The Secondary Victimization of Crime Victims: The Impact of Seeking Justice in the Criminal Justice System

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Agenda

• Today, our agenda will focus on the following topics:
  1. Defining secondary victimization.
  2. Points of contact that result in secondary victimization.
  4. Impact of secondary victimization on the criminal justice system.
  5. Recommendations to reduce secondary victimization.
Introduction

• As a criminal justice professional, what different interactions do you have with suspects and offenders?

• We know that criminal justice professionals possess certain responsibilities and goals that have to be accomplished.

• We cannot forget about our crime victims.
  o They can be anyone we know.
  o The trauma crime victims go through can be great depending upon many factors.
Victims

- Crime victims go through many emotions in being victimized by a criminal event.

- This can depend upon many factors:
  - The criminal event
  - The individual
  - The individual’s background

- Response to victimization can take many forms.
  - There is no single emotion “common” to victimization.
Trauma

- Depending upon the crime, victims can through many things, to include physical and emotional harm.

- Some victims may be able to recount experiences well.

- Other victims may not be able to recount events.

- There are other victims who may remember bits and pieces of the event.
  - Defense mechanisms such as repression can impact recall.
  - Stories can change. While this can be an indicator of issues, such as a false report, it can be a result of the trauma response.
Trauma Response

• When an individual goes through trauma, both physical and emotional responses can occur.

• The brain, hormones, and the central nervous system can be impacted by trauma (such as from crime).

• Psychologically, the individual may not be able to handle their victimization.
  o A variety of defense mechanisms can occur (beyond repression). Other examples of defense mechanisms include:
    • Regression, denial, and suppression are examples.

  • The mind is complex
Emotional Response to Trauma

- Humans can exhibit different types of emotions when a trauma occurs:
  - Shock and denial
  - Anger and acting out
  - Confusion
  - Fear
  - Sadness
  - Numbness
  - Self-blame
  - Even laughter has been seen with some victims
Physical Consequences to Trauma

- Post-traumatic stress disorder
- Insomnia
- Physical pains
- Being startled easily
- Lack of concentration
- Agitation
- Tiredness
- Nightmares
Importance

• Every criminal justice professional will come into contact with victims and their families.

• When a victim comes to law enforcement (for example), victims take the chance in reporting their crime.

• Depending upon the crime, reporting can be a frightening experience for the victim.

• Some victims have no familial or other social support.

• Some victims are already blaming themselves.

• They come to us, the criminal justice professional, in an attempt to seek justice.
Secondary Victimization

- Secondary victimization refers to the re-victimization of crime victims during their interactions with criminal justice professionals, medical personnel (such as SANE-nurses), psychological staff, and victim advocates.

- When we look at this, all of these “helping individuals” are (in their own way) trying to help victims.

- In different ways, even ways that appear to be helping, they can unintentionally revictimize the victim.
SANE-Nurses

- Sexual Assault Nurse Examiners are registered nurses that form rape exams for sexual assault victims.

- Rape kits are important. They are important for both the criminal justice system and for the victim.

- These can be traumatizing for rape victims.

- In attempting to collect physical evidence, SANE-Nurses can unintentionally revictimize rape victims.
The Criminal Justice System

• The criminal justice system possesses certain goals.

• The ideal of these goals is to ensure the smooth functioning of the system, itself.

• These goals can conflict with victims and their ideas of what justice is.
  o This can be impacted by a variety of factors.
    • Experiences
    • Media
Law Enforcement

- Law enforcement possess a variety of job functions throughout their day.
  - Responding to calls for service
  - Investigation
  - Arrest

- It is during the “response” and “investigation” function where issues can occur.
  - Interviewing crime victims is an important part of case work.
  - It is important to know what the victim has gone through, where it happened, how it happened, and who did it.

  - During the interview phase, revictimization can occur.
  - It can occur, also, during an potential follow-up investigations.
Courts

• The role of our courts is to determine guilt vs. innocence.
• The court operates in a specific manner according to criminal procedure.
• The court process can revictimize crime victims during the following:
  o Interviews and having to go through multiple interviews.
  o Plea bargaining and pre-trial diversion.
  o Postponements and continuances.
  o Testifying and having to re-testify.
  o Decisions made by juries and/or the judge.
  o Victim impact statements.
Helping Professionals

• There are a variety of helping professionals who seek to help crime victims recover and/or reconcile.

• Victim advocacy and psychology/psychiatry
  o Victim advocates can unintentionally revictimize crime victims.
    • An example of this occurs when victim advocates (who have experienced past victimization) express their victimization to crime victims.
  o Not every psychologist/psychiatrist is prepared to handle the complexity of PTSD and the resulting trauma response.
    • Psychologists can specialize in certain areas.
    • If a helping individual is not trained in trauma response and what that does to a victim, it can revictimize them.
Study

• Published a study (dissertation) on this topic:
  o The Complex Impact of Secondary Victimization on Rape Victims.

• In this study, I wanted to explore the complexity of secondary victimization and how it can impact the crime victim (in this case, rape victims).

• I studied this phenomena through interviewing victim advocates, utilizing a Delphi Method.
  o While common used for nursing research, I chose the Delphi Method to gain knowledge and narratives on the victim experience.
Findings

• Approximately 87% of participants found that the criminal justice system secondarily victimizes rape victims (in general).
• Victims do not report rape because they are afraid of the treatment they will receive in going through the criminal justice system.
• 40% of the participants argued that secondary victimization exists in the law enforcement “branch” of criminal justice.
• 40% of the participants argued that medical personnel secondarily victimize rape victims.
• 76% of the participants argued that secondary victimization occurs within our courts.

• 33% of the participants argued that those close to a victim secondarily victimize them.
The “How” of Secondary Victimization

• We are all human. We were raised a certain way.

• We grew up. We experienced life.

• In some ways, these experiences can bias us, intentionally or unintentionally.

• Our bias can impact our interactions with crime victims.

• Participants in the study relayed that biases are impacting criminal justice and helping individual’s interactions with crime victims.
• Continued education and training are key to improving interactions with crime victims, regardless of the crime.
• Collaboration among victim advocacy groups and the criminal justice system.
• Effective communication among all individuals who deal with crime victims and their families.
• Flyers and informational booklets (resources).
• Active listening to what the crime victim is saying.
• Awareness of the different trauma responses. A victim can laugh, cry, or freeze when being interviewed.
Impact of Secondary Victimization of Crime Victims

• Secondary victimization does not exist in a microcosm.
• What victims go through can impact how criminal justice professionals (and helping professionals) do their job.
• It can add time to interviews, investigations, the court process, and to daily work.
Importance: In Conclusion

• How one person deals with victimization will not be representative of how all victims deal with victimization.

• As professionals, we have to remember that victims come to us.
  - They may come to us for help.
  - They may come to us for justice.
  - What one victim needs will be markedly different than others.
  - For instance, some may want to be actively involved in the justice process; while others do not.

• When we look at crime victimization, anyone can be a victim. It can be anyone we know, have known, and will know.
Thank you for your time today!
What questions do you have?