention to any assumptions and judgments you might be making, and be aware of your nonverbal cues (such as eye contact, hand gestures, etc.).
- Take into account your posture, gestures, facial expressions, overall body language, and appearance, which all affect whether victims sense they are being listened to.
- Be mindful of personal space and appropriate physical contact. Some victims are not comfortable with hugging, while others welcome personal contact. Service providers should always wait until or if a victim initiates personal contact before returning it in a caring manner.

Having good information and being able to provide useful, relevant resources to victims goes a long way in developing trust and increasing a victim’s confidence in the victim service provider and the criminal or juvenile justice system. Victim service providers should seek to:
- Provide timely and accurate information. If such information is unable at the time of contact, inform the victim that you will try to obtain it in a specified time frame and get back to them.

- Know state laws and agency rules about victim privacy and confidentiality, inform the victim of any such protections, and abide by them.

- Explain the specific rules of privilege that may apply to communications with victims (i.e., disclosure requirements versus confidential communication between advocates and victims).

- Explain the purpose behind the questions that you are asking. Provide as much information as possible about how the case will proceed (or if the case is not prosecuted, about resources available to help the victim).

- Explain to victims what their options are with regard to reporting a crime and participating in the process. Help them to understand and evaluate their options and the possible consequences of each decision.

- Be sensitive to victims’ mental health and medical needs, and make appropriate referrals.

- Explain crime victim compensation and help violent crime victims apply for it when they are eligible.

- If victims feel alienated as a result of their age, culture, race, religion, gender, or sexual orientation, partner with a representative from the relevant community to improve the quality of victim assistance.

- In the role of advocate, never make promises that cannot be kept.

Building trust requires good communication skills, which can be practiced using these basic techniques:

- Active listening.
- Paraphrasing.
- Reflective listening.
- Affirmations.
- Observation and nonverbal communication.
- Asking open-ended and close-ended questions.
- Awareness of cultural styles of communication.

**Active Listening**

People normally speak at a rate of 100 to 175 words per minute, but they can listen intelligently at 600 to 800 words per minute (Fowler, 2006). Since only a part of our mind is paying attention, it is easy for our mind to drift. The cure for this is active listening, which involves listening with a purpose. There is a real difference between
hearing and listening. Active listening assumes an understanding or comprehension that hearing does not. This type of listening weighs and considers what is being said.

Some techniques to be a good active listener include:

- Be attentive. Don’t fidget, daydream, or let your eyes wander when a victim is speaking to you. Maintain eye contact, if culturally appropriate, to show that you’re interested in what is being said.
- Take time to listen to the full story. When there is a pause in the conversation, ask questions or offer gentle probes to clarify what is being said or to elicit more information.
- If you have trouble concentrating on what a victim is saying, try repeating his or her words mentally after you hear them. This will reinforce the speaker’s message and help you control mind-drift.
- Ask for clarifications or repetitions of statements to understand what the victim is saying.
- Be willing to repeat information you are offering to the victim several times. Victims in trauma may have trouble concentrating or understanding and remembering information.
- Use silence to gather information. Silence gives victims time to think, and they may be better able to provide additional information if they are allowed quiet time.
- Listen without judgment. Many victims have already been stigmatized and marginalized. Show understanding, concern, and caring.
- Take brief notes. This demonstrates professionalism and concern and records important information. Do tell the victim why you are taking notes and whether the notes are confidential.
- Don’t talk. You can’t listen while you’re talking.
- Don’t interrupt.
- Don’t become flustered by victims’ anxieties or repetitions.
- Don’t jump to conclusions, assume you know what the speaker is going to say before it’s said, or put words in the other person’s mouth. You may be wrong.
- Don’t react to anger or argue with victims.

Paraphrasing

What someone says and what we hear can be amazingly different. Our personal values, filters, assumptions, judgments, and beliefs can distort what we hear. Paraphrasing is a way of making sure you have correctly understood the victim. It is also a way of identifying distinct issues. Paraphrasing demonstrates that you are trying to understand,
to the degree possible, what the victim is feeling. Paraphrasing involves stating back in your own words what you understood the victim to say, not parroting the victim’s words. This tests your own comprehension and avoids misunderstandings that could lead to the victim’s loss of confidence in you. Paraphrasing enables the victim to feel heard and to clarify anything you may have misunderstood.

Techniques for effective paraphrasing include the following:

- Listen to the speaker carefully. Search for key words, phrases, and concepts.
- Make mental notes.
- Repeat what the speaker has said, using your own words, and being careful not to change the meaning.
- Use paraphrasing before moving on to another subject.

Begin paraphrasing with such words as:

- “So what I hear you saying is …”
- “In other words …”
- “What I understand you are saying is …”
- “If I hear you correctly …”

**Reflective Listening**

Reflective listening is similar to paraphrasing, except that the point is not to summarize what the speaker is saying, but to know and show that you understand how he or she is feeling through the words that are being used. When a victim is upset, it is very important for the victim service provider to simply understand the emotions that the victim is feeling. This validates that how the victim is feeling is “normal” and helps victims to feel more connected because they are understood. This does not mean that you should tell victims how they should feel.

To reflect the victim’s feelings, victim service providers can:

- Listen to the speaker carefully.
- Make a mental note of key points.
- Be willing to listen to victims share their experiences if they want to talk about the crime and its effects, and validate that experience with empathy and support.
- Reassure victims that their feelings are quite natural, even though they may seem unusual at the moment. Let them know that feelings of anger, distress, guilt, frustration, fear, etc. are not uncommon and are perfectly justifiable.
Examples of reflections include the following:

- “What you are experiencing is perfectly acceptable, given what you’ve been through.” (NOTE: Many professionals do not like the use of “normalization,” as many victims do not feel normal, and telling them it’s “normal” appears to be patronizing.)
- “That must make you feel …”
- “It sounds like you are really feeling …”
- “If I were in your shoes, I might have concerns about that also.”
- “I can see why you’re feeling …”

**Affirmations**

Affirmations are statements that recognize and validate a victim’s strengths. They include acknowledgment that the victim has been harmed and help to build the victim’s confidence in his or her ability to persist. Affirmations must be congruent and genuine to be effective and to avoid sounding patronizing. Some examples of affirmations include:

- “You’ve been through something very terrible; I’m so sorry.”
- “I think it is great that you want to do something about this situation.”
- “I appreciate how hard it must have been for you to decide to …”
- “That must have been difficult for you.”
- “You’re certainly a resourceful person, to have been able to …”
- “That’s a really good question.”
- “That is a good decision.”
- “You took a big step.”
- “It must be difficult for you to accept a day-to-day life so full of stress.”
- “I must say, if I were in your position, I would find it difficult too.”
- “You certainly have to cope with a lot of problems right now.”

**Observations And Nonverbal Communication In Assessing Victim Needs**

Victim service providers respond to the needs of the victim in a variety of situations including but not limited to the scene of a crime or shortly thereafter; answering the hot line at a victim assistance center; providing support in the courtroom; or providing corrections-based victim services. In all of these situations, the victim service provider must have the skills required to determine a course of action to respond to the specific
needs of the victim. Assessment skills include listening, observing, and asking relevant questions.

**Observations**

When observing any situation involving victims of crime, a provider needs to be aware of the entire situation (e.g., is the situation safe? Is the victim coping enough to function?). Much of the information a service provider receives will be through nonverbal communication.

**Nonverbal Communication**

The words we use are only a small percentage of communication. As Exhibit V-1 shows, only about 7 percent of all communication is verbal; of the remaining 93 percent, 38 percent is vocal and 55 percent is facial (Mehrabian and Ferris, 1967; Ekman and Friesen, 1969).

Nonverbal behavior can communicate respect and concern and can increase both your comfort level, as well as the victim’s comfort level.

Nonverbal communication is important because:

- It affects how we understand others and how they understand us.
- Sometimes there are differences or inconsistencies between verbal communication and nonverbal expression. Victim service providers need to be aware of these inconsistencies in themselves as well in as others.

Some aspects of nonverbal communication include:

**Physical space.** This describes the specific amount of space with which an individual finds a comfort zone. A person’s culture often dictates a preference for less or more space, which can also be affected simply by the impact of victimization.
Many victims prefer a bit of physical space between themselves and the person to whom they are talking. The range of victims’ comfort zones can be easily accommodated by having a narrow desk or table that provides clear space but that can be easily be reached across should it be warranted. Many victim advocates and counselors also use chairs on rollers so they can easily move closer to the victim.

**Personal touch.** A general rule of victim assistance is *never* to touch a victim unless the victim specifically invites such a gesture, either by physically reaching out to the advocate, putting his or her hand forward, or offering some other clear physical invitation that personal touch is acceptable and even desired.

Culture weighs heavily on a person’s comfort with personal touch. For example, many Asian cultures consider personal touching to be aggressive behavior and an invasion of personal space.

Through body language, an advocate can make a victim aware that personal touch is available but only if the victim so desires. A firm and warm handshake upon greeting, physically leaning forward while speaking, and having one or both hands on the table slightly extended forward are all clear nonverbal signs that if the victim wants to initiate personal touch, it will be accepted and welcomed by the advocate.

**Position of the bodies and body orientation.** Proximity between a victim and advocate is critical to successful communications, both verbal and nonverbal. The most important rule is to seek mutual positions where eye contact, if warranted, can be easily achieved horizontally without either party having to look up or down. A victim should always be given the choice to sit or stand and, if he or she prefers to sit, the option of choosing the seat.

The advocate’s physical position (or posture) should promote a clear interest in and receptivity to what the victim is doing or saying. This can include sitting up straight but slightly leaning forward and having one’s hands slightly forward in a comfortable position, either on one’s lap or on a table.

If a victim is uncomfortable with his or her proximity to the advocate, the advocate can look for physical signs of discomfort or distress: movement of the legs; finger tapping; physical rocking of the body; attempts to create greater physical distance, or aversion of the gaze or direct eye contact. If distress is evident, the advocate can step back, lean back, or slightly move his or her chair back.
**Eye contact.** A victim’s preference or disdain for direct eye contact can be based on personal upbringing and mores, cultural nuances, or simply the emotional impact of victimization, which sometimes precludes direct eye contact in nonverbal communications. While eye contact often helps facilitate effective communications and expresses a strong interest in what the other person is saying, it can also be a strong barrier to personal communications with victims who are uncomfortable with direct eye contact.

One effective approach to determining the parameters of direct eye contact is to look in the direction of the victim’s upper body and/or head without forcing direct eye contact. This sends a nonverbal signal that it is within the victim’s control to initiate direct eye contact if desired. The choice to initiate direct eye contact then becomes the victim’s.

**Facial expressions.** With human beings, the face is more highly developed and capable of expression than in animals, which can be a benefit or a barrier to effective communications. Some people tend to become creatures of habit with their facial expressions, habitually developing clear, distinct looks for shock, distress, frustration, and disbelief, as well as for empathy and understanding.

Victim advocates can benefit from practicing their facial expressions in the mirror or videotaping themselves in an exercise with another advocate who plays the role of a victim. Either approach promotes self-examination and critique that can eliminate any inappropriate facial expressions and allow practice of expressions that denote respect, empathy, and attention to what is being said.

**Gestures.** While many hand gestures are culturally driven, some are universally accepted as signs of welcome and respect. For example, holding your hands vertically, facing slightly upwards, shows that you welcome and embrace two-way communications. Holding your hands parallel to your chest, raised upward and slightly forward, emphasizes a point from either the speaker or listener. And the simple act of leaning forward with your hands on your lap or on the table says, “I’m listening to what you’re saying.”

**Appearance.** Victim advocates should *always* strive to look professional, regardless of the work environment. Whether dressed up or completely casual, it’s *always* important to appear professional. This requires attention to details in clothing and basic matters of hygiene, such as clean teeth and fresh breath, manicured hands, neat hair, and clean clothes that are not wrinkled.
Below is a partial list of gestures associated with an emotion or behavior, which have been provided by James J. Messina and Constance M. Messina (2006). This list can give victim service providers some idea of what a victim may be experiencing by observing their gestures. However, it is important for victim service providers to verify their observations by asking victims what they are experiencing (for example, “Are you feeling like your life is out of control?”).

- **Openness, confidence:**
  - Open hands, palms up
  - Unbuttoning or removing jacket (men)
  - Eye contact
  - Smile, leaning forward, relaxed
  - Hands away from face, possibly behind back
  - Standing straight, feet slightly apart, shoulders squared

- **Cooperation, readiness:**
  - Standing with hands on hips, feet apart, head tilted
  - Uncrossed legs
  - A person moves closer to another
  - Unbuttoned coat (men)
  - Head cocked, finger to face, blinking or squinting
  - Welcoming handshake
  - Open arms or hands (palms out)
  - Smile (culturally sensitive)
  - Eye contact (culturally sensitive)

- **Doubt:**
  - Pacing
  - Eyes closed
  - Brow furrowed
  - Frown
  - Rubbing eyes
  - Hand to face gestures (evaluative)
  - Pacing with head down and hands behind the back or just standing
  - Scratching head
Suspicion, secretiveness:
- Folded arms, moving away from another
- Crossed legs
- Lack of eye contact (culturally sensitive)
- Hand covering mouth
- Frown
- Scrunching in with head down
- Stolen look, sideways glance
- Sideways positioning
- “Poker face"
- Deception indicated by lack of eye contact
- Anxiety gestures
- Looking at floor
- Frequent swallowing
- Wetting lips
- Throat clearing

Need for reassurance:
- Clenched hands with thumbs rubbing
- Stroking arms
- Cuticle picking
- Hand pinching
- Sucking on pen, glasses, etc.
- Touching chair before sitting

Anxiety:
- Nail biting
- Finger movement
- Sighing
- Hand wringing
- Rapid, twitchy movements
- Clearing throat
- Tremors, especially knees
- Heavy breathing
- Voice strained
- Lips quivering
 rapidey movement
• Rigidity

- Frustration, anger:
  • Making fists
  • Hands on hips
  • Stomping
  • Sitting on edge of chair (ready for action)
  • Chin out
  • Kicking the ground
  • Lips pressed together, jaw muscles tight
  • Running fingers through hair
  • Rubbing back of neck
  • Hands in pocket
  • Clenched hands with white knuckles
  • Pointing or jabbing
  • Hot under collar
  • Putting out cigarette, especially if with grinding motion
  • Change in skin color
  • Hostile stare

- Defensiveness:
  • Hands in pocket
  • Hands behind back
  • Clenched hands
  • Men with jackets button up
  • Folded arms (can be reinforced by making fists)
  • Crossed legs
  • Body twisted away, moving away, sitting back
  • Head tilted forward, possibly squinting
  • Stalling for time by cleaning glasses, rearranging, etc.
  • Hand rubbing back of neck.

- Self-control, inner conflict:
  • Hand holding wrist or arm
  • Arm locked behind back
  • Locked ankles
• Gripping arms of chair as in dentist's chair
• Suppressed gestures or displacement activities such as fist clenched hidden in pocket
• Hand to mouth in astonishment or fear (suppressed scream)
• Hand rubbing back of neck, running fingers through hair (displaced hitting out), “stiff upper lip” or reacting as little as possible
• Blowing nose and coughing (disguised tears)

**Asking Open-ended and Closed-ended Questions**

Asking questions is often the best way to assess a victim’s needs. Questions let the victim know that you are interested in helping him or her, and they involve the victim in his or her own assessment. This tends to build the connection with the victim that is so critical to the victim service provider’s ability to do his or her job and to the healing process for the victim. Because the objective of asking questions is to gather information relevant to assessing the situation and respond to the needs of the victim, care must be taken to ask the type of questions that illicit the most information. In these circumstances, it is highly inappropriate to ask questions simply out of curiosity.

There are two types of questions: close-ended and open-ended. Both are useful if victim service providers understand what each is and how each is used to obtain the information they are seeking.

Close-ended questions typically require a brief “yes” or “no” response and are best used to find out a specific piece of information or to clarify a specific point of discussion, but rarely anything more. They can also be used to minimize the discussion and focus on a specific fact. Examples of close-ended questions include:

- “Are you in a safe place?”
- “Do you want me to call anyone for you?”
- “Would you like something to drink?”
- “Would you like to attend the parole hearing?”
- “Would you like help filling out the application for victim compensation?”

Open-ended questions cannot be answered with a “yes” or “no” response. They allow the victim assistance provider to get more information and to expand the discussion. Open-ended questions also require the victim to offer a more thorough response that requires deeper consideration and thinking. Typically, they begin with how, when, what, where, why, or with tag lines like, “Tell me about . . .”
A word of caution: questions beginning with “why” tend to denote judgment, so it is best to avoid them when working with victims.

Open-ended questions encourage victims to take the lead in the conversation, to talk about what is important to them, and to share important information. Allowing the victim to take the lead tends to help build trust and rapport because it demonstrates an interest in the victim. Examples of open-ended questions include:

- “How safe are you feeling now?”
- “What would you need to feel safe right now?”
- “Is there anything else you can tell me?”
- “What special concerns do you have that I can help you address right now?”

While observing and carefully asking questions, the responsibility of the service provider is to:

- Elicit information that assesses the victim’s primary needs and concerns and that can help develop an appropriate and effective case plan.
- Provide victims of crime with a measure of safety and security.
- Allow victims to ventilate and have their experiences validated.
- Assist primary and secondary victims to stabilize their lives after victimization.
- Help victims to understand and access supportive services that can help them cope in the aftermath of victimization.
- Help victims to understand and participate in the criminal or juvenile justice system.

The victim service provider must be able to quickly assess the situation and the victim’s needs in order to determine the appropriate course of action to meet those needs, which may include safety and security for the victim and family members, medical care, mental health counseling, family assistance, applications for victim compensation, emergency housing, transportation, translators/interpreters, child care, victim/witness protection, information, or other services.

Some factors for the victim service provider to consider are:

- Is the victim stable? What is the victim’s:
  - Emotional state?
  - Current sense of safety and security?
  - Ability or capacity to cope?
  - Current level of functioning?
What does the victim need?

◆ What basic services does the victim need help getting?

Does the victim have a social support system?

◆ If “yes,” the service provider and victim can work together to engage the victim’s support system, if needed and with approval from the victim.
◆ If “no,” the service provider can help the victim develop a social support system through referrals for services, mental health interventions, and victim support groups.

**Awareness of Cultural Styles of Communication**

The changing demographics in the United States make it incumbent upon victim service providers to know more about the populations that make up the communities they serve. Victim service providers are likely to work with victims from many cultures, which include many different backgrounds and lifestyles. Cultural diversity includes the following demographics:

◆ Gender.
◆ Age.
◆ Ethnicity.
◆ Race.
◆ Sexual orientation.
◆ Educational background.
◆ Religion.
◆ Physical/mental ability.
◆ Military/veteran status.
◆ Lifestyle.
◆ Immigrant status.
◆ Political affiliation.
◆ Socioeconomic status.
◆ Geography (urban, suburban, rural, remote, and frontier).

By acquiring an awareness of cultural communication styles (i.e., how people express themselves, how they display emotions, and how they deal with crisis and conflict), victim service providers can adapt their own communication style to accommodate that of the victim.
Suggestions for increasing awareness of cultural styles include the following:

- Learn about different cultures from your clients.
- Take advantage of available resources (i.e., books, articles, films, music, etc.) to learn more about different cultures and their histories. There is much information available on the Internet. A word of caution: be aware that there are many negative stereotypes about cultural groups. Be willing to validate the information you are getting to avoid stereotyping anyone.
- Attend cross-cultural communications training.
- Learn how different cultures deal with crises and acquire support when in crisis (i.e., through elders, nature, spirit, clergy, etc.) to be able to make helpful and relevant referrals.
- Learn how cultures communicate nonverbally. Some cultures do not make eye contact because it is considered disrespectful. In some cultures, a smile communicates that the person is embarrassed or does not understand and is afraid to ask questions. In other cultures, smiles signal superficiality and thoughtlessness.
- Learn how different cultures react to conflict. In some cultures, conflict is dealt with directly, while in others open conflict is experienced as embarrassing or demeaning.
- Listen actively and carefully when interacting with victims from different cultures. Again, check out any assumptions you draw from your observations.
- Build relationships with individuals from different communities that can be used as a resource for learning about cultural norms and nuances and validating any information you are acquiring about their culture. These important contacts can also serve as gatekeepers to diverse communities and promote collaborative efforts that improve victim assistance within all cultures.

COMMUNICATION BARRIERS

Victim service providers must do everything in their power to become aware of and overcome any communication barriers that might exist in their relationships with crime victims. Barriers to communication include, but are not limited to:

- Cultural differences between providers and victims.
- Programmatic barriers, such as lack of adequate training.
- Physical barriers, such as the geographical distances some victims must travel to access services.
- Language barriers.
- Barriers due to disabilities.
Barriers created by a victim’s inability to focus because of a high level of emotion or posttraumatic stress.

*Cultural* barriers that might impede good communication with crime victims include:

- Distrust of certain professions (i.e., law enforcement, clergy, and attorneys).
- The victim service provider’s assumptions and judgments due to a lack of understanding of different cultures.
- The role of the family (i.e., sharing intimate information outside of the family about a crime may be frowned on in certain cultures).
- Cultural mores that emphasize loyalty to a group over an individual.
- Cultural indications of shame with respect to victims.
- Variations among cultures in the grieving process.
- Prejudice, either conscious or unconscious, on the part of the helping individual.
- The victim’s perception of what is private and must not be shared outside of the culture.
- Distrust of the criminal or juvenile justice system because of culture or previous experiences that members of a culture have had with the system.
- Fear of immigration and deportation issues.
- Differences in the American criminal justice system and the justice system in the victim’s country of origin.
- Culture of gender-based passivity.
- Different religious beliefs (e.g., burial practices and rites, choices to seek counseling).
- Disenfranchisement for various reasons (e.g., extreme poverty, illness, isolation).

Efforts that victim service providers can make to address *cultural* barriers that impede communication with crime victims include:

- Participate in inclusiveness training.
- Be aware of your own values and biases. Learn to recognize your own “hot spots” and develop ways to manage them so they won’t affect your communications.
- Pay attention to your nonverbal communication. Many times, people communicate one thing verbally and another thing nonverbally. Often, someone will react not to what you say, but to how you *say it* and *convey it*.
- Pay attention to your words. Words convey values, judgments, and biases. Try to choose words that are neutral. Learn about words that are unique to specific cultures, as well as words that are culturally-appropriate and culturally-offensive.
Avoid false assumptions that you have qualities or attitudes in common with victims (e.g., a victim service provider who has been victimized in a similar way assuming that the victim is having the same experience).

Always show respect for victims even though you may not agree with their norms, values, and perspectives.

Programmatic barriers that might impede good communication with crime victims include:

- Lack of diversity among victim services staff.
- Language barriers.
- Absence of outreach to different populations about victims’ right and services.
- Lack of training and cultural competence to develop skills and preparedness so victim service providers can address the needs of populations served.
- Poor understanding of service providers’ roles.
- Agency policies that are in conflict with specific cultures or neglectful of specific needs.

Efforts that victim service providers can make to address programmatic barriers that impede communication with crime victims include:

- Develop a culturally diverse staff.
- Identify populations in the community that are challenging to serve.
- Assess and address the general needs of victims from populations in the community that are challenging to serve (for example, make sure that space is available in secure victim/witness waiting rooms for victims from family-oriented cultures who might want to involve a large number of family members in court proceedings).
- Evaluate the staff’s cultural competence for assisting underserved victim groups.
- Determine ways in which agency policy can change to better serve target groups.
- Form a partnership with culturally diverse individuals and agencies to engage their assistance in serving victims from their communities.

Physical barriers that might impede good communication with crime victims include:

- Location of service providers.
- Geographic barriers that prevent victims from seeking or accessing services due to the distance they must travel or lack of public transportation.
Victims’ isolation and lack of awareness of services in rural or highly urban areas.

Victims’ lack of transportation.

Victims’ lack of a telephone.

Poor access to service providers’ offices for people with disabilities, such as lack of a TTY or wheelchair ramps.

Elderly and child victims who are dependent on others for access to services.

Efforts that victim service providers can make to address physical barriers that impede communication with crime victims include:

- Assess transportation needs for victims in rural communities and explore alternate ways to communicate where possible.
- Increase awareness of your agency’s service in communities that are highly rural, remote, frontier, or urban.
- Make sure that a TTY is available and that victim service providers are trained to use it.
- Consider outreach to victims that brings services directly to them where they live or work, using both professionals and volunteers.
- Promote use of videoconferencing for parole hearings that allows victims to participate and give a victim impact statement from a remote location (that is often selected because it is close to their homes).

Language barriers that might impede good communication with crime victims include:

- Victim assistance literature and information that is available only in English.
- No translator available for non-English-speaking victims.
- Victims whose first language is not English.
- Victims using a child, other family member, or friend to translate.
- Terminology used in the criminal or juvenile justice system that does not translate accurately to the language of the victim.
- Victims speaking English with a heavy accent.
- Victim service providers not addressing the victim directly, speaking instead to a translator or a third person.
- Literature, forms, and other victim assistance resources not available in other languages.
Efforts that victim service providers can make to address *language* barriers that impede communication with crime victims include:

- Make efforts to translate victim assistance literature into any languages other than English that are predominant in the community.
- Make sure a skilled professional translator is available.
- Never use child victims or other family members to translate.
- Listen carefully and patiently to victims who speak with a heavy accent. Ask for clarification when needed.
- Speak directly to the victim, not the translator.
- Hire staff with different language skills.

Barriers *due to disabilities* that might impede good communication with crime victims include:

- No ASL interpreter available for hearing-impaired victims.
- Victim service providers not facing a victim who relies on lip-reading for information.
- Brochures and other information not available in Braille.
- Buildings and related facilities (such as transportation and parking) that are not in compliance with the Americans with Disabilities Act (ADA).
- Transportation not available for victims with physical disabilities.
- Victim service providers and others who shout to sight-impaired victims or victims with other disabilities.
- Victim service providers not addressing a victim with a disability directly, speaking instead to an interpreter or a third person.
- A victim service provider who displays obvious discomfort with the victim’s disability.
- Difficulty understanding victims with speech impairments.

Efforts that victim service providers can make to address barriers *due to disabilities* that impede communication with crime victims include:

- Assess your agency’s compliance with the Americans with Disabilities Act (ADA). The ADA Web site, which includes many resources that can help with such an assessment, can be accessed at: www.usdoj.gov/crt/ada/adahom1.htm.
- Make sure an interpreter is available.
- Speak directly to the victim, not the interpreter.
- Make sure that facilities and transportation services can accommodate people with disabilities.
- Be sure your mouth is clearly visible when speaking to victims who lip-read. Do not eat, smoke, chew gum, turn away, or cover your mouth when speaking.
- Be aware that lip-reading and listening are tiring for many persons. Avoid long monologues.
- Make sure that literature and forms are available in Braille.
- For victims who use guide dogs, do not touch, feed, pet, or play with the dog.
- Listen carefully to victims with speech impairments. Don’t try to rush them. If you don’t understand, ask for clarification. Repeat key pieces of information to make sure you understand.

**Barriers to communication arising from a victim’s inability to focus due to a high level of emotion or posttraumatic stress** include:

- Victims expressing anger, distress, frustration, or fear.
- Victims experiencing high levels of anxiety.
- Victims reexperiencing the trauma in the telling of their victimization or its effect on them.
- Victims’ lack of trust in you and/or the criminal or juvenile justice system.
- Victim service providers’ emotions triggered by the stress of the victim.

Efforts that victim service providers can make to address barriers created by a victim’s inability to focus due to high level of emotion or posttraumatic stress include:

- Recognize that strong emotions are often a direct result of a victim’s level of trauma.
- Allow the victim to select the time and place of the interview or meeting.
- Attempt foremost to communicate trust, support, and confidence.
- Calm and comfort the victim.
- Allow victims time to tell what happened and describe how they are feeling in their own words.
- Give the victim back the control the offender took away by letting him or her decide when and where to talk.
- Reassure the victim that his or her feelings are acceptable (except any feelings that include revenge or suicide ideation).
- Let the victim know that any feelings of anger, distress, frustration, and fear are not uncommon and are justifiable.
- Be willing to repeat information several times, as well as to listen to a victim who repeats information or questions.
- Be willing to listen to victims who share their experiences if they want to talk about the crime and its effects, and validate their experience with empathy and support.
- Have an information and referral system—with names, addresses, telephone numbers, e-mails, and Web sites and pages—to determine appropriate referrals.
- Offer to make referral calls and contacts for further information and victim support to help facilitate connections between the victim and appropriate services.
- Don’t avoid the victim or avoid listening to his or her reactions to a crime. Listening and validating those experiences and emotions are critical to victims’ reconstruction after a crime.
- Don’t expect to be a psychotherapist or to know all the “right” answers.

Many communications with victims occur by telephone or in writing through mail or e-mail. Techniques for effective telephone communications include the following:

- Use a proper greeting to the victim, asking how he or she would like to be addressed.
- Maintain a friendly, calm tone of voice.
- Listen without interrupting or assuming you know what the victim is going to say.
- Do not attempt to multitask. Give the victim your full attention.
- Check to make sure you clearly understand the victim’s key concerns or problems.
- Ask questions for clarification.
- Provide as much detail as the victim requires.
- Avoid technical jargon.
- Match the victim’s communication style in tempo and tone.
- Give the victim choices of several actions or solutions and help him or her understand possible outcomes or consequences of those choices.
- Close the conversation by asking if anything further can be done.
- Thank the victim for taking time to speak with you.
Techniques for effective written communications include the following:

- Inform the victim of how written communications will be delivered to them:
  - Ensure that delivery of written information will not jeopardize the victim’s safety.
  - Arrange for an alternate delivery address if there are any safety or privacy concerns.
  - Describe or show the envelope in which such information will arrive so the victim will not fear or avoid opening it.

- Use the proper spelling of the victim’s name.

- Use clear, concise words, and avoid technical jargon.

- Provide an appropriate level of detail. Too little information is not useful, while too much information can lead to confusion.

- End each written communication by providing your contact information for further assistance and by thanking the victim.

- With e-mail communications, it is important to maintain the same level of formality and professionalism that is used for other forms of written communication.

**COMMUNICATING WITH CHILDREN**

- Realize that children tend to regress emotionally during times of stress and act younger than their age. For example, eight-year-old child victims may suck their thumbs.

- Use language appropriate to the victim’s age and cognitive development and the language that the child victim has used. For example, use the language a child sexual assault victim has used to describe what happened to him or her. Avoid baby talk.

- Because young children often feel they may be blamed for problems, assure preschool and elementary school-age children that they have not done anything wrong and they are not in trouble.

- Be consistent with the terms you use, and repeat important information often.

- Ask open-ended questions to make sure child victims understand you.

- Use care in discussing sexual matters with preadolescent and adolescent children, as their embarrassment and limited vocabulary can make conversation difficult for them. At the same time, do not assume that victims, including elementary school-age children, are as knowledgeable about sexual matters as their language or apparent sophistication might indicate.
- Maintain a nonjudgmental attitude and empathize with young victims. Because elementary school-age children are especially affected by praise, compliment them frequently on their behavior and thank them for their help.

- Remember the limited attention span of children. Be alert to signs that victims are feeling tired, restless, or cranky. When interviewing preschool-age children, consider conducting a series of short interviews rather than a single, lengthy one. Also, consider postponing the interview until the victim has had a good night’s sleep. However, do not wait too long before interviewing preschool-age children, because victims at this age may have difficulty separating the events of the victimization from later experiences.

- Encourage preschool-age children to play, as it is a common mode of communication for them. You may find that as children play, they become more relaxed and thus more talkative.

- Limit the number of times that child victims must be interviewed. Bring together for interviews as many persons from appropriate public agencies as possible, including representatives from the prosecutor’s office, child protective services, and the medical/health care community.

- Include victims, whenever possible, in decision making and problem-solving discussions. Identify and patiently answer all their questions. You can reduce victims’ insecurity and anxiety by explaining the purpose of your interview and by preparing them, especially elementary school-age children, for what will happen next.

- Show compassion to victims. Children’s natural abilities to cope are aided immensely by caring adults.

- In sexual abuse cases, although the immediate victim is the child, do not forget to comfort the nonoffending parent(s). Provide referrals regarding how they can cope and what they can expect, as well as suggestions on how they can talk to their child.

- Use professionals such as forensic interviewers and other child advocates from local child advocacy centers. Information about more than 500 Children’s Advocacy Centers is available from the National Children’s Alliance at: www.nca-online.org/pages/page.asp?page_id=4028.

**WRITTEN RESOURCES FOR CRIME VICTIMS**

It is important for agencies and organizations that serve victims to have written resources readily available that are clear, concise, and easy to understand. Written resources include forms, brochures, fact sheets, and other materials that are available in both paper and electronic formats (on Web sites and through listservs and discussion groups).

When providing victims with written resources, it is important to recognize that they may not read them immediately; even if they do, their level of trauma may prevent them from
fully comprehending the written word. It is essential to explain the contents of all written resources verbally and to follow up with victims to see if they have any questions or require additional explanation or information.

Some basic guidelines for developing written resources include the following:

- The resources should be written at a sixth-grade level.
- Avoid jargon or acronyms that are confusing to victims.
- It is helpful to have available:
  - A list of “Frequently Asked Questions” (and answers) that contains basic information that correlates to victims’ most common concerns.
  - A description of criminal or juvenile justice processes, as well as the range and types of victim assistance services that are available.
  - A glossary of terms that explains terminology, jargon and acronyms most commonly used in victim assistance and justice processes.
  - Written materials that include a list of toll-free telephone numbers for victim assistance and Web sites that victims can access to obtain more information.
  - Efforts should be made to provide written resources in the languages that are most prevalent in an organization’s community, as well as in Braille.

The victim service provider works foremost to lessen the impact of the victimization by identifying the needs of victims and their families and helping them meet those needs. To achieve this, an accurate assessment must be made of the victim’s safety, functionality, and coping skills. Observing nonverbal cues and assessing the victim’s physical environment are important ways of gathering information, however much of the information will be obtained through asking effective questions.

Good communication and assessment skills, as they apply to victim services, are learned over time. Every situation, every crime, and every crime victim is different. As long as the victim service provider’s goal is to assist the victim and to ensure that victims’ rights are enforced so that the victim can move toward healing, the victim service provider’s skills will improve over time and with each victim encountered.

The Office for Victims of Crime has produced a 13-minute educational videotape entitled “Listen to My Story: Communicating with Victims of Crime.” It includes a detailed discussion guide about how to identify and overcome barriers to communicating with victims. For information about how to order the videotape and discussion guide, please visit www.ovc.gov/publications/infores/other.htm.
REFERENCES


