

develop and expand enhanced life skills and self-esteem as well as developing mediation, conflict resolution and negotiating skills.

The Intergroup Relations and Conflict Program at the University of Michigan is a learning-living effort to educate undergraduates about various forms of conflict among social groups. It links formal academic course work to the living and social experiences of students outside the classroom. The program's philosophy is based on systematic instruction, interaction and substantial dialogue among various groups. Such an environment should help build a multicultural community and facilitate dialogue group activities between people of different backgrounds and cultural identities.

Teaching Tolerance Education Project of the Southern Poverty Law Center is dedicated to equip every classroom in America with the tools to help children live in harmony. Through the publication of a semiannual educational magazine and the development of a video-and-text curriculum, Teaching Tolerance provides teachers with practical classroom resources for promoting understanding and celebrating diversity. These materials are distributed at no charge to individual educators, schools, civic and religious organizations in every state. Over 45,000 free teaching kits on America's Civil Rights Movement have been provided to schools across the nation.

Founded in Boston in 1985 by the Anti-Defamation League, **A World of Difference** prejudice-reduction training programs have now been implemented in 30 major cities throughout the United

States. The program is designed to help educators create approaches to solving problems associated with prejudice and discrimination in public, private and parochial schools.

Facing History and Ourselves (FHAO) of Brookline, Massachusetts is a national, educational and teacher training organization with programs designed to engage students of diverse backgrounds in examining racism, prejudice and anti-semitism. FHAO's programs stimulate critical thinking and foster appreciation for diversity and civic responsibility. Since 1976, about half a million students in the United States and other parts of the world annually use curriculum materials developed by FHAO.

The Oakland Men's Project (OMP) provides training on violence prevention by examining issues of racism, sexism and prejudice. OMP has conducted workshops in diverse communities around the country to train educators, government officials, parents, police officers and students. Training focused on conflict resolution, recognizing and preventing discrimination and multi-cultural competence.

● **Anti-Violence Education Strategies/Mediation and Conflict Resolution** -- Dispute resolution encompasses an array of innovative processes including mediation and related approaches that can be adapted to resolve a wide variety of conflicts and problems. There is a common core of principles central to all dispute resolution applications: making shared decisions, building consensus, working collaboratively, appreciating diversity, nurturing community and advocating civility. The

application of these principles can yield lasting solutions to difficult problems. Dispute resolution has been used to promote multicultural communication, community building and violence prevention.

National Institute For Dispute Resolution (NIDR) is dedicated to increase the understanding of how dispute resolution operates and with what effects. NIDR encourages researchers and academics to break new ground in thinking about disputing and to provide new insights into issues that policy makers and society face.

New Mexico Center for Dispute Resolution, Albuquerque, New Mexico is building networks between community justice and youth service and juvenile justice organizations at local and national levels. The center will publish a dispute resolution resource manual for youth service agencies.

3. Proposed Federal Remedies

As this report sets forth, the underlying causes of intercommunal violence are complex and include racism, demographic shifts, a general increase in violence, an unstable economy and media coverage. To solve the problem of intercommunal violence, there must be opportunity for all groups to share equally in the American dream. The President's number one priority must be to create economic opportunity for all Americans. Jobs and self-sufficiency provide resources for families, structure for lives, and the potential for creating workplaces where Americans of all stripes can learn to respect

and one each other's strengths. Access to opportunities for all will reduce the battles over scarce resources that are often at the root of intercommunal violence.

Along with improving economic opportunities, there are a number of other measures that should be taken to address the problem of intergroup violence. Some of these are appropriately in the federal arena; others will require a level of federal-state-local cooperation that a number of Departments of this Administration are already working to achieve.

Strategies to address intercommunal violence -- as well as most other forms of violence -- must be consistent with the needs of the affected community. Intergroup conflict is generally locally based; local solutions are most appropriate. Thus, successful prevention and intervention strategies will be those designed and implemented cooperatively with local citizens and relevant community institutions. These should include neighborhood citizens groups, local law enforcement agencies, nonprofit service organizations, foundation, the private business community, churches and other religious organizations and local media. Solutions developed in concert with the local community are more likely to be sensitive to the culture and language of the affected community.

a. Presidential Leadership

Presidential leadership is a key component of any strategy to address intercommunal violence. Through words and actions, the President can move the nation toward a vision of inclusion

and tolerance that will help to reduce intergroup tensions. Speeches and appearances should reflect the President's commitment to celebrate the diversity that is America.

One highly visible way for the President to lead on this issue would be to convene a Summit on Violence Prevention, in a format similar to the Economic Summit held in Little Rock last December. A Violence Prevention Summit would demonstrate the President's personal commitment to address violence broadly. Experts from across the nation would present ideas on violence prevention to the President and Cabinet. The intercommunal violence portion of the Summit could highlight and honor successful programs designed to curb hate, gang and interethnic violence at the state and local levels. The President could use the summit to initiate a comprehensive strategy for combatting violence.

Another method for demonstrating the Administration's commitment would be a series of targeted, local conferences to address violence in areas where the problems are particularly acute -- perhaps in conjunction with or modeled after the interdepartmental WAND Project. These sessions should bring together federal, state and local government, as well as community and grass-roots leaders, to address the violence problems in individual communities.

At a minimum, the President should appoint a Cabinet level task force on preventing violence to coordinate the federal effort to reduce violence (including hate and gang violence). The Violence Prevention Task Force would coordinate appropriate

prevention strategies for violence, by working with federal, state, local and community representatives. In addition, the Violence Prevention Task Force should sponsor annual conferences on violence prevention that would facilitate an exchange of information between government officials, academics and practitioners in the field. Conference participants would be given the opportunity not only to share information but also to give policy makers feedback on what does and does not work.

b. Legislative Proposals

(1) Amend Federal Hate Crime Legislation

Revisions to 18 U.S.C. 245, the principal federal statute addressing racially motivated violence, would increase the ability of the DOJ to prosecute hate crimes. Currently, the law prohibits willful injury, intimidation, or interference by force or threat of force with an individual because of the individual's race, color, religion, or national origin, and because the individual is engaging in one of the federally protected activities enumerated in the statute. State and local hate crime laws generally are not sufficiently comprehensive, nor do they provide sufficient coverage to adequately address hate violence.

The DOJ is considering ways to revise the law to extend protection to victims of violence who were targeted because of their sexual orientation or because of their gender, as well as eliminating the current requirement to prove that the victim was assaulted because he/she engaged in an enumerated federally protected activity. Revisions to this law should be a high

priority for the Administrations in the next session of Congress.

(2) Amend the Hate Crime Statistics Act

The Hate Crime Statistics Act ("HSCA"), passed in 1990, directs the DOJ to collect and publish data for five years on crimes which manifest evidence of prejudice based on race, religion, ethnicity or sexual orientation. There are a number of ways the HSCA could be improved when reauthorization is considered next year.

First, reporting on hate crimes to the Federal Bureau of Investigation is voluntary. Many jurisdictions do not report including California, a state with a high incidence of hate violence. Thus, at a minimum, mandatory reporting should be explored as a legislative option. Second, the Act does not include reporting of gender-based hate crimes, and this omission should be remedied. Section 5123 of the crime bill approved by the Senate would amend the Act to direct the DOJ to collect statistics on crimes which manifest evidence of prejudice based on disability.

(3) Expand the Mandate of the Community Relations Service

To better meet the evolving challenges of intercommunal violence, CRS in the Department of Justice needs to be revitalized with an appropriate commitment of resources, and its legislative mandate should be expanded to include discriminatory conduct based on religion, gender and sexual orientation. CRS is badly in need of solid leadership. This leadership is necessary in order to maximize the agency's role in a national violence

prevention strategy. CRS is the appropriate agency, through its field structure, to provide communities with emergency intervention assistance when they are confronted by explosive and divisive hate crimes or gang conflict. Similar to federal teams that respond to a community's request for assistance when it has been declared a "federal disaster area", CRS emergency intervention teams should provide assistance to communities when local and state governments do not have the resources to effectively respond to these explosive situations. CRS should revise its protocol, with local input, to help it to assess under what conditions it should respond to requests for assistance.

(4) Authorize the Community Partnership Against Crime legislative proposal. The Administration should support enactment of the Community Partnership Against Crime (COMPAC) legislative proposal (Senate Bill 1299), which would implement crime prevention programs in public and assisted housing communities.

c. National Service Program:

The creation of the new National Service Program provides another vehicle to address the problems of intercommunal violence. All participants should receive diversity training as a core part of their orientation into the program. They should be assigned to local programs that work to reduce intercommunal violence. In addition, participants should be encouraged to serve as mentors to young people living in the communities to which they are assigned.

d. Other Federal Initiatives

(1) Prevention and Intervention:

- **Housing Opportunities** -- HUD should expand options for low-income families to move to lower density and economically mixed communities. Opportunities for families to use their Section 8 certificates and vouchers in scattered site, low-rise housing developments and in neighborhoods that are not distressed or troubled should be strongly encouraged. Efforts should also be made to convert existing public and assisted housing into mixed-income communities comprised of very low-income, working class and moderate-income families. HUD should expand opportunities for low-income homeownership for residents of public and assisted housing. Existing housing subsidies such as Section 8 assistance, should be made more flexible to permit HUD assisted families to become homeowners.

- **Housing Desegregation** -- HUD's Office of Fair Housing and Equal Opportunity needs adequate resources to enforce fair housing and equal opportunity laws and regulations. These resources must be used to reduce the spatial separation by race and income that contribute directly to the racism that is an underlying cause of intercommunal violence.

- **Assistance for Low-Income Persons/Housing Projects** -- HUD should increase its efforts to implement crime prevention programs in its public and assisted housing communities. These programs should incorporate coordinated community-based approaches which include community policing, crime prevention environmental design, and resident participation and involvement

efforts. HUD also should sponsor and encourage self sufficiency programs in all public and assisted housing. There should be an expansion of programs that provide support for after-school and organized recreational activities, job training and entrepreneurship opportunities such as HUD's Youth Sports, Youth Apprenticeship, and Urban Youth Corps Grants, Family Investment Centers and Family Self Sufficiency.

HUD should strongly enforce its Section 3 federal contracting requirements. Section 3 requires that work performed by agencies receiving direct federal financial assistance under certain HUD programs, make good faith efforts to provide opportunities for job training, employment and contracting to low-income persons, particularly those who are recipients of federal housing assistance.

- **Diversity/Anti-Violence Curricula** -- The Department of Education should develop or refine age-appropriate curricula to celebrate diversity and teach tolerance and conflict resolution at all grade levels. It should also create and disseminate to local school systems model curricula on recognizing and preventing hate violence. Finally, DOE should develop a model curriculum that promotes and builds self confidence in children, building upon their individual strengths and increasing the ability of young children to resist involvement in gangs.

- **Diversity Training** -- The Department of Defense and the Office of Personnel Management should mandate that all military and civilian federal employees receive annual training on diversity and cultural awareness issues.

- **Social Services** -- HHS should expand the Youth Gang Drug Prevention Program and encourage states and localities to develop similar programs; continue to focus the High Risk Youth Program on youth involved in substance abuse and violent behavior; expand assistance to communities with large immigrant and refugee populations through the activities of ORR; expand the mandate of federal agency Offices for Civil Rights (OCR) to give authority similar to that of the OCR within HHS.

- **Federal Tax Policy/Allocation of federal funds** -- In a way similar to the federal mandates and incentives that promote affirmative action by government contractors, federal tax policy should include tax incentives for community business enterprises, that include multi-racial/ethnic/gender collaboration in the planning and implementation phases of contractual work. For example empowerment zones will be selected over the next two years by the Secretaries of HUD and Agriculture. Although not currently part of the eligibility criteria, proposals which highlight the active involvement of multi-ethnic communities should be given preference. Similarly, HHS and HUD should explore the allocation of funds under their respective community block grant programs in order to assist multi-cultural coalitions working within a community.

- **Media/Television Images** -- Work with the media to increase the diversity and sensitivity of programming.

(2) Suppression/Law Enforcement:

- **Community Policing** -- DOJ should continue to encourage

local law enforcement agencies to participate in and adopt community policing. The Federal Law Enforcement Training Center (FLETC/CRS) training program should be adequately funded to educate more police officers to recognize and respond to intercommunal violence. FLETC along with local law enforcement agencies should develop generic training curriculums that are sensitive to the racial and ethnic characteristics of communities.

- **Reporting and Identification of Hate Violence** -- The existing FBI training for local law enforcement on identifying and reporting hate crimes should be promoted.

- **Corrections** -- Special efforts should be initiated by DOJ to break up organized gangs in the nation's correctional facilities. As mentioned earlier, events in the outside community and the prison system oftentimes influence one another, further exacerbating the situation. DOJ should explore the possibility of moving gang leaders convicted under state laws out of state prisons and into the federal system in order to neutralize their influence on local gangs.

e. Enhancing Intergovernmental Cooperation

- The Violence Prevention Task Force recommended above should coordinate all federal efforts to address the problems of gang violence, hate crime and interethnic tension. This Task Force, along with the National Performance Review Team, should examine how best to give communities incentives to consolidate as many different forms of assistance at a single site. For

example, public assistance, housing assistance, economic development assistance and drug prevention assistance should all be available at one easily accessible location.

- The Violence Prevention Task Force, along with the National Performance Review Team, should institute a pilot program to coordinate grant programs dealing with intercommunal violence. The program should work with all departments that make grants on this issue, create a uniform application and review process and provide information to potential grantees on how the new process will work. Coordinated grantmaking will result in more coordinated policy direction across agency lines, and would facilitate better evaluation processes to assess the effectiveness of programs.

- The Violence Prevention Task Force should also coordinate with local government entities, such as state and local human relations commissions and city hall agencies in efforts to reduce intercommunal violence.

- The Catalogue of Federal Domestic Assistance, which provides a listing of current domestic programs, should contain an index on violence prevention programs and should allow cross references by programmatic issues.

f. Information Collection and Dissemination

Reliable information on the prevalence of intercommunal violence must be effectively collected and disseminated. Only by collecting statistics and examples can we accurately assess the scope of the problem and develop and target successful prevention

and intervention strategies.

(1) Uniformity of Definitions

DOJ should be given the mission of crafting uniform definitions of "gangs" and "hate violence," addressing the different levels of criminal and violent activity in a workable way, in consultation with local law enforcement.

(2) Collection of Hate and Violence Statistics

Unfortunately, because many local jurisdictions do not want to be seen as having a problem with intercommunal violence, they often avoid reporting gang violence or hate crimes. In order to overcome this stigma, localities must be given some incentives to collect statistics under the Hate Crimes Statistics Act ("HSCA"). One suggested incentive could involve the FBI making available additional data particular to a jurisdiction's needs to those jurisdictions reporting hate crimes. Incentives should also be designed to encourage the cooperation of state attorneys general who may also be responsible for underreporting of hate crimes in some states.

Moreover, DOJ and state and local law enforcement should be given adequate tools to generate accurate statistics. DOJ should work with localities to ensure collection of this data. (DOJ may wish to expand existing training programs, as well as developing user friendly ways of collecting data.)

(3) Availability of Data

The data compiled on intercommunal violence should be readily accessible to state and local governments as well as to the general public. The Violence Prevention Task Force in

consultation with the National Performance Review Team must examine how best to improve the dissemination of information on violence. Presently there are too many specialized clearinghouses that contain valuable information but are unknown to the localities that need the information. Consolidation of clearinghouses, or at a minimum increased coordination between clearinghouses, should be strongly considered. In addition the clearinghouses should be given the ability and charge to better inform localities of their existence and the information that they can provide. Conflict resolution and diversity training programs and curricula use on the state and local level also should be collected by the clearinghouse and made available to interested parties. Federally-run training centers, such as the Federal Law Enforcement Training Center, should continue to play an important role in disseminating information and training on ways to reduce intercommunal violence.

4. Research and Evaluation Agenda

HHS and DOJ should develop a comprehensive research agenda on violence. These two departments, with the most extensive histories of supporting research on violence, should focus future research efforts on the following:

General Research Areas:

- Improving and expanding statistics as outlined above in the Remedies section.
- Developing evaluation tools for and conducting

evaluations of existing prevention and intervention programs.

- Providing more research funding for the Office of Victims of Crime, the Office Of Juvenile Justice Prevention Programs, and the National Institutes of Health.

- Developing a profile of perpetrators.

- Examining current and recent research projects on a variety of subjects related to the nature of subgroup identity, and the roles and problems of such subgroups. Such projects should deal with the variation in cultural definitions and behavior patterns as reflected in the groups' internal affairs and in intergroup relations, as well as the context of practical stresses and conflicts faced by such groups in their day to day existence.

- Examining the current agendas of foundations related to diversity and intergroup relations.

- Examining the work and recommendations of current and former Commissions on subjects such as immigration, equal opportunity, the role of schools and education in communities, etc.

- Awarding mini●contracts to active researchers who are currently looking at issues related to intercommunal violence.

- Studying the role of the media in escalating intercommunal violence.

Proposed Subjects of Gang Violence Related Research:

- Gang migration
- Female gangs

- The role of normal adolescent development in gang recruitment and retention.

- The design of prisons to separate prisoners to discourage gang formation and intergang violence.

- The effects of exposure to extreme violence [including post-traumatic stress disorder (PTSD)] on children and its relationship to perpetration of violence, including as part of gang membership and activity.

Proposed Hate Violence Related Research:

- Adding hate violence to the National Crime Survey.
- Conducting a national study on victims of hate violence.
- Developing evaluation tools and conducting evaluations of existing programs to prevent and address hate violence.

- Examining the role of group leaders, outside interventions and the media in the process of escalation and dissipation.

In conducting research it is important to acknowledge that studying violence is very difficult and not amenable to simplistic methodologies. A new generation of research, perhaps combining quantitative and qualitative methodologies, is needed.

Conclusion

The federal government, with the President at its fore, must voice clearly that intercommunal violence is not acceptable, and must develop a coordinated policy which addresses the issue in a

comprehensive manner. It is essential that local communities develop strategies to address their particular needs and that the federal government join in a partnership to facilitate that process.

The problem did not develop overnight, and it will not be resolved in a quick manner. The necessary ingredients of a solution include rebuilding the social infrastructures in our communities, increasing economic opportunities, and revising educational curricula to include more information on different cultural groups and more skills in peaceful conflict resolution techniques.

Appendix I: Sexual Harassment Paper

Some people believe sexual harassment to be a relatively recent phenomenon. Actually, it is a problem faced by women in the United States even in colonial days.⁴

Several surveys on sexual harassment between 1975 and 1992 have found that anywhere from 21 percent to 88 percent of women surveyed report having been sexually harassed. Fitzgerald and Shullman have pointed out that the majority of research on prevalence has been conducted on small, local, and nonrepresentative samples, that even the major studies lack adequate participation by women in blue-collar and nontraditional areas, and that almost nothing is known about the harassment of ethnic and racial minority women. Nevertheless, they have concluded that although the body of incidence and prevalence research varies greatly in quality, it provides sufficient reliable data to demonstrate the dramatic extent of the problem.⁵

According to Fitzgerald and Shullman, conservative estimates suggest that approximately 1 of every 2 women will be harassed at some point during her academic or working life, indicating that sexual harassment is the most widespread of all forms of sexual victimization studied to date.⁶

A 1980 survey of sexual harassment in the Federal workplace, sent to over 23,000 Federal employees, found that one percent of female respondents experienced actual or attempted rape between May 1979 and May 1980.⁷ While this was the least common form of sexual harassment at work, it projects to 12,000 persons in a total Federal workforce of 1,862,000.⁸ Fifteen percent experienced deliberate touching and nine percent experienced pressure for sexual favors. Thirty-three percent experienced sexual remarks.

Attachment A discusses factors thought to contribute to sexual harassment.

Smaller studies of specialized populations indicate that prevalence rates are highest in workplaces where women have traditionally been

⁴ "An Historical Analysis of Sexual Harassment in the U.S.," Aegis, January/February 1979.

⁵ Fitzgerald and Shullman, op. cit.

⁶ Fitzgerald and Shullman, op. cit.

⁷ Sexual Harassment in the Federal Workplace. Is it a problem? U.S. Merit Systems Protection Board, 1981.

⁸ Ibid., p. 34.

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Felipe Russo, and Gwendolyn Puryear Keita, "Male Violence Against Women, Current Research and Future Directions," American Psychologist, October 1993.

² Alba Conte, Sexual Harassment in the Workplace: Law and Practice, Wiley Law Publications, John Wiley & Sons, 1990.

³ Louise F. Fitzgerald and Sandra L. Shullman, "Sexual Harassment: A Research Analysis and Agenda for the 1990s," Journal of Vocational Behavior 42, 5-27 (1993).

underrepresented.⁹ According to Fitzgerald, like other forms of sexual victimization, harassment functions as an agent of social control. Like rape and domestic assault, it simultaneously arises from and reinforces women's subordinate position in society.¹⁰

The above-mentioned survey of Federal employees, as well as a 1992 survey by Working Woman magazine,¹¹ found that many women are harassed by someone who has harassed others on the job. Victims of the most severe and severe forms of sexual harassment were more likely to be bothered by repeat offenders than were victims of less severe harassment.

II. Current Policies and Programs

A. Federal, State and local

Sexual harassment is a form of sex discrimination that violates Title VII of the Civil Rights Act of 1964, as amended, which is enforced by the U.S. Equal Employment Opportunity Commission (EEOC).

Legal redress for targets of sexual harassment was strengthened by Federal legislation, the Civil Rights Act of 1991, which authorized punitive and compensatory damages.

It was also strengthened by an EEOC decision in March 1991 to target sexual harassment cases for possible quick investigation and court action (asking the court to order the employer to immediately stop the sexual harassment of the complaining party while more thorough investigation and conciliation efforts by EEOC take place).

Federal legislation signed in 1992 created a revolving fund through which EEOC could charge employers for certain education, technical assistance, and training services. EEOC has developed a pilot training curriculum on the anti-discrimination laws that it enforces.

The U.S. Supreme Court has issued two rulings on sexual harassment. In 1986, in Meritor Savings Bank v. Vinson, the Court agreed with the U.S. Equal Employment Opportunity Commission's guidelines and with court holdings that unwelcome sexual advances that create an offensive or hostile working environment violate Title VII of the Civil Rights Act of 1964, as amended. It held that "the language

⁹ Louise F. Fitzgerald, "Sexual Harassment, Violence Against Women in the Workplace," American Psychologist, October 1993.
¹⁰ "Sexual Harassment, The Inside Story," Working Woman, June 1992.

¹⁰ Ibid.

¹¹ "Sexual Harassment, The Inside Story," Working Woman, June 1992.

of Title VII is not limited to 'economic' or 'tangible' discrimination. Equal Employment Opportunity Commission guidelines fully support the view that sexual harassment leading to non-economic injury can violate Title VII." On November 9, 1993, the Court ruled that to be actionable as abusive work environment harassment under Title VII, conduct need not seriously affect an employee's psychological well-being or lead the plaintiff to suffer injury (Harris v. Forklift Systems, Inc.).

Sexual harassment is also a form of sex discrimination covered by Executive Order 11246, which prohibits discrimination by Federal contractors and subcontractors in hiring and other employment related activities on the basis of race, color, sex, religion, and national origin. The Executive Order is enforced by the U. S. Department of Labor.

Sexual harassment of employees and students in educational institutions violates Title IX of the 1972 Education Amendments, which applies to any educational program or activity receiving Federal funds.

Most States have statutes banning sex discrimination in employment. These statutes are generally interpreted to prohibit sexual harassment.¹²

At least nine States have enacted legislation dealing specifically with sexual harassment. Attachment B describes these laws.

B. Nongovernmental Activities

Nongovernmental organizations and have engaged in a multitude of activities on the subject of sexual harassment. These activities include the preparation of fact sheets, other publications, and public service announcements, sponsorship of surveys, provision of training, development of union contract provisions, and the formulation of recommendations for government action. Attachment C contains examples of these activities.

III. Proposed Remedies

Proposed remedies include vigorous enforcement of current law; improved complaint processing under current law; monitoring the development of and implementing proposed Federal guidelines; monitoring the development of proposed changes to the Federal Rules of Evidence; enactment of additional Federal and State legislation; and research initiatives. Attachment D contains a description of these proposals.

¹² Sexual Harassment: Legal and Policy Issues, Women's Legal Defense Fund, June 24, 1993.

IV. Research and evaluation agenda

Attachment E contains a list of research needs.

Attachment A

FACTORS THOUGHT TO CONTRIBUTE TO SEXUAL HARASSMENT

Based on their review of the literature on sexual harassment, in 1982 Tangri, Burt, and Johnson suggested the following three possible explanatory "models" for why men sexually harass women:¹³

- o the natural/biological model suggests that sexual harassment is simply natural sexual attraction between people;
- o the organizational model suggests that sexual harassment is the result of certain opportunity structures created by organizational climate, hierarchy, and specific authority relations; and
- o the sociocultural model suggests that sexual harassment reflects the larger society's differential distribution of power and status between the sexes.

Although no clear-cut support for any one model emerged, partial tests of the models found more support for the organizational and sociocultural models than for the natural/biological model.

Psychologist John B. Pryor developed a methodology to study sexual harassment proclivities in the general population of men. The methodology employs a self-report inventory called the Likelihood to Sexually Harass scale (LSH). According to Pryor, a similar self-report methodology has been effectively used to study rape proclivities in the general population of men. The LSH scale measures a readiness to use social power for sexually exploitive purposes, a conceptualization of sexual harassment which emphasizes the parallels between sexual harassment and other forms of sexual aggression, like rape.¹⁴

Pryor found that men who are high in LSH tend to hold adversarial sexual beliefs, find it difficult to assume others' perspectives, endorse traditional male sex role stereotypes, are high in authoritarianism, and report a higher likelihood of rape.

¹³ Sandra S. Tangri, Martha R. Burt, and Leonor B. Johnson, "Sexual Harassment at Work: Three Explanatory Models," Journal of Social Issues, Vol. 38, No. 4, 1982, pp. 33-54. Tangri, Burt, and Johnson served as consultants on the U.S. Merit Systems Protection Board study mentioned elsewhere in this report.

¹⁴ John B. Pryor, Christine M. LaVite, and Lynnette M. Stoller, "A Social Psychological Analysis of Sexual Harassment: The Person/Situation Interaction," Journal of Vocational Behavior 42, 68-83 (1993).

Research suggests that sexual harassment is determined by a combination of situational factors and person (individual difference) factors.¹⁵

In a 1980 article in The Washington Post,¹⁶ Dr. Irwin Ruben, a Los Angeles psychiatrist was quoted as dividing "amorous bosses" into the following four general categories:

- o The frustrated boss, who is used to getting what he wants and has never learned how to tolerate the frustration of his wishes, sexual or other;
- o the macho man, who is still an adolescent who needs sex to prove he is a man and able to be in charge and whose self-esteem is low;
- o the shy employer, who sees power as his only way to get sex, is unlikely to seek--or get--gratification, sexual or otherwise, outside the job, and does not know how to relate to another human being except through holding power; and
- o the mother-hater, who seeks, through other women, psychological revenge on a mother he perceives as withholding and cold and who wants to dominate because he was controlled as a child.

Many women themselves seem to feel that the desire to bully and humiliate women is behind most harassment.¹⁷

¹⁵ Ibid.

¹⁶ "On the Job Harassment, Sexual and Otherwise," The Washington Post, March 2, 1980.

¹⁷ "Sexual Harassment, The Inside Story," Working Woman, June 1992.

STATE LAWS ON SEXUAL HARASSMENT

In 1992, eight States enacted provisions to help eliminate sexual harassment in the workplace. Alaska, California, and Connecticut required employers to provide their employees with information on sexual harassment, including its definition and means of redress. In addition, Connecticut required employers of 50 or more to provide all supervisory employees with two hours of training and education. In Hawaii employees were authorized to bring civil actions for sexual harassment or sexual assault and infliction of emotional distress or invasion of privacy related to such harassment or assault. Iowa made it unlawful for a State employee to sexually harass another State employee, a person in the care or custody of the State employee or a State institution, or a person attending a State educational institution. In addition, new employees are to receive, at the time of hiring or orientation, a guide on sexual harassment. In Minnesota, all State agencies are to develop a plan to eliminate any potential for violence in and around the workplace, including the elimination of sexual harassment. Nebraska adopted a resolution asking that a select committee of senators be formed to continue a study of the congressional policy and legislative policies of other States pertaining to sexual harassment in the workplace. New Hampshire amended its Law Against Discrimination to explicitly prohibit sexual harassment.

In 1993, Vermont enacted a law which requires, among other things, that employers adopt a policy to deal with instances of sexual harassment; display in a prominent and accessible location, a poster stating the elements of the sexual harassment policy; and provide all employees an individual written copy of the employer's policy. The State developed a model poster and a model sexual harassment policy and sponsored workshops for employers on what sexual harassment is, what can be done to stop it, and how employers can comply with the new law.

Attachment C

NONGOVERNMENTAL ACTIVITIESFact sheets and other publications

Fact sheets and guides on sexual harassment have been prepared by such organizations as unions and other labor organizations (e.g., the National Education Association; the American Federation of State, County and Municipal Employees; the United Food and Commercial Workers International Union; the United Auto Workers); professional associations (e.g., the American Psychological Association); for profit organizations (e.g., the Bureau of National Affairs, Inc., Channing L. Bete Co., Inc., publishers of scriptographic booklets); State and local women's commissions (e.g., the Kentucky Commission on Women; the Montgomery County Government Commission for Women; the Hawaii State Commission on the Status of Women; the Pennsylvania Commission for Women; the Sonoma County (CA) Commission on the Status of Women); and organizations representing the interests of specific groups of women (e.g., the Center for Women in Government in Albany, New York and the Coal Employment Project).

The National Association of Commissions for Women published an index to resources on sexual harassment in 1992.

Who's Hurt and Who's Liable: Sexual Harassment in Massachusetts Schools, a curriculum and guide for school personnel, July 1986, was produced with funding by the U.S. Department of Education under Title IV of the Civil Rights Act (Sex Equity).

In November 1992 the National Commission of Working Women of Wider Opportunities for Women issued the publication Sexual Harassment Solutions at Work. Profiles of Successful Policy and Practice, a collection of successful practices by employers and unions to effectively address the issue of sexual harassment. Wider Opportunities for Women (WOW) is a 28-year-old national nonprofit organization which works to achieve economic independence and equality of opportunity for women and girls. The National Commission on Working Women is WOW's multi-sector national advisory board.

Public Service Announcements

The American Women in Radio and Television (AWRT), with help from the NOW Legal Defense and Education Fund, put together a public service announcement (PSA) and a brochure on sexual harassment. The PSA was sent to nearly every television and radio station in the country. It also airs on the networks (ABC, CBS) and on three cable networks. The brochure is available in local libraries around the country. AWRT is preparing a second PSA which will show a different form of sexual harassment (men telling off-color jokes).

Surveys

To learn more about sexual harassment in schools, the Wellesley College Center for Research on Women and the NOW Legal Defense and Education Fund collaborated on a survey that was published in the September 1992 issue of Seventeen magazine.¹⁸ Over 4,200 girls nine to 19 years old in grades two through 12 completed and returned surveys. Among the results of the survey were that:

- o The most common forms of sexual harassment were receiving sexual comments, gestures or looks (reported by 89 percent of the girls and young women) and being touched, pinched or grabbed (reported by 83 percent);
- o when sexual harassment occurs, it is not a one-time event (39 percent of the girls and young women reported being harassed at school on a daily basis during the last year);
- o girls are most often harassed by fellow students, but four percent of the girls reported being harassed by teachers, administrators or other school staff;
- o even when girls told a teacher or administrator about the harassment, nothing happened to the harasser in 45 percent of the incidents reported; and
- o only eight percent of the girls reported that their schools had, and enforced, a policy on sexual harassment.

A survey of nearly 2000 women at two major State universities found that nearly half the women reported experiencing some form of sexually harassing behavior, ranging from gender harassment to outright sexual assault.¹⁹

Training

Sixty-four percent of organizations with 100 or more employees provide training on sexual harassment, according to a 1993 survey of corporate training practices, and eight-one percent of Fortune companies do so, according to a 1992 survey.²⁰

¹⁸ Secrets in Public. Sexual Harassment in Our Schools, Center for Research on Women, Wellesley College, March 1993.

¹⁹ Louise F. Fitzgerald, "Sexual Harassment: A Research Analysis and Agenda for the 1990s," Journal of Vocational Behavior 42, 5-27 (1993).

²⁰ "Who's Getting Trained," Training, October 1993. "Sexual Harassment, The Inside Story," Working Woman, June 1992.

Attachment D

PROPOSED REMEDIES

Legislative

- o Enactment of legislation to require employers to (1) develop a clear policy against harassment, (2) develop clear and accessible grievance procedures, (3) notify employees of the policy, (4) post the policy prominently in the workplace, (5) provide education and training about harassment;

(Subtitle D, the "Sexual Harassment Prevention Act of 1993," of H.R. 2790, the Economic Equity Act, would:

- o require employers to post a notice defining sexual harassment, stating that sexual harassment is a violation of Title VII of the Civil Rights Act of 1964, providing information on how to file a complaint alleging sexual harassment, and providing an address and a toll-free number for the EEOC;
- o require employers to annually provide a written notice to each employee with the same information as in the posted notice;
- o require employers to provide information to supervisory employees specifying their responsibilities with regard to sexual harassment; and
- o require the EEOC to prepare and make available to employers model notices for posting and distribution to employees and voluntary guidelines for the establishment of policies and procedures to address allegations of discrimination, including sexual harassment.)
- o Reform of unemployment compensation laws to ensure that women who quit their jobs due to harassment can receive unemployment compensation (Fitzgerald);
- o Revision of the Civil Rights Act of 1964, as amended, to extend the statute of limitations for filing sexual harassment charges (Fitzgerald);²¹

²¹ Sixty percent of respondents to a 1992 Working Woman survey on sexual harassment felt that government should increase the statute of limitations for reporting sexual harassment abuses.

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9 to 5, National Association of Working Women, in Cleveland, Ohio, provides training seminars on sexual harassment for management and non-management staff and management consultation.

The Women's Alliance for Job Equity (WAJE) in Philadelphia, Pennsylvania, offers a gender and racially diverse trainer team to design services tailored to organizations and deliverable on-site. The trainers can assist organizations to develop model policies, grievance procedures, and educational programs related to the prevention of sexual harassment. WAJE has a human resources training package called "Sexual Harassment and the Bottom Line," consisting of a videotape, a trainer's manual, and participants' handbooks.

Two women-owned organizations which provide sexual harassment training are Klein Associates, Inc. of Cambridge, Massachusetts, and the Pacific Resource Development Group of Seattle, Washington.

Klein Associates, Inc., an organizational development and human resource consulting firm, develops sexual harassment policies and grievance procedures; training programs for senior management, line management, employees, and complaint handlers; attitude and incidence surveys; and customized training programs. Dr. Fredda Klein, President of Klein Associates, Inc., conducted a survey of the Fortune 500 manufacturing and service firms for Working Woman magazine in 1988 and served as an advisor on the 1981 Merit Systems Protection Board survey. Dr. Klein has also served as an expert witness in sexual harassment litigation.

Pacific Resource Development Group, Inc. provides training programs, publications, and consulting services to stop and prevent sexual harassment in the workplace. It can provide in-house workshops or a train-the-trainer program, as well as training for investigators who handle in-house complaints. Like Dr. Klein, Susan L. Webb, President of Pacific Resource Development Group, Inc., provides litigation consultation and expert witness testimony on sexual harassment.

- o enactment of the Equal Remedies Act (Women's Legal Defense Fund)
- o vigorous enforcement of the Civil Rights Act of 1991 by the EEOC, e.g. by EEOC affirmatively negotiating and, where necessary, litigating, for compensatory and, where appropriate, punitive damages on behalf of victims of intentional discrimination, such as sexual harassment (Women's Legal Defense Fund);
- o improving EEOC complaint processing to reduce its backlog and to improve the quality of attention given to investigating and resolving discrimination charges, including sexual harassment (Women's Legal Defense Fund);²²
- o monitoring the development of and implementing the EEOC's proposed Guidelines on Harassment Based on Race, Color, Religion, Gender, National Origin, Age, or Disability (Women's Legal Defense Fund);
- o monitoring the development of the U.S. Judicial Conference's proposed changes to the Federal Rules of Evidence that would expand the "rape shield rule" to cover all Federal civil cases (Women's Legal Defense Fund). The Judicial Conference's proposed changes have been transmitted to the U.S. Supreme Court and will go into effect in December 1995 if the Court approves them and they are not rejected by Congress.
- o consideration by the Office of Federal Contract Compliance Programs as to how it can better use Executive Order 11246 and compliance reviews to address sexual harassment in the workplaces of Federal contractors and subcontractors.

Education and Training

- o Development of an articulated conceptual framework for training programs, i.e. should training programs attempt to increase knowledge, change attitudes, modify behavior, or a combination of all three? (Fitzgerald)

²² Seventy-eight percent of respondents to a 1992 survey on sexual harassment by Working Woman magazine felt that government should ease the complaint resolution process; 80 percent felt the government should speed up the process.

- o Personnel at all levels of the law-enforcement system, including attorneys, judges, and agency staff, should be educated about sexual harassment (Fitzgerald).²³
- o Workgroup training subsequent to the resolution of sexual harassment complaints (J. Salisbury in Fitzgerald and Shullman)
- o Enforcement agencies/courts (when finding discrimination) should require, and employers should be exhorted to provide, training on workforce diversity for existing workers when women workers are introduced into or added to a male-dominated workgroup or workforce
- o Schools should provide or require some form of education about sexual harassment (Secrets in Public, Sexual Harassment in Our Schools)

Other

- o Like victims of rape and partner violence, victims of sexual harassment should be provided with advocates to assist them through the legal process (Fitzgerald)
- o Social policy initiatives to elevate women's status in the workplace should be formulated (Fitzgerald)
- o hotlines (Fitzgerald)
- o coordination among such Federal agencies as HHS and the Department of Education of funding for activities to influence behavior.²⁴ For example, the National Institute of Mental Health is providing funding for a multi-site research project (FAST Track) designed to prevent a variety of problems of adolescence, including violent and criminal behaviors, through such methods as a curriculum to enhance the social and emotional development of first and second grade students. The Department of Education funds a Life Skills for State and Local Prisoners Program, which includes communication skills, interpersonal and family relationship development, and stress and anger management. Another

²³ S. 11, the Violence Against Women Act, which has been reported favorably out of committee, authorizes \$400,000 for model programs to educate young people (from primary school to higher education) about domestic violence and violence among intimate partners and authorizes \$600,000 for training grants to educate judges and court personnel about rape, sexual assault, domestic violence, and other crimes of violence motivated by the victim's gender.

²⁴ Ibid.

source of funding for activities to influence behavior is the Administration on Children, Youth, and Families' grants for family resource and support programs.

- o The President, cabinet members, and subcabinet members and their staffs should be alert to opportunities to speak out against sexual harassment (e.g., as a job security issue and an occupational safety issue) and other forms of violent behavior. Former Secretary of Labor Lynn Martin issued a statement in October 1991 to the effect that sexual harassment is environmental pollution of the worst kind and that it would not be tolerated in any form in the Department of Labor or in the Administration. Sheldon Hackney, Chairman of the National Endowment for the Humanities, has suggested that "What is needed in our country is nothing short of a national conversation....All of our people...have a responsibility to examine and discuss...what we share as common American values in a nation comprised of so many divergent groups and beliefs...." ²⁵
- o Schools should adopt and enforce school-wide policies to prevent sexual harassment, including penalties for harassers (Secrets in Public, Sexual Harassment in Our Schools)
- o Schools should provide security, including hall monitors and police in the halls (Secrets in Public, Sexual Harassment in Our Schools)
- o Schools should remove degrading graffiti from bathroom stalls (Secrets in Public, Sexual Harassment in Our Schools)
- o Schools should provide a supportive environment for students who have been harassed, such as encouraging individuals to speak up, believing such individuals, and making peer support groups or counselors available (Secrets in Public, Sexual Harassment in Our Schools)

²⁵ Sheldon Hackney, "Beyond the Culture Wars," National Press Club, November 10, 1993.

Attachment E

RESEARCH NEEDS

Fitzgerald and Shullman have pointed out that the sexual harassment of women in the workplace has only recently been the focus of sustained research in vocational behavior.²⁶ Research needs they have identified include:²⁷

- o Interdisciplinary and cross-specialty collaboration
- o collection of nationally representative data on prevalence rates in both work-related and educational contexts on an ongoing basis
- o initiation of basic and applied research through all relevant agencies, e.g. NIMH, NIOSH, DOL
- o specific targeting of research funds for examination of potentially high-risk groups and potentially high-yield topics
- o research on coping responses
- o the development of more comprehensive research designs and statistical analysis capable of examining multiple variables simultaneously
- o greater emphasis on field research by psychologists
- o. evaluation of interventions, in particular training programs (according to Fitzgerald and Shullman, "organizational training programs are currently considered a virtual panacea for the problem of sexual harassment" and "virtually no attempt has been made to evaluate the outcomes of sexual harassment training interventions")
- o examination of patterns of organizational (as opposed to individual) responses to harassment (according to Fitzgerald and Shullman, "virtually not studies have examined organizational reactions to the presence of sexual harassment")
- o specific research on the relations between various risk factors and the incidence of harassment

²⁶ Louise F. Fitzgerald and Sandra L. Shullman, "Sexual Harassment: A Research Analysis and Agenda for the 1990s," Journal of Vocational Behavior 42, 5-27 (1993).

²⁷ Ibid.; Fitzgerald, op. cit.

- o evaluation of the efficacy of workgroup training subsequent to the resolution of a sexual harassment complaint
- o research on the organizational and other effects of the current gender imbalance in sexual harassment research
- o research on the interaction of organizational factors, target (victim) factors, and perpetrator factors on the nature and extent of sexual harassment; research on targets should examine not only such demographics as age and marital status but also race/ethnicity, sexual orientation, and job characteristics

Appendix II: A Listing of Federal Programs

Intercommunal Violence
A Listing of Additional Federal Programs

The following is a more complete description of some of the Federal programs mentioned in the report.

O The Department of Justice

1. The Bureau of Justice Affairs (BJA) funding is divided a number of ways:

a. Generally \$400 million is allocated under a formula grant program. States prepare an annual strategy for law enforcement improvement and submit them to BJA for approval. The BJA awards funds based on population and compliance with program requirements. In most instances states spend on multi-jurisdictional task forces.

b. Generally \$50 million is allocated to discretionary programs consisting of competitive awards primarily to local law enforcement agencies focused on a certain issue. The BJA has two discretionary programs that deal with the gang issue.

i. Urban Street Gang Drug Trafficking Suppression - Since 1989, the BJA Discretionary Program has provided approximately \$2,200,000 to support a program to develop and demonstrate city-wide or multijurisdictional enforcement strategies to investigate and prosecute drug distribution and related violent crimes by organized urban street gangs in cities or multiple contiguous jurisdictions with populations in excess of 250,000. This program will be of benefit to all urban jurisdictions nation-wide which face the problem of emerging or chronic street gangs engaged in drug trafficking. The program concentrates on influential and controlling gang members. BJA designs, manages, implements the program - Ranges in funding from \$500,000-1 million in four year history of program - focuses on inner core leadership of gangs - funded 5 pilot sites selected competitively (San Diego [targeted core members gangs], Kansas City [intelligence driven street operations], Tuscon [Community based], Atlanta [development of gang intelligence system], Manhattan DA's office [focused on gang/drug related homicides]) over 3-4 year period - each had different approaches - BJA provided expert T/A to develop an overall model and now have funded 2 "model sites" (Ft. Wayne, Indiana, Brooklyn DAs office) to test how it went. Within a year will be eligible for funding within formula grant programs (but up to states whether they will pick it up). Funds programs not equipment. Tremendous success measured both qualitatively and quantitatively. Minimal academic involvement - mainly practitioners. Evaluations by National Institute of Justice. Next step is to look at gang prevention which is Comprehensive Gang Initiative below.

ii. In 1992, BJA introduced the Comprehensive Gang Initiative. The Police Executive Research Forum (PERF) was awarded a \$625,000 grant to develop a model comprehensive approach to gang issues, which carefully balances initiatives for prevention, intervention and suppression. The model will encompass strategies which bring together cooperative and coordinated efforts of the police, other criminal justice agencies, human services providers and community programs. Concurrent with development of the model, PERF will also develop a training curriculum and a program for providing technical assistance to model demonstration sites. The first four demonstration sites (Suffox County NY, Seven Hills/Cleveland, OH, Auroura/Jefferson County/Denver, CO, and San Diego, CA) were funded at the end of FY 93, and technical assistance will be provided by (PERF) with awards totalling and additional \$1,300.000. It may be wise to consider having other agencies tie into this effort.

iii. Regional Information Sharing Systems (RISS) - The Bureau of Justice Assistance funds the Regional Information Sharing System (RISS), which is a program composed of six regional projects that share intelligence and coordinate efforts against criminal networks that operate in many locations across jurisdictional lines. Typical targets of RISS activities include organized gangs which are involved in drug trafficking and violent crimes.

An example of a RISS project's involvement in the gang issue is the 2nd Annual International Gang Information Sharing Conference, which is co-hosted by the Mid-Atlantic Great Organized Crime Law Enforcement Network (MAGLOCLEN) and the Bureau of Alcohol Tobacco and Firearms. That conference, held June 29 - July 2, 1994, hosted approximately 600 attendees, and addressed domestic street gangs, prison gangs, foreign alien gangs, and other related gang topics.

Other RISS projects conduct regional gang training and information sharing conferences on a periodic basis.

The BJA administers crime victim assistance. A primary purpose of this program is to stimulate State participation and support for victim services programs and promote victim cooperation with law enforcement, in addition to the direct benefit to crime victims with Federal assistance monies. The Bureau also provides assistance to (and through) a State government to provide an adequate response to an uncommon situation which requires law enforcement, which is or threatens to become of serious or epidemic proportions, and with respect to which State and local resources are inadequate to protect the lives and property of citizens, or to enforce the law.

The Office for Victims of Crime provides training and

technical assistance services and grants to eligible crime victims assistance programs.

The Bureau of Justice Statistics is responsible for the collection, analysis, utilization and dissemination of statistics pertaining to crime and criminal justice.

iv. The National Institute of Justice encourages and supports research, development, and evaluation to further understanding of the causes and control of crime and to improve the criminal justice system. Priorities of the Institute include Gangs and Violence, prevention and education, victims, and community-based programs.

0 Department of Treasury

1. The Bureau of Alcohol Tobacco and Firearms (ATF) administers programs that seek to ameliorate gang violence. ATF and the Federal Law Enforcement Training Center administer the GREAT (Gang Resistance Education and Training) program in Phoenix that is designed to decrease gang violence in schools.
2. In 1982, a Justice-Treasury, State and Local Law Enforcement Training Program was established in response to the findings of the Attorney General's Task Force on Violent Crime. One of the Suggestions of the Task Force was that a formal system be created for sharing training and resources with State and local law enforcement agencies to help them in their fight against crime. The Center is now providing training on bias crimes.
The Commission is an independent, bipartisan agency which studies and collects information concerning discrimination or a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, age, handicap, or national origin, or in the administration of justice.

0 Department of Defense

1. The Defense Equal Opportunity Management Institute (DEOMI) provides research, training, and technical assistance to all branches of the military and uniformed services as well as to civilian components of the Defense Department on equal opportunity management. Programs provide for training and support to all military installations and their surrounding communities in dealing with issues of racial, religious, ethnic, gender, and handicapped discrimination. This includes assisting these installations and communities in responding to hate group activity and hate violence.

0 HHS Programs Related to Intercommunal Violence

1. Youth Gang Drug Prevention Program (ACF/ACYF/FYSB)

The Youth Gang Drug Abuse Prevention Program was established by the Anti-Drug Abuse Act of 1988 as a prevention program for youth at risk of involvement with gangs or drugs. The program is managed by the Family and Youth Services Bureau (FYSB) in the Administration for Children and Families. Through grants to states, cities, and community-based organizations, HHS seeks to learn why youth become involved in gangs, assess effective measures for preventing further recruitment and involvement of at-risk youth in gang activities, and develop successful models that prevent youth involvement in gangs and illegal drug activities. Since 1989, HHS has awarded \$60 million to fund 110 state and local efforts to respond to the youth gang problem. Grants range from \$1 million community-based consortia projects in large urban centers such as Denver and Los Angeles, to \$50,000 planning projects in small communities, such as Caldwell, Idaho and Jefferson County, Alabama. HHS is currently supporting 28 projects.

2. **Prevention Grants:** FY 1989 Grants: Appropriations of \$15 million in FY 1989 allowed HHS to award 52 grants in three main program areas.

(a) **Community-based Consortia Projects**--These projects established broad-based community-wide partnerships between local service agencies, schools, public housing authorities, juvenile justice and law enforcement agencies, and private community organizations to develop an action agenda for dealing with gangs. HHS awarded 16 grants which received full federal funding for two years and partial federal funding for a third year.

(b) **Prevention, Intervention, and Diversion Single Purpose**--These grants funded programs designed to address one particular aspect of the gang drug-related crime problem. Special attention was given to prevention, encouraging youth involvement in legal activities, stopping drug use, supporting police outreach activities, and improving coordination among youth agencies. HHS awarded 30 grants for funded for 2.5 years.

(c) **Support Projects for At-Risk Youth and Their Families**--These grants funded programs providing family education, support, and direct services to steer youth away from gangs involved in drugs. Six grants were funded for 2.5 years.

(3). **Fy 1990 Grants:** In FY 1990, the HHS awarded 32 grants totalling \$14.8 million in four new priority areas identified based upon the lessons learned from the first round of program funding.

(a) Intervention Strategies for Intergenerational Gang Families--These grants were awarded to organizations working to prevent youth-gang participation through family education and involvement. The projects attempted to identify factors that contribute to intergenerational gang participation and devise intervention strategies. HHS awarded seven three-year grants.

(b) Innovative Youth Gang Prevention and Intervention Strategies Aimed Specifically at Adolescent Females--These grantees attempted to identify why girls join gangs, understand girls' interaction with male gang members, and understand the long-term implications of female gang membership. Grantees offered services that sought to strengthen adolescent girls' self-images and provided life skills training. HHS awarded seven three-year grants.

(c) Community or Neighborhood Plans for Identifying and Addressing Local Youth Gang Problems and Solutions--These grants were awarded to help community or neighborhood groups organize and develop strategies to address local youth gang problems; projects emphasized grass-roots participation of community organizations, local law enforcement, and juvenile justice agencies in developing action plans for addressing their youth gang problems. HHS awarded 12 two-year grants.

(d) Field-initiated Research for Youth Gang Prevention--These grants were awarded to researchers to identify the causes and dynamics of today's youth gangs. Six three-year grants were awarded in this area.

4. FY 1991 - FY 1992: No new grants were awarded in FY 1991. In FY 1992, HHS awarded 26 new grants in five basic areas for a total of \$10.6 million.

(a) Community Consortia--These grants were awarded to local consortia of police departments, social service agencies, schools systems, and others concerned organizations to organize a comprehensive response to gang activity and to develop model prevention and intervention programs. HHS awarded nine five-year grants.

(b) Innovative Youth Gang Prevention and Intervention Strategies Aimed Specifically at Adolescent Females--These grantees will provide prevention and intervention strategies designed to reduce alcohol and drug use and other risk factors that lead to gang involvement by females and increase factors that lead to resisting gang involvement. HHS awarded four three-year grants.

(c) Employment Projects--These projects will work with adolescents, including formerly incarcerated youth, to prepare them create employment opportunities for them and prepare them for employment. HHS awarded five three-year grants.

(d) New Immigrant/Refugee Projects--These grants focus on the particular problems of new immigrant and refugee families and youth. Projects will provide culturally appropriate material and intervention and prevention programs for young children and their parents. HHS awarded three-year grants in this area.

(e) Gangproofing--The gangproofing projects are programs targeted to young children in pre-school programs and elementary schools and are designed to develop children to learn how to resist drugs and gang involvement. These programs will also work with the parents to increase their involvement in their children's education. HHS awarded five three-year grants.

5. **Training and Technical Assistance:** In addition to providing grants for specific gang prevention projects, since FY 1990, the Youth Gang Drug Prevention Program has provided training and other technical assistance activities. Activities have included national conferences; regional forums focused on particular subjects such as research and outreach, new immigrant and refugee youth and adolescent females; on-site and telephonic technical assistance; and conflict mediation training. Other activities include the development of a community violence prevention guide and publication of annual reports and fact sheets.

6. **Promising Approaches**

Prevention is the main purpose of grants funded under the Youth Gang Drug Prevention Program. Most projects used a variety of approaches to prevention depending upon available resources, past experiences, and what was culturally appropriate for the community. Diverting youth and their families away from gang and drug-related activities by offering viable, appealing alternatives was the critical prevention element. Projects offered a variety of activities for youth and their families. Highlights include: recreation opportunities, educational development, mentoring, family support services, street outreach, parenting classes, family and peer counseling, crisis intervention, and job training and placement. In addition, almost all grantees were involved in media and public awareness activities, community mobilization efforts, and activities to increase cultural sensitivity and ethnic pride.

7. **ORR Crime Prevention/Victimization Initiative (ACF/Office of Refugee Resettlement)**
The Office of Refugee Resettlement (ORR), located within the Administration for Children and Families, administers a crime prevention and victimization initiative to improve relations between refugee and law enforcement communities. In FY 1993, ORR funded 16 project around the country, with total funding for all projects equaling nearly \$1.2 million. These projects employ a variety of strategies to improve relations, including hiring ethnic community outreach officers, creating

multilingual hotlines for information and referral, organizing refugee community business and neighborhood watches, supporting multi-functional community policing storefronts, conducting community education meetings and/or workshops on cultural concerns, and promoting dialogue between police departments and refugee community leaders.

(8) ORR/DOJ Interagency Agreements (HHS/ACF/ORR and DOJ/CRS and BJA/NCPC)

ORR also has two interagency agreements with the Department of Justice (DOJ). ORR provided \$25,000 to DOJ's Community Relations Service (CRS) to hold three regional meetings to address law enforcement/refugee community relations. The meetings were held in Prince George's County, Maryland; New Orleans, Louisiana; and Richmond, California. ORR provided \$100,00 to DOJ's Bureau of Justice Assistance (BJA) to fund the National Crime Prevention Council (NCPC) to convene a national workshop in Washington, D.C. for staff members from ORR's 16 crime prevention victimization grantees; to provide technical assistance to the grantees; and to produce a publication, "Bridge Building and Bridge Crossing: Refugees and Law Enforcement Working Together" to educate law enforcement and refugee communities about working with one another.

(9) Office of Civil Rights Programs (OCR)

The Office for Civil Rights is charged with the responsibility of enforcing civil rights laws and regulations prohibiting discrimination by recipients of Federal financial assistance. Recognizing the importance of institutional commitment to properly serving multicultural communities, OCR encourages institutions to expand both their range of services and their staff capabilities in order to facilitate inter-ethnic cooperation, rather than competition. One illustration of this orientation is the provision of language interpreters for limited English speaking customers.

(10) Office of Minority Health Grant Programs (PHS/OASH/Office of Minority Health)

The Office of Minority Health, located within the Office of the Assistant Secretary for Health, administers several small grants programs which fund violence prevention and intervention activity. The Minority Male Grant Program supports community interventions to improve the health and social status of minority males. Coalition development and conferences are also funded. Many of the interventions deal with violence prevention. The Minority Community Health Coalition Demonstration Grant Program supports 15 minority community health demonstration grant projects, to demonstrate that coalitions can address the risk factors, including violence, of excess morbidity and mortality in minority communities. Violence Prevention Mini-grants support community-based organizations in minority communities to assist them in

developing violence prevention and intervention strategies, develop school curricula, and focus on violence against African American women.

(11) Violence and Unintentional Injury Prevention Projects
(PHS/HRSA/MHB)

The Maternal and Child Health Bureau is responsible for funding child health service programs as part its mission to address the health needs of mothers and their children. Support to states is provided through the Maternal and Child Health Block Grant with 85 percent of the block grant appropriation allocated to State health agencies to assist them in promoting, improving, and delivering maternal and child health care and services for children with special health needs. Fifteen percent of the block grant appropriation is set aside for the Maternal and Child Health Bureau to award on a competitive basis special projects of regional and national significant (SPRANS).

Recognizing that injury disproportionately strikes young children and is a major cause of death and disability for children and adolescents, the Maternal and Child Health Bureau initiated in FY 1991 a special programmatic effort through SPRANS to prevent injury to children and adolescents. Projects funded by SPRANS grants are addressing a variety of injury-related issues; several projects are specifically addressing violence, including domestic violence and youth-related violence. The Maternal and Child Health Bureau is currently funding 22 projects, including demonstration, research, training, technical assistance, and other injury prevention projects. In addition to these currently funded projects, 3 were completed in FY 1992 and 10 in FY 1991.

Examples of violence-related projects include: (1) the Contra Costa PACT Violence Prevention Project which is seeking to reduce intentional injuries among adolescents in the high-risk region of west Contra Costa County, California; (2) the Massachusetts Adolescent Violence Prevention Project which is strengthening the capacity of two Massachusetts communities, Boston and Lawrence, to prevent adolescent interpersonal violence; (3) the Positive Emotional Capacity Enhancement Training Program in Ohio which is providing a culturally specific violence prevention program designed to reduce the levels of injury or early morality for black adolescents at risk of becoming victims or perpetrators of violence; and, (4) the Safe at Home Program in Pennsylvania which is addressing the health status of black male children and adolescents by increasing community awareness of the serious, long-term and often fatal effects violence has on these children and decreasing the level of violence in these children's lives. Other SPRANS supported projects are establishing resource centers to provide technical assistance to state and local maternal and child health agencies to reduce or prevent

violence, while other projects are trying to improve the way hospitals, health clinics and other medical facilities respond to violence and child injury.

12. CDC Research, Capacity-building and Surveillance, and Evaluation Grants (PHS/CDC)

The Centers for Disease Control and Injury Prevention (CDC) provides assistance to states and localities to conduct research and implement programs to address and prevent violence. For example, CDC is currently supporting research to identify the causes and environmental and behavioral risk factors for violence and to develop and evaluate interventions to prevent violence. As part of this effort, CDC is funding three cooperative agreements to assist communities design, implement, and evaluate youth violence prevention programs. These community-based projects are trying identify successful ways of delivering youth violence interventions such as mentoring, conflict resolution training, and peer education. These projects are also trying determine if multifaceted community programs can successfully prevent violence-related injuries and deaths and are attempting to build the capacity of state and local agencies to successfully deliver youth violence interventions.

CDC also supports capacity-building and surveillance grants to through the State and Local Injury Prevention Grants program. These pilot programs establish or strengthen lead organizations in states and localities for violence-related and unintentional injury prevention and control. Efforts pertaining to youth violence include, but are not limited to: conflict resolution curriculums; peer mediation programs; surveillance of gunshot wounds treated in hospitals emergency rooms; safe routes/safe havens for school students; positive parenting programs; and mentoring programs.

In addition, CDC is sponsoring projects to evaluate specific interventions to prevent violence. These projects focus on evaluating a variety of school-based violence prevention strategies such as social skills building and conflict resolution training as well as victim education and counseling and adult mentoring. CDC is also sponsoring eight university-based Injury Control Research Centers which are conducting research and program activities involving the prevention of youth violence in school and community settings.

CDC's National Center for Injury Prevention and Control (NCIPC) is funding both intramural and extramural violence-prevention research. Current research projects include an ongoing effort to develop and distribute guidelines on violence prevention and intervention to local communities to help these communities develop their own violence prevention programs, an examination of the Firearm Injury Surveillance Study, and other research and data collection efforts. Finally, CDC is attempting to reframe the public discussion on firearms from one on gun-control to one on firearm injuries.

13. SAMHSA Research and Service Programs (PHS/SAMHSA)

The Substance Abuse and Mental Health Services Administration (SAMHSA) provides support to research and service programs in the areas of substance abuse and mental illness. A number of SAMHSA's programs deal with violence as it relates to drug abuse and mental illness. For example, the High Risk Youth Program is a demonstration program to fund efforts to prevent and reduce substance abuse among at-risk youth. Program funds often also address common antecedents of violence, and grantees often work with youth perpetrators, victims, and witnesses of violence.

SAMHSA's Critical Populations program is a treatment improvement demonstration program which serves to improve access to and quality treatment for adolescents, racial/ethnic minorities, and residents of public housing. The program integrates violence intervention into the comprehensive case model for treatment. Other SAMHSA supported projects are examining and addressing violence in relation to mental illness and substance abuse for critical populations, including pregnant and postpartum women and their children, adult and adolescent offenders who are most at-risk for violent behavior or who already have engaged in violent behaviors, and children who are victims of abuse.

15. NIH Biomedical and Behavioral Research (PHS/NIH)

From FY 1992 to May 1993, the National Institutes of Health (NIH) supported approximately 300 research projects related to anti-social, aggressive and violence-related behaviors and their consequences. Research projects examined a broad range of issues including hate crimes, homicide, domestic violence, sexual assault, violence related to substance abuse, and other issues. A large portion of these projects are population-based studies and largely observational in nature, though some intervention studies are supported as well. Youth, elderly, and minority populations are among the target groups studies. Although support was provided by 11 NIH Institutes, two-thirds of the projects were funded by the National Institute of Mental Health.

16. NIMH Prevention Research and Demonstration Program (PHS/NIH/NIMH)

The National Institute of Mental Health (NIMH) funds research on violence with an emphasis on knowledge building and practical applications of daily life. The NIMH Prevention Research Demonstration Program is a multidisciplinary, scientific research effort designed to test complex interventions based on comprehensive models of the development of serious and chronic conduct problems. NIMH is supporting five of these grants in FY 1993. These prevention programs provide coordinated and concurrent interventions for children, families, and schools. Project objectives for children include improving impulse control, emotional regulation, social problem solving skills, social perceptions, peer relations, and academic success. Objectives for teachers and parents include

improving classroom atmosphere and behavior management skills and facilitating coordination and positive communication between families and schools. In addition to these grants, NIMH is currently supporting two Preventive Intervention Research Centers focused on the prevention of conduct disorder and related problems. These centers involve school-based intervention trials aimed at behavior management and academic functioning.

17. IHS Violence-Related Projects (PHS/IHS)

The Indian Health Service carries out the Federal Government's responsibility of providing a comprehensive health services delivery system for American Indians and Alaskan Natives with maximum tribal involvement in developing and managing programs that meet their health needs. IHS sponsors a number of programs to prevent violence and to deal with the consequences of violence. IHS supported programs are providing assistance to tribes to recognize and address dysfunctional behaviors in their communities, thereby preventing mental illness, emotional stress, and family violence. Other IHS programs provide prevention-oriented assistance to troubled students and youth and assistance to communities to prevent and intervene in child abuse and domestic violence situations.

0 Department of Housing and Urban Development

1. The Office of Fair Housing and Equal Opportunity enforces the Federal Fair Housing Law and provides for fair housing throughout the United States. It administers the Fair Housing Initiatives Program in which grants are awarded to applicants who carry out programs to lessen housing and lending discrimination. Also, it is desegregating public housing projects where bias-related violence may erupt. The Department's practice is to use a coordinated federal approach in partnership with the state and local government to address any violence that may result. Desegregation efforts are underway in Boston, Chicago, Vidor, and East Texas.

Community Housing Resource Board (CHRB) of Delaware County, Pa. demonstrates that HUD's Fair Housing Initiatives Program may be used to help combat bias-related violence. This CHRB which was funded in FY 1987 for \$25,000 helped create and support the local organization, Clergy and Congregations Affirming Racial Equality (CCARE); the group responds to racial incidents and affirmatively promotes intergroup harmony. In addition the CHRB sponsored the National Neighbors Annual Conference and developed the human relations program "Under Our Skin".

The award in 1982 of \$150,000 to the Kentucky Commission on Human Rights was used to analyze various legal concepts of housing discrimination and the appropriateness of compensatory damage. Thorough exploration of the concept of compensation for psychological injury for victims of discrimination was made.

The report evaluated Kentucky State court decisions that

considered giving awards for mental distress as a result of discrimination. Discussions are included of factors to consider in proving mental distress, defenses to proof of mental distress, use of witnesses, and arriving at a figure for compensatory damage.

Additional information on these grants may be obtained from the Fair Housing Information Clearinghouse, P.O. Box 6091, Rockville, Md., 20850, 1-800-343-344. One should refer to Catalog items Nos. 151, 152 and 164.

2. The Office of Policy Development and Research carries out research, demonstration and program evaluation projects of high priority to improve the operations of HUD programs.
3. The Office of Public and Indian Housing provides for cost-effective, decent, safe and sanitary dwellings for lower income families through authorized local public housing agencies and Indian housing authorities. Programs provide for tenant management, business ownership and the elimination of drug-related crime and violence.

0 Federal Emergency Management Agency (FEMA)

1. The U.S. Fire Administration assists local community based anti-arson organizations in increasing and intensifying arson mitigation efforts. FEMA also uses emergency management assistance in developing effective local and state civil defense agencies and preparing appropriate plans.

Anti-arson grants have been made to several community based organizations. Two examples from Connecticut and New York follow:

Meriden Community Action Agency (MCAA) operates a comprehensive anti-arson program in the urban, low-income neighborhoods of Meriden, CT. Its activities include community education, tenant organization, counseling for juvenile firesetters and building code enforcement. MCAA established an arson task force to obtain and promote legislation in the areas of arson crimes and the identification of fire code violations. The CBO also formed a housing coalition that sponsors clean-up days in the city to remove hazardous and flammable materials from neighborhoods. Arson education workshops are available for pre-school children and their families. To assist with arson detection, MCAA created a data bank in conjunction with the Meriden Fire Department's Arson Squad. Updated monthly, it contains statistical research on the numbers and causes of arson fires in Meriden.

vi. Years in the program: 3 (1986-1993)
Amount funded: \$95,000

2. The American Red Cross (ARC), of Rochester, NY, uses USFA grants to run the Family Arson-Prevention Program. Established in 1990 to respond to the city's high rate of juvenile arson,

the program has two goals: to reduce both juvenile arson recidivism and first-offense juvenile arson. To reduce recidivism, ARC provides counseling and educational services to correct contributing family-related behavior factors (lack of supervision, availability of fire-setting materials, etc.) The CBO also works closely with the Rochester Fire Department to monitor high-risk families and develop new treatment procedures. To accomplish the second goal of reducing first-offense juvenile arson, ARC provides community-wide education with emphasis on the parent as the primary defense in preventing the spread of arson among children. The CBO makes presentations at local daycare centers on juvenile curiosity fire play and sets up arson prevention information tables in Rochester schools.

Years in the program: 4 (1989-1993)
Amount funded: \$46,000

For additional information on anti-arson grants contact John Marshall, U. S. Fire Administration, 301-447-1122.

0 Department of Education

1. The Office of the Assistant Secretary for Elementary and Secondary Education provides technical assistance and training services to school districts to cope with educational problems occasioned by race, sex and national origin desegregation. It also promotes educational equity for women who suffer multiple discrimination, bias, or stereotyping based on sex, race, ethnic origin, disability, or age. A program also exists to assist in drug and alcohol abuse education and prevention activities.
2. The Office of Educational Research and Improvement advances knowledge about and understanding of education policy and practice, and solves, alleviates, or illuminates educational problems.
3. The Office of Vocational and Adult Education supports applied research, development, demonstration, dissemination, evaluation and related activities that contribute to the improvement and expansion of adult basic education.
4. The Office of the Assistant Secretary for Civil Rights is responsible for enforcing civil rights laws and assuring that all citizens have access to education.

Appendix III: A Listing of the Intercommunal Violence Working
Group Members

Interdepartmental Working Group on Intercommunal Violence

Co-Conveners:

Ed Moses*
Director of Office of Resident Initiative,
Public and Indian Housing,
Department of Housing and Urban Development

Susan Liss*
Deputy Assistant Attorney General
Office of Policy Development
Department of Justice

Members Names:

Department:

Preeta Bansal*	Department of Justice
Paula Blunt*	Department of Housing and Urban Development
Linda Martin Crawford	Department of Justice
Robert Dalzell*	Department of Housing and Urban Development
Patty Dobbs*	Department of Justice
Ray Donnelly	Department of Labor
Mark Fabiani	Department of Justice
Maryjean Flanagan	Department of Justice
Jami Floyd	Office of the Vice President
Dennis Hayashi	Department of Health and Human Services
David Howell	Department of Health and Human Services
Barbara Huie*	Department of Justice
Nancy Iris	Department of Health and Human Services
Marzy Jones	Department of Justice
Wayne Koka	Federal Bureau of Investigation
Susan Newcomer	Department of Health and Human Services
Gail Padgett*	Department of Justice
Betsy Shulevitz*	Department of Housing and Urban Development
Nat Smith	Department of Housing and Urban Development
Don Vereen*	Department of Health and Human Services
Jane Walstedt	Department of Labor
Susan Young*	Department of Health and Human Services

* Authors of The Report

Sexual Assault

Part I Size and Scope of the Current Problem

Introduction

In 1973, Jerry McFadden was convicted of two rapes and sentenced to two 15-year sentences in the Texas Penitentiary. Paroled five years later, in December 1978, he kidnapped, raped and sodomized a Texas woman. He was once again sentenced to 15 years in 1981, only to be released on parole four years later in July 1985. On May 4, 1986, McFadden raped, beat, and strangled an 18-year-old honor student, Suzanne Harrison, and shot to death her two companions.¹

Sexual assault is an outrageous crime of shocking proportions. It is also a crime blanketed with public denial. This denial is evident in the blaming and stigmatization of victims, and the "revolving door" of the criminal justice system, which continually turns convicted offenders back out into society after short prison sentences. It silences victims, thwarts the just punishment of perpetrators, and reproduces further misunderstanding of sexual violence. It perpetuates the destructive violation of many, many thousands of children, women, and men. Its costs to our society are enormous.

Several decades of activism have wrought changed laws and, to some extent, attitudes. Committed professionals have worked diligently for years to address the plight of sexual assault victims. Deeply held myths about sexual assault nonetheless persist. Perhaps the most pervasive myth is that of "stranger danger" -- that rapists are masked strangers who jump out from dark alleys or behind bushes to attack attractive, young women. Recent studies have debunked this myth with findings that rapists are most often known to their victims, and that the great majority of victims are sexually assaulted as children and adolescents.² A second powerful myth is the idea that brutal force and unceasing struggle are necessary elements of a "real rape." In fact, victims are often terrified that they will be killed or severely injured during the attack, or for resisting the attack.

These and other myths inflict far-reaching harm. When members of the criminal justice system -- law enforcement officers, judges, juries, and even prosecutors -- subscribe to these myths, victims are traumatized a second time by the very institution charged with providing redress, and offenders escape accountability for their actions. When, in highly publicized rape trials, the media scrutinizes the victim's personal life or reveals the victim's identity, other victims get the message that reporting brings intrusive, negative publicity. When the entertainment industry glamorizes sexual violence, children and adolescents learn that sexual aggression is normal, acceptable behavior -- a powerful education for the offenders and the victims of tomorrow.

There are several clear results. Most victims do not report the crime.³ Very few perpetrators are actually convicted, and those who are found guilty often serve lenient sentences.⁴ The vast majority of offenders remain at large.

• Definition of the Crime

There is no single, unanimously accepted statutory definition of sexual assault.⁵ In statute, the crime is typically defined to include any or all of the following elements: the penetration of a bodily orifice (i.e., mouth, vagina, anus) with a penis, fingers, or an object, of a person who does not consent to the act (unless the victim is a child, in which case, consent is irrelevant). Statutory language may also address the manipulation of genitalia orally, anally, or with the offender's own genitals, and may or may not identify sexual gratification as the intent. (A few states continue to define victims as female⁶ -- an outright denial that males are sexually assaulted.) The crime itself may be termed rape, sexual assault, sexual abuse, or sexual battery; an act classified as rape in one state may not be rape in another. What statutory language does not convey is the domination and humiliation suffered by the victims of their ability to exercise choice or free will.

• Incidence and Prevalence

There is no typical victim of sexual assault, but recent statistical data reveal some distinct findings (see Appendix 1 for additional statistical data):

- o Sexual victimization is a shared experience among youth. The risk of sexual assault appears to be highest for girls under the age of 17, many of whom will be victimized before they reach age 11.⁷
- o Sexual assault victims are not only female. In 1991, approximately 20,000 males, age 12 and older, were victims of sexual assault.⁸
- o Sexual abuse of children is not uncommon. Both male and female children are vulnerable; a recent study asserts that fully 27 percent of women and 16 percent of men experienced sexual abuse as children. Further, a great many children will be sexually abused more than once.⁹
- o Pedophiles inflict destruction on many, many young lives. On average, non-incest pedophiles commit one or two acts against 150 male children per pedophile, compared to 20 female children per pedophile.¹⁰
- o Females are most at risk of sexual assault by someone they know. Four out of five female victims are assaulted by

husbands or ex-husbands, fathers or stepfathers, boyfriends or ex-boyfriends, relatives, acquaintances or neighbors.¹¹

- o Most rapes are unreported. A recent study found that 84 percent of female victims do not report the crime.¹² In addition, the stigma of male-on-male rape is widely believed to hamper reports of these crimes as well.

Sexual assault victims may be of any race or ethnic background; may be gay or lesbian; may be disabled, or very old. In short, anyone may become a victim of this crime.

• Cost to Victims and Society

The long-term physical and emotional effects of sexual assault are often life-shattering. Victims are likely to experience major depression, anxiety, and rape-related Post Traumatic Stress Disorder; they are at increased risk of engaging in self-injury, suicide, and alcohol or drug abuse.¹³ Estimates of the percentage of women in treatment for substance abuse with histories of sexual abuse range as high as 75 percent, and for women institutionalized with serious mental illness, the figures range as high or higher.¹⁴ Physical disorders may include abdominal pain, headaches, eating disorders, gynecological trauma, and sexually transmitted diseases.

Society at large pays a price as well. The financial burden to the health care system is immense. Compared to non-victims, sexual assault victims make more frequent visits to medical and mental health practitioners for victimization-related symptoms.¹⁵ Other costs of the crime, though not easily quantified, are undoubtedly burdensome -- such as victims' missed work and hindered productivity, or families and relationships torn apart in the aftermath of the crime. Certainly the arrest, adjudication, and incarceration of offenders poses a heavy cost to the criminal justice system and to the American taxpayers -- particularly when recidivists repeatedly enter and leave the system. But perhaps the ultimate cost of sexual assault is a disabling loss of freedom that is generated by fear of the crime. According to the National Victim Center (NVC), women especially curtail their behavior, their freedom of movement and lifestyles, in order to avoid becoming the next victims.¹⁶ Victimization can also hinder the ability to enter into and maintain meaningful relationships. In a sense, the result is the loss of basic human freedoms that can never be quantified.

• History and Causes

Many believe that sexual assault is escalating, although there is debate about whether the rise is due to an actual increase in incidence, or merely the redefinition and enhanced reporting of the crime. Prior to the activism initiated by prosecutors, victim advocates, and the women's movement, prosecution of rape was very difficult; the victim's chastity and honesty were questioned, and

many convictions were overturned on doubts about the victim's character.¹⁷ The early 1970s witnessed a number of changes, including law reform, increased collection of statistics, and the start-up of services such as hotlines and rape crisis counselling for victims. The Federal government established a National Center for the Prevention and Control of Rape, which provided funding for local programs.

In 1982 the President's Task Force on Victims of Crime published its Final Report, a blueprint set of 68 recommendations designed to advance the fair and sensitive treatment of victims. As its primary illustration of a typical victim experience, the Report provided the compelling account of a sexual assault victim's journey through criminal justice proceedings, and the attendant "secondary victimization" she experienced. In the following decade, hard-won state and Federal legislation was enacted to secure many of the Task Forces' recommendations in the form of specified victims rights within the criminal justice system. At the Federal level, the Victims of Crime Act of 1984 (VOCA) established the Crime Victims Fund in the U.S. Treasury, a mechanism for providing funds for state victim compensation and assistance programs. (Services to victims of sexual assault are identified as a priority under the VOCA victim assistance program.) Other legislated measures, however, have yet to be carried out in practice.¹⁸

Explanations for the cause of sexual assault vary from those that scrutinize individual behavior to others that fault social factors. Early in the century, sex offenders were regarded as "sexual psychopaths" who could, with proper therapeutic treatment, be cured. The failure of this approach has led current experts to believe that sex offenders cannot be cured, only treated. Sex offenders typically begin offending as juveniles or adolescents, committing assaults with increasing frequency as they mature. Although victims may be selected opportunistically, the crime itself is carefully planned and replayed, well in advance, in the offender's mind. For those offenders perceived as amenable, current treatment programs frequently focus on developing behavior modification skills that are said to reduce the probability of subsequent offenses.¹⁹

Experts from disciplines such as sociology and law cite factors other than individual behavior that they believe foster the tolerance or even encouragement of sexual assault. These factors include institutional sexism, societal acceptance of violence (both actual and depicted), the erosion of family values, alcohol and drug abuse, and sexual permissiveness.

Sexual violence is increasingly regarded not only as a crime, but also as an unattended public health threat that endangers the physical, emotional, and mental well being of vast numbers of citizens. As in the case of other human health threats, a public

health response -- one that identifies risk factors and formulates preventive and intervention measures -- must be part of the solution. Prevention and intervention efforts, coupled with the enforcement of existing laws and the swift incapacitation of active sex offenders, offers the only real hope in stemming the sexual violence that is so pervasive in America today.

Part II Current Policies and Programs: Description and Assessment

• Prevention, Education, and Intervention

A 1989 survey of high school students found that 18 percent of females and 39 percent of males believe that it is acceptable for a boy to force sex from a girl if she is drunk or drugged.²⁰

It is generally acknowledged that the exposure of young children to physical and sexual abuse sets the stage for a wide range of problems throughout life, such a propensity toward sexual aggression, or an absence of self-worth that may increase an individual's vulnerability to future victimizations.²¹ If sexual assault is truly a "tragedy of youth,"²² a compelling argument can be made for early, preventive education, followed by equally early intervention that identifies those youngsters who have been victimized, and provides them assistance and support.

An assortment of Federal funding mechanisms exist for sexual assault prevention and education efforts at the state and local levels. (The Federal government also provides funds for programs that address related issues, such as domestic violence, substance abuse, adolescent mental health, at-risk youth, etc.) What appears to be absent is a single body or focal point for the coordination of state and Federal efforts that address sexual assault.

As part of its overall effort to combat violence, the Department of Health and Human Services (DHHS) supports a broad range of activities designed to prevent sexual assault and assist victims. (For a full description of DHHS programs, please see Appendix 2). For example, the National Center on Child Abuse and Neglect provides formula grants to improve state protective service systems and child abuse and neglect prevention efforts. The Child Welfare Services Program supports the foster care program, which provides funds to states for out-of-home placement and care of abused and neglected children. The Indian Health Service (IHS) supports several efforts to prevent physical and sexual violence toward children, including support for the National Indian Health Service (IHS) Bureau of Indian Affairs Oversight Committee on Child Abuse and Neglect, which monitors and coordinates services in Indian communities for victims of child physical and sexual abuse. The IHS also trains physicians and other health care providers to sensitively examine and treat child sexual abuse victims.

The Centers for Disease Control and Prevention (CDC) in DHHS also supports an array of prevention and research programs. Through the Preventive Health and Health Services Block Grant Program, CDC supports state public health efforts to address sexual violence. Local counselling, hotlines, education programs for rape prevention, offender rehabilitation, training of law enforcement officials, and laboratory tests are among the supported activities. In fiscal year 1994, CDC's National Center for Injury Prevention and Control received over \$7 million to launch the Prevention of Violence against Women Initiative, a five-year campaign to prevent physical and sexual abuse by partners, acquaintances, and strangers. The campaign will provide a strong scientific basis for prevention, consisting of monitoring and epidemiological analysis of the problem, intervention design, implementation, and evaluation. Campaign activities will be directed toward several goals, including the demonstration and evaluation of promising prevention efforts; national public awareness; support for current prevention efforts nationwide; and increased knowledge of the causes and consequences of violence against women.

Within the Public Health Service of DHHS, the Substance Abuse and Mental Health Services Administration (SAMHSA), Center for Substance Abuse has funded a \$2 million Substance Abuse and Youth Violence initiative as part of their High Risk Youth Program. This initiative will target substance abuse prevention services at youngsters who exhibit violent or anti-social behavior. Levels of substance abuse and crime, including sexual assault, will be measured using quantitative indicators, such as police records of violence-related visits, and coroner reports of youth deaths. SAMHSA's Center for Mental Health Services is also planning a 1994 issue forum on physical and sexual abuse in the lives of mentally ill women.

Like DHHS, the Department of Education (DOED) operates under a number of authorizations for sexual assault preventive education:

- o The Higher Education Act's Urban Community Service Program authorizes \$9.4 million in grants for campus and community crime prevention.
- o The Early Childhood Education and Violence Prevention Act authorizes \$5 million in grants to institutions of higher education to train students for careers involving violence prevention.
- o Grants for Sexual Offenses Education (Part D of the Higher Education Act) provide funds to institutions of higher education for education and prevention programs. To date, no funds have been appropriated for this program.

A related measure is the Student-Right-to-Know and Campus Security Act. Although it does not address direct reporting, the

legislation does require that institutions of higher education receiving Federal student financial assistance funds collect and disclose information about campus security measures and statistics about serious crimes involving students, including both "forcible and non-forcible" sexual assaults that occur on or near campus. The Higher Education Amendments of 1992 added new provisions to the act that require colleges and universities to develop education programs to promote the awareness of rape, acquaintance rape, and other sex offenses. Prior to this act, information about campus crime was not available to prospective students.²³

Unfortunately, much of the Federal legislation authorizing prevention efforts through the DOED is relatively new; some still lacks companion appropriations. An equally significant problem is the absence of resources to evaluate existing preventive education programs which entails the evaluation of individual, long-term behavior after participation in such a program. Such longitudinal evaluations are rare.

Another education-related issue is the role of teachers and school administrators. States do not require that schools have policies prohibiting sexual contact between school personnel and students. A Senate amendment to the Safe Schools Act of 1993²⁴, addresses this issue by requiring an assurance that the local educational agency has a written policy prohibiting sexual contact between school personnel and a student.

At least two local preventive education programs appear to be enjoying extensive public support. The Oakland Men's Project (OMP) of Oakland, California, is an education and support program that has developed local and national-scope training on the prevention of sexual violence. The program works in cooperation with other community entities, such as schools and victim services, on the founding principle that males must work as the "allies" of girls and women. The OMP trains school children, teachers, incarcerated offenders, and university students. (Appendix 3 provides participant feedback on the OMP's training.) Several other states have developed educational programs modeled after the California Youth Authority's Impact of Crime on Victims curriculum, the purpose which is to "personalize" crime. (Both of the aforementioned programs are currently being evaluated.)

• Reporting

Estimates of actual versus reported sexual assaults vary; it is clear, however, that the majority of crimes go unreported and that most perpetrators remain at large. The Bureau of Justice Statistics (BJS) asserts that only about half of "completed rapes" (versus attempted) recorded by the National Crime Victimization Survey (NCVS) are reported to law enforcement officials; many of those reports are filed by someone other than the victim.²⁵ By contrast, a recent study, conducted by the NVC in collaboration

with the Crime Victims Research and Treatment Center, found that only 16 percent of all forcible rapes are ever reported to law enforcement authorities.²⁶

Data collection methods for Federal statistics have come under fire for being flawed. For example, many women will admit that they have been forced to have sex, but will respond negatively when asked if they were raped, especially if the perpetrator is someone they know (their perception being that it is not rape if they know the perpetrator). Thus, survey questions that inquire whether a victim was "raped" may erroneously elicit a negative response.

The widespread victim reluctance to report is a reaction to public stigma, victim-blaming, and fear of insensitive treatment by or lack of faith in the criminal justice system.²⁷ It may also stem from personal reasons, such as the victim's relationship to or fear of the perpetrator, or the belief that his or her actions or lack thereof may be viewed by the criminal justice system as contributory. Clearly, however, the encouragement of reporting is critical to successful apprehension of perpetrators. Toward this end, state victim compensation programs require victims of sexual assault to report the crime and cooperate with law enforcement efforts as a condition of payment for medical forensic examinations, mental health counselling, lost wages, and other related expenses. The assurance of sensitive treatment, confidentiality of victims' identities, and the likelihood of conviction are several key elements that may foster greater victim trust in the criminal justice system, and thus, a greater willingness to report.

- Criminal Justice System:
Investigation, Prosecution, Adjudication

Historically, the state has protected the welfare of citizens through the exercise of its policing powers. Federal criminal law developed to encompass those activities which interfered with interstate relationships, Federal property, and Federal employees or officials in their official capacities. At the Federal level, the Department of Justice (DOJ), through the Child Exploitation and Obscenity Section and U.S. Attorney Offices across the country, investigates and prosecutes sexual assault crimes occurring within Federal jurisdiction. At the state level, local district attorneys offices prosecute sex offenses within their jurisdictions.

Over the past decade Federal law and many state laws have evolved to include provisions that safeguard the rights of victims. In 1986, Congress enacted the Sexual Abuse Act,²⁸ which reformed Federal laws on rape, and extended their reach to other sex offenses. The Act's reforms, which parallel many state reforms, follow:

- o Sexual crimes are defined in gender neutral terms and focus on the offender's acts.
- o Spousal immunity and resistance doctrines which had, in the past, caused the exclusion of relevant inculpatory evidence, have been abolished.
- o The government need not prove lack of consent as part of its case. Consent is relevant only as a defense in adult sexual assault cases and is completely irrelevant when the victim is a child.
- o Corroboration of the victim's testimony is not required to obtain a conviction. Where the victim of a sexual crime is under age 12, the improper and often abused "mistake of age" defense is not permitted.

The Federal government and most states also have laws generally referred to as "rape shield" statutes, which protect victims from improper and unduly intrusive cross-examination about irrelevant prior sexual behavior, as well as. Rule 412 of the Federal Rules of Evidence, for example, specifically excludes reputation or opinion evidence of the victim's past sexual behavior as well as other evidence of a victim's prior sexual behavior, except under very narrow, relevant and proper circumstances. If the defendant intends to offer evidence of specific instances of past sexual behavior under the exception to the rule, the defendant must file a written motion with an offer of proof not later than 15 days prior to the scheduled trial date.

Other new provisions in state criminal codes, as well as in the Federal Criminal Code, protect child victims or witnesses of sexual assault. Defendants in child sexual assault cases often, without foundation, improperly attack a child victim's competency, based solely upon the victim's age. Reformed Federal and state laws now presume a child -- even one of "tender years" -- competent to testify.²⁹ These reforms typically require that a competency hearing be convened only upon written motion that sets forth a compelling reason, supported by an offer of proof.

Accused sex offenders are entitled to speedy trials in all states and at the Federal level. Children in the Federal criminal justice system, and in some states as well, are also entitled to speedy trials -- a right not yet accorded to adult victims.

Another common statutory reform permits one or two-way, closed-circuit television examination and video-taped depositions of child victims.³⁰ These measures protect the child from intimidation while preserving the defendant's constitutional rights. Other accommodations for child witnesses include extended statutes of limitations, guardians ad litem, and restrictions on the disclosure of a child victim's identity.

Some states require convicted sex offenders to submit to DNA profiling. Once on file, the DNA "fingerprint" serves as important identifying evidence for future sexual assault investigations, eliminating the need for repeat tests of recidivist offenders and vindicating those who might be wrongly.

The Federal government has undertaken other important efforts to strengthen prosecutions and uphold victim rights. In 1991, the Attorney General issued guidelines for the proper treatment of victims and witnesses. Each agency within DOJ must annually file a "best efforts" report documenting their compliance with the guidelines. These guidelines, along with Federal law, require the use of multidisciplinary teams (including pre-existing state teams) to investigate and prosecute child sexual abuse, where feasible. Members of multidisciplinary teams provide relevant professional expertise and assistance, including medical evaluations of abuse or neglect; psychological and psychiatric diagnoses and evaluations for children or parents; emergency consultation; and expert medical or psychological testimony.

DOJ's Office for Victims of Crime has funded national-scope training and technical assistance on the use of multidisciplinary teams in the investigation and prosecution of both adult and child sexual assault and abuse cases. A multidisciplinary approach that is victim-centered mitigates possible secondary trauma to the victim, by minimizing repetitive and intrusive interviews, upholding the victim's right to fair and sensitive treatment, and keeping the victim informed of key criminal justice proceedings. Furthermore, community-based multidisciplinary teams exemplify the efficient use of local resources.

Through the Children's Justice Act Program administered by the DHHS and OVC, states and Indian tribes are successfully employing a multidisciplinary approach to handling cases of child physical and sexual abuse. The DOJ also works with the National Children's Advocacy Center in Huntsville, Alabama, to provide in-depth multidisciplinary training to the range of Federal officials who handle child sexual abuse cases.

Like the Federal government, every state has enacted reform legislation that is intended to encourage the reporting of sexual assaults, safeguard the rights of victims, and improve case processing and disposition. The extent of legislative reforms varies from state to state, an analysis of which extends well beyond the scope of this report. Although much progress has been made, however, a very real question persists as to whether provisions set forth in law are carried out in practice.

At an individual level, members of the criminal justice system may harbor biases that impede successful prosecution of the crime while also re-traumatizing victims. Many judges do not understand the long-term psychological harm of sexual assault to the victim; they

may engage in victim blaming; or they may require more corroboration of the victim's testimony than in other serious felony cases.³¹ Myths about rape pervade juror attitudes as well. "Juries appear to rely on social (as opposed to legal) definitions of rape and their own perceptions of the victim's assumption of risk...[They tend to be] extremely lenient with the defendant if there [is] any suggestion of 'contributory behavior' on the part of the victim...[e.g.,] hitchhiking, dating, and talking with men at parties."³²

A number of Federal agencies have provided funding to train criminal justice professionals.

- o DOJ's Office for Victims of Crime (OVC) has funded training for judges through the National Judicial College, the nation's leading continuing education center for the training of state trial judges, in Reno, Nevada. Training topics included protecting victims of crime from harassment, victim-offender mediation programs as part of sentencing, videotaped testimony, and opportunities for the presentation of victim impact statements.

Through other national-scope projects, OVC has also furnished training for law enforcement, prosecutors, victim advocates, and correctional officials.

- o With funding from the State Justice Institute, the National Judicial Education Program to Promote Equality for Men and Women in the Courts (a component of the National Organization for Women, or NOW) developed a model curriculum to train judges about sexual violence. The curriculum, which has been pilot-tested and refined, tackles common myths about rape and delineates judicial practices that ensure fairer treatment of sexual assault victims in the courtroom. Feedback from training participants indicates the NOW's prior training has successfully changed attitudes (for more information about this program, see Appendix 4). SJI has also commissioned the National Organization for Victim Assistance (NOVA) to produce a manual for training judges on victim rights, along with two videotapes to support the training. These are available through state judicial educators and NOVA.

Judicial training programs in particular have met with mixed success. According to evaluations of OVC training, this may be the result of the concern of many judges about maintaining a balance between the rights of the offender and those of the victim. Focused consideration of the victim's rights is often viewed as prejudicial or improper. Still, the work of state supreme court task forces on gender bias has documented significant deficiencies in the response of judges to certain cases of sexual assault.³³

• Truth in Sentencing

In theory, law enforcement prevents sexual victimization of the law-abiding public. Unfortunately, most criminals seldom serve full sentences³⁴; sex offenders in particular may serve a fraction of their sentences.³⁵ Juvenile offenders typically receive probationary sentences. First-time offenders who serve time are not insulated from the influence of repeat offenders. Other sex offenders attain early parole due to good behavior during incarceration. Finally, several states have released incarcerated sex offenders, along with other convicted criminals, because they lack adequate prison space to hold them. As a result of these factors, most offenders ultimately return to the streets.

The Federal level has made some progress toward truth in sentencing. Federal penalties for sex offenses range from misdemeanors for crimes such as abusive sexual contact, to life imprisonment for aggravated sexual abuse. The Federal Sentencing Guidelines allow consideration of the seriousness of the offense as well as aggravating or mitigating circumstances. Other Federal statutes make the failure of certain professionals to report child abuse a criminal offense that carries a penalty of up to six months in prison and/or a fine of five thousand dollars.³⁶ Finally, the Federal criminal justice system abolished parole by legislation enacted in 1984, effective for crimes committed after November 1, 1987.

• Victim Rights and Assistance

In 1984, Congress enacted the Victims of Crime Act (VOCA), which established the Crime Victims Fund (Fund) in the U.S. Treasury and the (OVC) in the DOJ's Office of Justice Programs. The Fund annually receives millions of non-taxpayer dollars from the fines, forfeited bail bonds, penalty fees, and special assessments of convicted Federal criminals. The Fund enables OVC to make formula grants to eligible states for crime victim compensation and assistance programs. State victim compensation programs provide financial relief for the out-of-pocket losses arising from crime, such as lost wages, forensic examinations, and funeral expenses. State victim assistance programs support services such as shelters for battered women, rape crisis counselling, and hotlines. In 1991, more than one-fifth of the total VOCA victim assistance funding awarded (\$65.6 million) went to programs for sexual assault victims, and more than one-third went to programs for victims of domestic violence.

The VOCA state compensation and assistance formula grant program exemplifies a Federal and state partnership that works. The ability of the Federal government to sustain this partnership depends, in large part, on the effective collection of criminal fines. In 1991, through the U.S. Attorneys Offices and the U.S. Clerks of Courts, the Federal government collected over \$221

million in criminal fines -- the largest annual amount ever.³⁷ Although deposits into the Fund have steadily increased over the years, continued vigorous collection efforts are necessary to the maintenance of essential victim services across the nation.

The 1990 Crime Control Act further advanced victim rights by enumerating the specific responsibilities of the Federal criminal justice system to victims. Like the Federal government, the majority of states have also passed legislation to ensure the fairer treatment of all crime victims. At least 42 states now have legislated Victim Bills of Rights. (Unless these bills amend state constitutions, however, they may be unenforceable.) Virtually all states now allow the submission of written victim impact statements at sentencing and at least 34 states permit victim allocution. Finally, at least 23 states have enacted legislation which mandates that restitution be ordered unless a judge explains, in writing, reasons for not issuing such an order. (Even with court orders, however, there is no guarantee that victims will receive the restitution to which they are entitled.³⁸)

States have also responded legislatively to the AIDS epidemic, the threat of which compounds the trauma and fear experienced by victims of sexual assault and abuse. State laws often require that the victim or the prosecuting attorney petition or request the court to order testing of the offender for the presence of HIV and disclose the results to the victim. Sixteen states specifically authorize the involuntary pre-conviction testing of accused offenders; two states allow voluntary pre-conviction testing; and 20 states authorize post-conviction testing of offenders.

Although the criminal justice system has undergone extensive reform, victims of sexual assault may remain subject to less than dignified treatment. They may be denied important rights -- the right to be notified, present, or heard -- at key points in the criminal justice process. Case delays may prolong victim suffering. Victims may be denied restitution, or, if it is ordered, there may be minimal effort by the courts to collect it.

• Victim Treatment

Victims of crime suffer irreparable harm -- physical, mental, emotional, and spiritual. Sexual assault victims may need medical care, physical therapy, crisis counselling, long-term therapy, and/or group support. Children who have experienced sexual assault or abuse have unique treatment needs; they are particularly vulnerable to the possibility of secondary victimization at the hands of inexperienced medical or criminal justice practitioners. Adult survivors of child sexual abuse may have developed alcohol or other dependency problems, among others, in an attempt to cope with their trauma; in treatment, these victims must work through an entire lifetime of suffering.

Over the last twenty years, progress has been made in delivering timely, appropriate, and effective treatment services to victims of sexual assault and abuse. Most recently, as part of its 1991 campaign to educate medical practitioners about domestic violence and sexual abuse, the American Medical Association (AMA) formed the National Coalition of Physicians Against Family Violence. The AMA has since issued a series of booklets instructing medical practitioners on how best to detect and assist patients who are victims of physical and sexual abuse (including children), and refer them to the proper legal and social services. (See the paper of the Working Group on Domestic Violence for a more complete discussion.)

Also in 1991, the American Psychological Association (APA's) Committee on Women in Psychology established APA's first Task Force on Male Violence Against Women. Its mandate is to review current research on the prevalence, causes, and impact of violence against women, to describe community-based and clinical interventions, and to recommend legal changes and policy initiative to address the problem. APA's Women's Programs Office plans to disseminate this information to researchers, educators, advocates, service providers, and policymakers through a variety of mechanisms at the local, state, and federal levels.³⁹

The response of medical practitioners to victims in emergency room settings has also improved, with some Federal assistance. In 1988, DOJ funded the development of a model sexual assault evidence collection protocol and kit; twelve states adopted the model and continue to refine and use it.⁴⁰ At the local level, a few hospitals and medical care providers have developed Sexual Assault Nurse Examiner (SANE) programs, which employ trained nurse practitioners to conduct medical exams in facilities specifically designed to meet victim needs. The use of nurse practitioners is an economical means of delivering quality care without subjecting victims to crowded, public emergency waiting rooms. Both Hillsboro County, Florida and the San Francisco Rape Treatment Center in California operate SANE programs.⁴¹

Like their medical colleagues, mental health practitioners are gaining substantive knowledge about effective approaches to the treatment of sexual assault and abuse victims. The Crime Victims Research and Treatment Center (CVC) at the Medical University of South Carolina has pioneered extensive research on Post-Traumatic Stress Disorder (PTSD) and rape-related PTSD. CVC also conducts research on the treatment needs of child victims, and has, with DOJ funding, provided national-scope training to mental health practitioners on these topics. CVC has also been supported by the National Institute of Mental Health with research and training grants focussing on the treatment of child and adult sexual abuse, as well as other forms of crime-related traumatic stress.

Many patients who present to mental health and substance abuse practitioners do not identify themselves as victims of sexual assault or abuse; they may not even realize they are crime victims. Without proper training, health professionals may fail to recognize symptoms indicative of past or even recent sexual victimization (such as a substance abuse). Evaluations of CVC training events point to the ongoing need for training and information-sharing about these issues among all health practitioners.

Despite promising progress, ensuring quality treatment for victims will require renewed action. Assistance and treatment services may not reach or accommodate the needs of distinct victim populations, such as males, the elderly, and gay and lesbian victims. Furthermore, innovative local approaches are scattered⁴², and may not garner the resources necessary to provide quality or continuous services. Federal demonstration funds are limited; replication of successful efforts has therefore also been limited. Training for victim service providers, and medical and mental health professionals is a continuing and important need.

The criminal justice system has much to gain by working closely with health practitioners. In recognition of this fact, members of these disciplines have recently undertaken national efforts to share information and identify areas for collaboration. At the policy formulation level, such collaboration will enrich national approaches to the problem. At the local level, such collaboration (reflected, for example, by the multidisciplinary team approach) enables the efficient use of local resources, and enhances law enforcement and prosecutorial practices while minimizes additional trauma to victims.

• Assessment, Treatment and Supervision of Offenders

As a result of the increased efforts to address sexual assault and abuse, sex offenders have become the most rapidly increasing category of incarcerated offenders. Concurrently, in an effort to further enhance community safety, there has been a dramatic growth in the number of treatment programs for sex offenders. This growth was especially marked for adult sex offenders in the first half of the 1980s, with the number of programs increasing from several dozen at that time to around 1,000 today. Moreover, as it became more widely known that juveniles account for a significant proportion of sexual offenses and that many chronic adult sex offenders began their careers of sexual offending as juveniles, programs for juvenile sex offenders, beginning the mid-1980s, have shown a similarly dramatic increase. Treatment approaches focus on teaching offenders to recognize high risk situations and, in essence, to interrupt individual patterns of behavior, as a means of preventing future offenses.⁴³

Most incarcerated sex offenders are eventually release and many attain parole or early release. Unless these offenders receive

effective treatment while in prison, incarceration is simply a "time out" from committing sexual assaults. Treatment during incarceration, however, is merely a half-measure; post-release supervision and monitoring of the offender is equally important. Effective supervision entails developing a network of contacts (e.g., the offender's employer, spouse, etc.) who assist probation officers in monitoring offender behavior; and interaction between probation and mental health professionals to periodically review and compare respective assessments of offender progress.⁴⁴ Where successful, treatment of offenders has truly been a community endeavor (see Appendix 5 for more information about state efforts).

Since 1982, the Vermont Treatment Program for Sexual Aggressors has employed the aforementioned treatment elements in its work with convicted sex offenders. Of 473 offenders treated in a ten-year period, only six percent are said to have re-offended.⁴⁵

There are a number of problems with present treatment programs. First, the screening methods used by Federal and state prisons generally fail to identify an offender's need for and amenability to treatment. Second, treatment is a specialized field for which limited training or retraining opportunities exist; as a result, there are too few corrections personnel capable of successfully monitoring released offenders who have received treatment. Further, the absence of community or transitional programs for released offenders may undermine the effects of previous treatment. Third, the failure to develop and implement a system-wide tracking, reporting and evaluation system in the treatment of sex offenders from adjudication through parole increases the risk of re-offense, and diminishes the credibility of existing treatment programs. Finally, the criminal justice system has failed to intervene appropriately through juvenile court, or to mandate long-term follow-up. As a result, juvenile offenses may escalate.

Part III Remedies

• Criminal Justice System

The criminal justice system's goals are to protect and maintain order in society, to punish law breakers, and to restore victims, to the extent possible. Through the dispensation of punishment that is commensurate with the seriousness of the crime and a restorative justice approach that upholds the offender's accountability to the victim, the Federal and state governments can achieve those goals.

- o The Federal and state governments should take steps to uphold truth in sentencing. Violent recidivists should not be allowed to walk free because of good time credits or overcrowded prisons. Credits toward release should be tied to participation in treatment programs. Furthermore, toward more informed decision-making by parole boards, victim allocation

at parole hearings should be encouraged. Where needed, legislatures should redefine violence and sexual criminal acts. Tailoring punishments to more closely fit the crime -- through the enumeration of graded offenses -- would assist in taking more sex offenders off the streets. In addition, first-time offenders should not receive probationary sentences, but should be sanctioned in a way that reflects the seriousness of the crime. They should, however, be insulated from the influence of repeat offenders in first-time offender correctional facilities which offer specialized treatment.

- o Child victims of Federal sexual offenses are entitled to a speedy trial.⁴⁶ Adult victims of Federal sex offenses should have this same right, and states should be encouraged to provide it. Victim suffering should not be prolonged by case continuances and other procedural obstacles that hinder the healing process.
- o The Federal government should also consider reforming the Federal Rules of Evidence in connection with sexual violence cases. Federal rape shield provisions limit admissibility of a victim's past sexual behavior to certain circumstances (e.g., where a defendant raises consent as a defense and the evidence is of past sexual behavior with the defendant), but only in criminal cases. Victims in all Federal criminal and civil cases involving sexual violence should receive the benefit of this protection. Federal and state criminal justice systems should also seriously consider adopting clear rules allowing admission of evidence involving a defendant's prior similar sexual offenses. Substantial judicial precedent supports a liberal approach to admission of "similar crimes" evidence in sexual violence cases and consideration should therefore be given to explicitly codifying them in the rules of evidence.⁴⁷
- o The DOJ should encourage the use of multidisciplinary teams to investigate and prosecute sexual assault cases. By fostering trust in the criminal justice system, this approach may go far in encouraging victims to report the crime, and in strengthening prosecution of sex offenses. Furthermore, these teams, which are usually custom-designed to serve individual communities, can complement other community efforts such as preventive education and intervention.
- o All charged and convicted state and Federal sex offenders should be subject to DNA profiling.
- o Effective programs to educate judges about gender bias and issues related to sexual assault should receive additional funding to enable the expansion of these efforts. Training curricula should address the provision of appropriate instructions to jurors serving on sexual assault cases. The

DOJ should explore the need for development and issuance of model instructions.

- o The Federal government should commission a study to evaluate the juvenile justice system. The focus of such a study should include accountability to the victim; consequences of offender behavior to the victim and society as a whole; trying violent juvenile offenders as adults; and whether sealing juvenile records is sound policy. This study should also include relevant known information about juvenile offenders and the effectiveness of current measures to deal with them.
- o The DOJ should establish and lead an Interdepartmental Task Force on Sexual Violence to serve as Federal focal point of efforts to address sex crimes. The responsibilities of the Task Force would include further exploration of the problem, including societal factors, such as institutional sexism; the coordination of Federally funded efforts; an identification of model state and local programs, as well as areas for renewed effort; and the coordination of technical assistance efforts to replicate effective approaches to combatting sexual assault. The Task Force should comprise the same professionals that make up multidisciplinary teams (i.e., law enforcement, prosecutors, victim advocates, etc.).

• Victim Rights and Assistance

The goals of victim rights and assistance practices are threefold: to protect victims from secondary trauma; to help them navigate the criminal justice system; and to promote healing from the devastating effects of sexual assault and abuse.

- o A finding of probable cause should clear the way for mandatory HIV testing of the offender in a manner that preserves the offender's rights. Government entities should undertake steps to ensure that victim confidentiality is preserved in the disclosure of test results. Victims should also receive free testing, free counselling on test results and the possible need for future testing, and support services. It is important that counselling and testing for victims be provided even when the offender is not apprehended.
- o States should require mandatory restitution of all sex offenders, regardless of their ability to pay. Violent criminals owe a debt not only to society, but to the victim whose life is irrevocably altered by the experience of victimization. Mandatory restitution not only sends a message that offenders will be held accountable for their actions; it also defrays the cost to government programs that provide services or compensation to victims of sexual assault. The Federal Bureau of Prisons Inmate Financial Responsibility

Program, which has surpassed expected criminal fines collections goals, should serve as a model for the states.

- o The Attorney General should promote vigorous criminal fines collection efforts. These efforts are necessary to sustain the Crime Victims' Fund and the state compensation and assistance formula grant programs that it supports. The Fund also supports training for thousands of committed victim service providers -- training that is critical to the quality and breadth of the services offered nationwide.
- o Children, women, and men have the right to live lives free from sexual violence. No one "asks" for sexual assault or abuse, regardless of character, behavior, dress, or lifestyle. Those unfortunate individuals who are victimized have the right to fair and sensitive treatment at every step of the criminal justice process.

The Attorney General's outspokenness on ending the cycle of domestic violence has initiated a healthy public discourse on the topic. Whenever possible -- particularly when addressing young people -- both the Attorney General and the President should articulate the aforementioned rights.

• Victim Treatment

Victim treatment programs should work toward the goals of identifying and intervening on behalf of sexual assault victims, including males, the elderly, and gays and lesbians; and restoring them, as nearly as possible, to wholeness. As was stated above, the Attorney General should promote vigorous fines collection efforts to sustain the Crime Victims Fund and the state compensation and assistance formula grant programs that it supports -- many of which provide treatment for victims. Local programs depend heavily on Federal support; victims suffer when these programs are cut due to lack of funds.

- o The Federal government should provide increased training for victim service providers, mental health and substance abuse practitioners, and primary health care providers on the identification of and effective responses to victims of sexual assault and abuse. Such training should build on the efforts in the medical field to respond to sexual assault by stressing the role of medical, mental health, and substance abuse prevention practitioners as victim advocates.
- o The Federal government should fund forums and conferences, through the DOJ and DHHS, for interdisciplinary collaboration, dialogue, and joint efforts by members of the mental health, medical, and criminal justice fields in more effectively serving victims of sexual assault and abuse.

• Assessment, Treatment, and Supervision of Offenders

Correctional and treatment efforts should aim to protect society from known sex offenders, and to make every effort to ensure that released offenders do not re-offend.

- o The Federal government should take a lead role in developing, publishing and disseminating national minimum standards for treatment of sex offenders. These standards would enable the field to collectively strive for professionally acceptable goals and objectives.
- o Treatment programs should recognize the importance of offender accountability to the victim. Treatment professionals should work with correctional personnel to ensure that offenders meet restitution obligations as a condition of treatment and probation or parole.
- o The Federal government should consider funding forums, training and technical assistance initiatives for corrections personnel, and public education initiatives on effective treatment approaches for sex offenders.

• Prevention, Education, and Intervention

Changing individual behaviors is an ambitious goal, but it is clear that the eradication of erroneous beliefs about sexual assault, and about what constitutes acceptable behavior, is a critical first step -- at all levels of society.

Education in Schools

- o The Federal government should back Federal violence prevention educational initiatives that presently lack funding authorizations by ensuring that adequate resources exist to implement them.
- o Primary schools should be encouraged to develop policies and guidelines that clearly define sexual assault and set forth sanctions for inappropriate behavior, including inappropriate touching and sexual harassment.
- o Post-secondary institutions should continue to be a target for sexual assault awareness and education initiatives. Enhanced awareness that sexual assault is a crime is likely to increase victims' willingness to report sexual assaults to the police.
- o Like other law enforcement entities, campus security personnel should receive training on the sensitive and appropriate response to victims of sexual assault. University and campus security departments should be encouraged to develop procedures guiding their response to such crimes. Such

]training and policy development is a critical component in the success of campus sexual assault initiatives.

- o The Federal government should explore ways to foster the replication of successful educational programs -- from information sharing to the provision of funding for such replication. Replication efforts should entail the evaluation of reportedly "effective" programs as well.

Education of the General Public

- o The Federal government should use available opportunities, such as National Crime Victim's Rights Week and DHHS public awareness efforts, to draw attention to the myths and realities of sexual violence. Through OVC and other Federal agencies, the Federal government might develop collaborative efforts with media representatives to issue this message. Such efforts may be helpful in educating the public media itself about issues such as the harm of disclosing a victim's identity; reporting crimes in a manner that respects the victim's survivors; the impact of media depictions of sexual violence on young people, etc.

Intervention

- o The government must allocate to current sexual violence prevention and intervention efforts the same level of resources that have been dedicated to other serious public health threats. The government should firmly support current substance abuse prevention activities, given the link between sexual violence and substance abuse. Preventing substance abuse is one way of preventing sexual victimization.
- o Expanded education of health care providers should build on and complement current efforts in a way that enables medical, mental health, and substance abuse prevention practitioners to identify victims and potential victims, and help them to obtain the necessary assistance. Victims of sexual assault often seek only medical treatment during their initial period of recovery. During these critical periods of early intervention, physicians and other health professionals can be an important resource. Regardless of a victim's point of entry into the health care system, however, providers need to be prepared to provide proper medical and mental health interventions. Appropriate information should be included in health care curricula so that more sensitive and appropriate victim care and referral may take place in all health care settings.
- o Primary schools should provide assistance services for children who are identified as having been sexually victimized, or who are at risk of being sexually victimized.

A first step is the development of a curriculum to train educators to identify and intervene on behalf of children who are victims and potential victims of sexual assault and abuse. Educators should also learn about the myths and realities of sexual assault and abuse, so that they can provide truthful information to students and encourage appropriate behavior.

IV. Research and Evaluation

A number of Federally funded research efforts are currently underway in the National Institute of Justice (NIJ), the National Institute of Mental Health (NIMH), and the CDC.

NIJ is the research and development agency of the DOJ. Specific Congressional mandates direct NIJ to sponsor research and development programs designed to improve and strengthen the criminal justice system, and reduce or prevent crime; to develop new methods for prevention and reduction of crime and delinquency; and to recommend Federal, state and local actions to improve the administration of criminal justice. NIJ operates the world's largest criminal justice information clearinghouse, the National Criminal Justice Reference Service (NCJRS), a resource used by state and local officials across the nation.

Current research projects sponsored by NIJ include the following:

- o Sexual Violence: The Utility of Rapist Classification. This study will evaluate the generalizability of a proposed classification of rapists to correctional settings beyond the prison where it was developed (the Massachusetts Treatment Center in Bridgewater, Massachusetts). The study will also develop a simplified version of the classification scheme which could be used by law enforcement officers for profiling suspects to enhance identification and apprehension and by corrections personnel in designing treatment programs.
- o Treatment of Sex Offenders. This study will determine how probation and parole agencies are responding to the increased demand for supervision and management of sex offenders. The study will survey probation and parole agencies in all 56 states and territories, conduct on-site assessments of at least six model programs for sex offenders, and conduct a content analysis of state statutes that define sex offenses and sanctions. The study will provide solutions for implementation issues faced by agencies and will discuss effective, practical approaches for managing sex offenders in probation and parole settings.
- o The Criminal Justice and Community Responses to Rape. This report examines current issues and practices in the criminal justice system, as well as community responses to sexual

assault. Issues covered include: innovations in victim assistance; statutory reform; acquaintance rape; education and prevention strategies; HIV antibody screening of accused sex offenders, DNA typing of accused sex offenders; and efforts to reduce victim reluctance to report. This report is based on a review of recent literature and relevant legislation, telephone interviews with leading experts, and site visits to four jurisdictions that have demonstrated a significant commitment to enhancing sexual assault prosecution efforts and victim services (St. Paul, Minnesota; King County (Seattle), Washington; Denver, Colorado; and Philadelphia County, Pennsylvania).

Research on sexual violence will be an area of emphasis in NIJ's 1994 Program Plan under the goals of reducing violent crime and its consequences.

The National Institute of Mental Health (NIMH) has been funding research on violence since the early 1950s, with an emphasis on building cumulative knowledge, with practical applications for daily life. The fiscal year 1993 research budget for violence, across NIMH, was \$45 million supporting 204 grants on this topic. The Violence and Traumatic Stress Research Branch supports research on studies of perpetrators of aggressive and violent behavior, victims of interpersonal violence, including rape, sexual assault, domestic violence, and child abuse, and other areas of traumatic stress. In fiscal year 1993, approximately \$15 million was spent on research on perpetrators and victims of violence. Treatment research, including research on the treatment of sexual assault and rape, continues to be a programmatic and funding priority for this program. For example:

- o NIMH research has shown that Post-Traumatic Stress Disorder (PTSD) can be one of the most debilitating and harmful effects of sexual assault. Although many forms of intervention exist for rape-related PTSD, only a few well-controlled studies have been conducted to systematically evaluate the treatment response of women who have been the victims of sexual assault.⁴⁸ Current NIMH researchers are investigating the effectiveness of cognitive behavioral treatments with rape victims, conducted within community rape crisis centers, as well as the effectiveness of certain forms of medication in the alleviation of extreme symptoms.
- o Recent NIMH studies indicate that among college women, nearly 13 percent were sexual assault victims during this first year of college. The single best predictor of first year college sexual assault was adolescent sexual assault, and the best predictor of adolescent victimization was childhood victimization. The data clearly indicate beginning "date rape" prevention programs at the college level is too late for significant numbers of young women.⁴⁹ These same NIMH

researchers are also documenting long histories of anti-social and criminal behavior among those males committing rape while in college, a finding which has important implications for early intervention programs with perpetrators.

Other research efforts are being carried out by the CDC in DHHS. The CDC's Public Health Service has funded research through the Medical University of South Carolina's Crime Victims Research and Treatment Center entitled Rape and HIV Risk: An Epidemiological Study. The longitudinal, comparative study will estimate direct and indirect risk of HIV infection subsequent to completed sexual assault in Charleston, South Carolina. The study is also determining the feasibility of telephone versus face-to-face interviews to collect sensitive information with sexual assault victims.

The primary encumbrance to research initiatives, particularly those that focus on effective treatment for victims and perpetrators, appears to be the limited availability of Federal funding specifically designated for research on sexual assault. For example, NIJ's funding for the aforementioned projects on sexual assault totaled less than \$600 thousand. In fiscal year 1993, NIMH funded 18 grants directly related to sexual assault and rape, for a total of about \$3 million (within a budget of \$18 million for 110 grants on violence or trauma related topics). Much of the NIMH research directly investigates the effectiveness of treatment or identifies the specific characteristics of the victim, perpetrator, or the experience that contribute to long term mental health problems or recovery. This funding level is clearly inadequate for this critical area of research. Any intervention program to treat the victim or the perpetrator of such crimes must be grounded in scientifically sound approaches. Funding levels should be increased across all research areas.

The Federal agenda should include research on the following:

- Incidence and Prevalence:
 - o Studies of incidence and prevalence among historically understudied victims of sexual assault, such as child victims, culturally and ethnically diverse samples, and male victims. Research should focus on the differences and similarities within and across groups and the implications for intervention; and
 - o Studies on sexual assaults within relationships. Research should focus on lifetime prevalence of violence by relationship partners for single adult women, poor women, incarcerated women, and women from ethnically diverse backgrounds; the post-trauma effects on women of physical and sexual assaults in adult intimate relationships; contributing factors to the perpetration and maintenance of male violence

against relational partners; and patterns of re-assault and threat for victims who leave their abusers or take other steps to end the aggression; protective factors related to the reduction of partner violence by men and mechanisms for enhancing those factors in the lives of children and adolescents.

- Causes:

- o Studies of the possible factors influencing the development of individual potentials for violent sexual behavior (e.g., genetic-environmental interactions, childhood sexual abuse, attitude formation, exposure to or the witnessing of physical and sexual violence, and chronic alcohol abuse).
- o Sexual offender recidivism studies for the purpose of informing prosecutorial and judicial decision-making to achieve the best possible outcome for both offender and victim.

- Prevention:

- o Evaluation of early education and intervention strategies as tools in the prevention of sexual violence -- both victimization risk and risk of offending.

- Treatment:

- o Study and evaluation of treatment for both adult and child sexual assault and abuse victims. Research needs to focus on effective means of disrupting the correlation between childhood sexual abuse and both victimization and perpetration in adolescence and adulthood. Without clear and convincing evidence of treatment effectiveness, the establishment of new programs has the potential for failure. Treatment research, for both victims and perpetrators, must take a high priority in any broad-based effort to address sexual assault.
- o Studies of service delivery, including the investigation of treatment issues such as routine screening for histories of victimization; validation of the experience with the rape victim; consideration of psychological responses to trauma in diagnoses and treatment planning; safety planning with victims and survivors; accurate record keeping; expanded interventions for men who physically or sexually assault female partners; and expanded interventions for children and adolescents who have witnessed violence between adult caretakers.
- o Evaluation of sex offender treatment programs, including behavioral therapies, that are operated both within prisons and in the community.

Endnotes

1. United States Department of Justice. Combating violent crime: 24 recommendations to strengthen criminal justice. Washington, D.C.: Department of Justice, 1992; p. 8-9.

2. Young, Marlene. Victim assistance: frontiers and fundamentals. Dubuque: Kendall/Hunt Publishing Company, 1993; p. 72.

National Victim Center, and Crime Victims Research and Treatment Center. Rape in America: a report to the nation. Arlington: The National Victim Center, 1992; p. 3.

3. Rape in America: a report to the nation, p. 6.

Bureau of Justice Statistics (BJA). Report to the nation on crime and justice. Washington, D.C.: Department of Justice, 1988. BJA estimates that about half of completed rapes are actually reported to law enforcement authorities.

4. The Interagency Council on Sex Offender Treatment. A report to the Texas State Legislature, 1993. Austin: The Council, 1993; p. 2. Sex offenders in Texas are returned to society after a brief two to five year period incarceration.

Bureau of Justice Statistics. Female victims of violent crime. Washington, D.C., Department of Justice, 1991.

Also, Felony sentences in state courts, 1990. According to BJS, the average yearly number of reported rapes between 1979 and 1987 was 167,000; in 1990 alone, however, there were only 18,024 convictions.

5. The term "sexual assault" rather than "rape" has been used throughout this paper. "Sexual assault" encompasses a range of unwanted sexual acts, which may or may not include penetration. "Rape" has been used here to specifically describe an act of penetration.

6. District of Columbia Code, section 22-2801. Other states include Alabama, Idaho, and Maryland.

7. Rape in America: a report to the nation, p. 3.

8. Bureau of Justice Statistics. Criminal victimization in the United States, 1991. Washington, D.C.: Department of Justice, 1991.

9. Whitcomb, Debra. When the victim is a child. Washington, D.C.: National Institute of Justice, 1992; p.2-3.

10. When the victim is a child, p. 3-4.
11. Rape in America: a report to the nation, p. 4.
12. Rape in America: a report to the nation, p.6.
13. Rape in America: a report to the nation, p.7.

Also, Lynn Hecht Schafran. Writing and reading about rape: a primer. St. John's Law Review, 1993; 66(4); p. 1021.

14. Yandow, V. Alcoholism in women. Psychic annals, 1989 (19), p. 243-247.
15. Koss, M.P. Rape: scope, impact, interventions, and public policy responses. American Psychologist, 1993; 48(10); p. 1062-1069.
16. National Victim Center. America speaks out: citizens' attitudes about victims' rights and violence. Executive summary. Fort Worth: The National Victim Center, 1991; p. 4.
17. Susan Estrich. Real rape. Cambridge: Harvard University Press, 1987; ch. 3.
18. The National Institute of Justice awarded a 1992 cooperative agreement to the National Victim Center for an in-depth study of victim-oriented practices in a small sample of states. The study will examine legislation supporting the victim's right to be notified, heard, and present, and the right to restitution, and practices that actually enforce these rights.
19. Pithers, William. Relapse prevention with sexual aggressors: a method for maintaining therapeutic gain and enhancing external supervision. Waterbury: Vermont Center for the Prevention and Treatment of Sexual Abuse, Vermont Department of Corrections, Waterbury, Vermont, 05676. Date not included.
20. The National Committee for Injury Prevention and Control. Injury prevention: meeting the challenge. American Journal of Preventive Medicine, 1989.
21. The Vermont integrated action plan for the prevention of child abuse: transforming Vermont into the first abuse-free state. Waterbury: Department of Social and Rehabilitative Services, 1993.
22. Rape in America: a report to the nation, p. 2.
23. Passage of the legislation was spurred in part by the activism of Howard and Connie Clery, whose daughter Jeanne Anne was rape and murdered at Lehigh University in 1986. Had the door to Jeanne

Anne's dormitory been adequately secured, her killer would not have been able to gain access to her room.

24. House Bill 2455.

25. Bureau of Justice Statistics. Report to the nation on crime and justice. Washington, D.C.: Department of Justice, 1988.

Also, Federal Bureau of Investigation. Crime in the United States. Washington, D.C.: Department of Justice, 1990.

26. Rape in America: a report to the nation, p. 6.

27. Rape in America: a report to the nation, page 6.

28. Title 18, United States Code, sections 2241 to 2245.

29. Title 18, United State Code, section 3509.

30. Title 18, United States Code, section 3509(b).

31. National Judicial Education Program to Promote Equality for Women and Men in the Courts, a project of the NOW Legal Defense and Education Fund in Cooperation with the National Association of Women Judges. Understanding sexual violence: the judicial response to stranger and non-stranger rape and sexual assault: a pilot program of a model curriculum. Washington, D.C.: State Justice Institute, 1993; p. 1-8.

32. Epstein, Joel, Esq., and Stacia Langenbahn. The criminal justice and community response to rape. Washington, D.C.: National Institute of Justice, in press; p. 105.

33. Understanding sexual violence: the judicial response to stranger and non-stranger rape and sexual assault, p. 3.

34. Combating violent crime: 24 recommendations to strengthen criminal justice, p. 7-9. Violent offenders receive an average sentence of 7 years and 11 months; however, they actually serve, on average, only two years and 11 months.

35. Felony sentences in state courts, 1990; p.4. According to the BJS, convicted rapists actually serve about 39 percent of their sentences. The average state sentence for convicted rapists is 160 months (or about 13 1/3 years); however, the estimated time actually served in state prison is 62 months, or a little over five years.

36. Title 18 United States Code, sections 1169 and 2258.

Also, Title 42, United States Code, section 13031.

37. Since 1985, nearly a billion dollars in criminal fines, forfeitures, and penalty assessments, has been collected and made available for victim services.

38. Bureau of Justice Statistics. Recidivism of felons on probation, 1986 - 1989. Washington, D.C.: Department of Justice, 1990. A survey of 17 states tracked felons through their first three years on probation and found that 29 percent had as a condition of their sentences the requirement that they pay an average restitution award of \$3,400 to their victim. Among probationers successfully discharged from probation within the three-year study, 40 percent had not paid their restitution in full. A condition of successful discharge must also include consideration of the probationers satisfying restitution orders.

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40. Goddard, Marti A. Sexual assault: a hospital/community protocol for forensic and medical examination. Chicago: Office of the Illinois Attorney General, 1986.

41. National Victim Center. Looking back, moving forward: a guidebook for communities responding to sexual assault. Arlington: The National Victim Center, 1993; Chapter 8.

42. In 1991, as part of an OVC grant, the National Victim Center conducted a nationwide survey to gather innovative protocol for professionals who deal with sexual assault victims. Survey results revealed that high quality protocol are rare.

43. The term "treatment" has been carefully selected; "rehabilitation" implies return to a former state of mental health, which is not true with most sex offenders.

44. Relapse prevention with sexual aggressors: a method for maintaining therapeutic gain and enhancing external supervision, p. 358.

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Place

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INTERDEPARTMENTAL WORKING GROUP ON

VIOLENCE AND PLACE

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I. Size and Scope of the Problem

"Place" is a challenging frame within which to look at the national violence problem. All acts of violence, after all, happen at or in a "place"; without some focusing of the concept, "place" risks being so all-encompassing as to lose its analytic utility. The subgroup chose to focus on place in several ways.

First, to capture the social dimension of place by addressing the violence that occurs, and its impact, where people live, work, worship, do business, and socialize.

Second, to emphasize places with particularly significant violence problems, and places where society has a particularly high stake in preventing violence, including places that are importantly public. Such places include:

- o individual residences
- o shelters
- o schools and surrounding areas
- o public housing
- o public transportation and other points of public access
- o workplaces
- o troubled communities
- o street drug markets
- o "hot spots," like some neighborhood bars and clubs, and the boundaries of youth gang turf

Third, as a problem-solving frame of reference. Using "community" as a unit of analysis shifts attention from individual incidents of crime as such (the undifferentiated categories of murder, assault, drug trafficking, etc.), and generalized responses (law enforcement, gun control, drug interdiction, stiff sentences) to local dynamics, local impact, and local opportunities. It suggests that the fear caused by violence, is as much a problem as violence itself; that local responses can successfully fight the drivers of violence (street gun and drug markets). It emphasizes the power and potential of local resources, local alliances, and local experiments in violence prevention.

The problem-solving frame of reference also draws attention to particular place-specific approaches that have emerged, either focused on violence in particular places or focused on the violence-prevention opportunities presented by particular places. These include:

- o crime prevention through environmental design
- o pilot projects in public housing
- o approaches to shutting down street drug markets
- o community initiatives to reclaim troubled neighborhoods
- o policing strategies aimed at community disorder
- o pilot projects to address fear, disorder, and graffiti in public transit, or other points of public

- access
- o crime prevention in the workplace

Prevalence of Place Related-Violence

Just as place has proved to be a challenging frame within which to examine the national violence problem, it has also presented significant challenges in gathering and examining studies that link place and violent activity.

One important source of information on "place" locations of violent crime is derived from the Bureau of Justice Statistics Criminal Victimization Survey. According to survey results, 5,623 million crimes of violence were committed nationwide in 1992; almost one-quarter (24.3%) were committed on the street, not near home; 12% were committed at home; 14.4 % were committed near home or near the home of a friend or relative; 12.1% occurred in school or on school property; and 8.4% occurred in a garage or parking lot. From 1982 and 1992 while the overall level of violence increased, the places where the violence occurred did not shift significantly.

Urban, Suburban and Rural

Bureau of Justice Statistics National Crime Victimization Survey data also provide information about the relationship between violence and residence. The average annual rate of violent victimization (1987-1989) among city residents was 92% higher than among rural residents and 56% higher than among suburban residents. Cities and suburban areas each accounted for about 42% of violent victimization, rural areas accounted for about 16%.

In cities and suburbs, blacks had a higher rate of violent crime victimization than whites. In rural areas, however, the rate of victimization by violent crimes was greater for whites. Across all localities of residence, rates of crime victimization decreased as the age of victim or head of household increased. Rural victims of violence reported that their assailant had most often been a relative or acquaintance; city and suburban victims of violence were more likely to report that a stranger had been the assailant.

Regional

Regional differences between victimization rates also exist. In 1991, the rate of crimes of violence in the Northeast was 25.5 per 1,000; the Midwest registered a rate of 30.9 per 1,000; the victimization rate in the South was 30.6 per 1,000; the West's rate for the same period was 39.4 per 1,000.

Workplace

Statistical studies are now confirming anecdotal information that workplace violence -- assaults, armed robberies, threats of violence -- is a pervasive and growing problem for U.S. workers. Indications are that homicides are the second most frequent cause of workplace death; only transportation accidents take more lives of workers. In addition, violent incidents cause numerous injuries to workers. Criminal acts, including homicide, are more likely to occur in certain types of employment, such as retail operations which involve the exchange of money and may require evening employment. Banks, which are vulnerable to robberies, are a place of employment that include certain risks of criminal acts. Rates of violence and homicides among taxi drivers increased dramatically in the past ten years, and taxicab drivers are the most often victimized among all occupational groups.

Risk Factors

An analysis of factors that can increase a person's "risk" for violent behavior, e.g. risk factors, shows several place-related indicators which can increase the risk of violent behavior. These include the concentration of poverty, illegal markets, and the absence of community organizations. These concentrations of activity or inactivity, also point to "places" at risk of violence.

While detailed data about place and violence is not readily available, the information and tables furnished provide important information about the scope of the violence problem and its relationship to place:

- o Violence is pervasive. Victimization occurs at home, at work, at school, and at recreational and commercial sites.
- o Rates of victimization and other characteristics of crime differ significantly with regard to location of residence.

II. Current Policies and Programs

The following are fifteen ways to explore and understand place-related violence and violence prevention programs. The initiatives cited here are not presented as models or "best" programs; rather, they are intended to illustrate the sorts of responses being made to violence, and in pursuit of violence prevention.

Comprehensive Neighborhood Programs

There are several projects which represent the leading edge of local attempts to address comprehensively the problems of distressed communities. These include several of the "Weed and

"Seed" communities funded and administered by the Department of Justice, many of HUD's public housing drug elimination program (PHDEP) communities, and other communities such as the Sandtown project in Baltimore and the Showcase Neighborhood project in Savannah.

The Department of Justice is coordinating "Operation Weed and Seed" a multi-agency strategy that "weeds out" violent crime, gang activity, drug use, and drug trafficking in targeted high-crime neighborhoods and then "seeds" the target area by restoring these neighborhoods through social and economic revitalization. In Richmond, VA, the Weed and Seed effort has reduced crime, fear and violence in a public housing neighborhoods with one of the worst reputations in the city, and has fostered new local alliances and innovations. Many PHDEP grantees have also developed a comprehensive enforcement and prevention strategy with dramatic improvements in quality of life for public housing residents. These projects, initiated, planned, and managed at the local level, seem to share four main attributes.

- o First, rather than using one-size-fits-all solutions, participants custom-designed strategic plans to fit local problems, available resources, and local opportunities. In Sandtown, a turning point for the neighborhood turned out to be shutting down a troublesome liquor store.
- o Second, the communities themselves helped define problems and develop and carry out solutions.
- o Third, efforts were partnerships, with the police; community, private, and nonprofit organizations; and other parts of local, state, and the Federal government contributing key pieces necessary to carry out the strategy (in Sandtown, Federally-funded housing construction tailored to the strategic plan gave the neighborhood a lift, replaced unsecurable housing being used by drug dealers, and provided job training and jobs for Sandtown residents).
- o Fourth, crime control was pursued not only through law enforcement but also through various measures aimed at preventing crime, fighting fear, and improving the quality of community life.

The results of the projects to date have been promising. Crime, fear, and violence have been reduced. They have also given rise to local innovations (for planning, and organizing local government in ways conducive to neighborhood problem-solving) and to a set of challenges to the way the Federal government ordinarily does business.

Community Policing

The most promising and fastest-developing institutions capable of offering solutions to local violence and fear problems are community and problem-solving police departments. Traditional policing is reactive, incident-oriented, and tends to be isolated from the community. Community and problem-solving policing is preventive, sees problems rather than calls-for-service as the correct unit of analysis, and actively seeks community guidance and partnerships.

Important community policing ideas related to reducing place-related violence and fear include:

- o "Broken Windows" (the idea that disorder breeds crime and fear, and that disorder can be addressed by police and the community working together);
- o RECAP (analysis of call and other data to identify hot spots, which are then given special attention);
- o Fear-oriented policing (such as Baltimore County's COPE unit, which identifies community fear problems and works with residents to resolve them);
- o LAPD's "cul-de-sac" program (which has reduced drive-by and other gang violence--and, as a corollary, increased school attendance--by working with neighborhoods to create new physical and other neighborhood-identifying boundaries);
- o The New Briarfield project in Newport News, Virginia, which used problem-solving policing to resolve crime, violence, and arson problems in a large low-income housing complex;
- o Work aimed at suppressing street drug markets (detailed separately below).

An important part of community policing is working out priorities with communities (in Tampa, for instance, consultation with neighborhoods revealed that they were concerned not with the drug trade as such, but with violence- and disorder-prone street markets) and new performance measures appropriate to particular tasks (in Tampa, performance was measured not by response time or arrest rates but by the absence of visible street dealing, and of community complaints about drug-related disorder).

Localized Community-Based Interventions

There are a number of initiatives aimed at both preventing and responding to violence by locating "bundles" of coordinated

services in troubled communities. Howard University's Violence Prevention Project is a simultaneous research and development/intervention project in Washington DC aimed at children aged 2-13. It offers after-school prevention and counseling; violence prevention training for teachers; community-building for children and families; parent organizing; and a preschool component. Services and research are aimed at children and families with direct experience of violence.

Family Investment Centers, a HUD program:

- o Offers space in public and Indian housing for the provision of education, training, and social services;
- o Mobilizes public and private resources to expand and improve the delivery of such services;
- o Provides matching funds for service provision;
- o Provides training for housing managers to assess training and service needs and facilitate their provision.

"Safe Havens", a pilot program launched under the Federal Government's Operation Weed and Seed provides all (and more) of the above services, with the addition of police and other security measures to ensure the Safe Haven itself, and as much as possible residents coming and going from the Safe Haven, will be safe. Safe Havens are typically located in schools, Boys and Girls Clubs, and similar places. They stay open, insofar as possible, before and after school and on weekends. At the Safe Haven in the Challenger's Boys and Girls Club in Los Angeles, residents stood guard in front of the site and successfully protected it while the properties around it burned during the Los Angeles riot.

Smaller, resident-initiated responses are often the most successful. "Save Our Sons and Daughters" (SOSAD) in Detroit, works with parents family members and neighbors who have witnessed a violent act or homicide, assisting the witnesses in understanding and processing the event, and using it as a positive springboard for anti-violent behavior.

Localized Problem-Solving Government

A number of approaches have been developed to restructure local government, and/or access to local government, in ways that enhance contact between neighborhoods and government and focus government capacity in problem-solving ways.

- o Neighborhood Service Centers (promoted by the National Center on Community Policing at Michigan State

University), are one-stop-shopping offices staffed by police and other municipal agency representatives, located in troubled neighborhoods, and charged with resolving community problems.

- o The Office of Community Outreach in Baltimore County, Maryland was a special office of the county executive staffed with police, planners, and top agents of municipal agencies. The office held hearings in troubled neighborhoods, gathered information on local problems and priorities, and framed and managed plans to address them.
- o The city of Madison, Wisconsin is presently beginning an experiment in "neighborhoodizing" local government, with many of the same objectives.

Public Health Approaches

The public health model brings a new set of highly developed analytic and preventive ideas to bear on violence. It relies heavily on the risk-factor approach that uses the medical model of "persons at risk", shifting the understanding of "at risk" from a threatening medical condition (e.g. heart disease), to "at risk" of a threatening lifestyle and environment (e.g. violence).

HHS has funded several promising pilot programs through its Maternal and Child Health Block Grants.

- o The Massachusetts Department of Public Health is implementing the Massachusetts Adolescent Violence Prevention Project in Boston and Lawrence to strengthen the capacity of communities to prevent adolescent interpersonal violence by providing technical assistance and training.
- o The Ohio Commission on Minority Health, Columbus, Ohio, through its "Positive Emotional Capacity Enhancement Training," is providing intensive violence prevention education and training; developing training materials; facilitating a statewide conference; and conducting workshops.

HHS's Centers for Disease Control and Injury Prevention is funding three community-based projects for: mentoring, conflict resolution training, and peer education, attempting to build the capacity of state and local agencies to successfully deliver youth violence interventions.

CDC also supports capacity-building through the State and Local Injury Prevention Grants program. Efforts pertaining to youth violence include, but are not limited to:

- o Conflict resolution curriculums;
- o Peer mediation programs;
- o Surveillance of gunshot wounds treated in hospitals emergency rooms;
- o Safe routes/safe havens for school students;
- o Positive parenting programs;
- o Mentoring programs.

CDC is evaluating interventions to prevent violence (social skills building, conflict resolution training, victim education and counseling and adult mentoring), is sponsoring eight university-based Injury Control Research Centers for violence research and programs in school and community settings and develops and distributes guidelines on violence prevention and intervention to local communities to help these communities develop their own violence prevention programs.

The Indian Health Service (IHS) in HHS sponsors a number of programs to prevent violence and to deal with the consequences of violence among American Indians and Alaskan Natives and to recognize and address dysfunctional behaviors in their communities, thereby preventing mental illness, emotional stress, and family violence. Other IHS programs provide prevention-oriented assistance to troubled students and youth and assistance to communities to prevent and intervene in child abuse and domestic violence situations.

Public Housing

Violence in public housing (and causal and related risk factors like drug abuse and trafficking, child and sexual abuse, domestic violence, and family breakdown) is one of the prime contributors to both the crisis in public housing and to the larger problem of troubled communities. Programs which address violence in public housing communities can be analyzed as relevant to somewhat separate issues: violent acts by residents (inside the unit, against family or acquaintances, as part of larger criminal activity within the development, outside the public housing community), and violent acts by non-residents within the public housing community (usually of a drug or criminal nature).

The most successful initiatives are comprehensive strategies using law enforcement and community policing, resident patrols and neighborhood watch, job training and placement, and youth programs. Almost all of these initiatives are the product of the Department of Housing and Urban Development (HUD) and its Public

Housing Drug Elimination Program (PHDEP). The PHDEP funding and latitude for anti-drug approaches allows creative local initiatives to address each of these issues, using approaches tailored to the specific needs of the local community. Housing authorities have invited and facilitated local police presence by allowing units to be used as police substations, allowing police officers to live in public housing units. Local law enforcement has developed innovative enforcement strategies including community policing, bicycle patrols, and vertical patrols within hallways and stairways of buildings. Law enforcement and residents have collaborated in training residents to perform I.D. monitoring and resident patrols.

Housing authorities and residents have developed tenant leadership and tenant management and ownership efforts to increase local resident control and accountability for buildings, conditions, and tenancy. One of the most successful resources for this is used in Alabama where public housing residents are recruited as ACTION volunteers to work in community organizing and anti-crime efforts with other residents. Family Investment Centers, a HUD program, offers space in public and Indian housing for education, training, and social services; mobilizes public and private resources to expand and improve the delivery of such services; provide matching funds for service provision; and provides training for housing managers to assess client needs and facilitate their provision.

Housing authorities have coordinated a variety of law enforcement and social service providers to conduct "Sweeps" which implement structure-by-structure strategies to secure buildings; rid them of residents who are not on the lease, drug trafficking and guns; and provide the area with physical improvements and social services to bolster resistance to crime, violence, and fear.

Street Drug Markets

There is an increasing feeling in many communities that the problem of drug trafficking and drug abuse needs to be broken down into more analytically useful and practically manageable components. One of these components is drug-related violence and disorder, the largest part of which comes from street drug markets. Tampa (the QUAD program), Houston (the Link Valley operation), and other cities have shown that disrupting street drug markets is possible. Disruption strategies are crafted around particular dealing sites (even when multiple sites are involved) and typically involve measures to make it difficult for dealers and drive-through buyers to connect, enhanced (and often anonymous) community intelligence, the use of multi-agency municipal teams to address disorder and physical blight, innovative measures to inhibit drug commerce (such as, simply, pervasive police presence at dealing sites), heavy enforcement,

and community organizing.

Tampa's police made it difficult for buyers to find street dealers by:

- o Using heavy enforcement to keep the dealers moving around;
- o Making buyers feel vulnerable by publicizing "reverse stings" in which police posed as dealers and arrested buyers (and seized their cars);
- o Interfered with business by loitering around dealing sites;
- o Used community allies to locate and seize drug stashes;
- o Cooperated with city authorities to knock down abandoned houses, and shut down businesses, being used for dealing;
- o Used local ordinances to clear crowds from known trafficking sites.

Where two years of traditional enforcement had failed against the city's street trafficking, six months of the new approach virtually eliminated public dealing and brought considerable reductions in violence, disorder, and fear.

Community Mobilization

Community groups all over the country have demonstrated capacity to act against the drug trade (and related disorder) that causes much of the violence in troubled communities. These groups are usually initiated by local residents afraid that their neighborhoods are falling apart and that if they don't do something, their community (or their kids, or their church, or the value of their property, or their freedom to use the streets or even their stoop) will be lost. Almost all effective community actions finally involve the police, if for no other reason than that groups must feel they will receive backup and protection if they need it. But the groups are equal, if not dominant, members of the partnership.

Based on case studies of eleven such efforts around the country, the stages of these groups are: taking responsibility, defining the problem as other than just "call the police;" developing a specific local response; facing the danger and fear of drug dealers; developing partnerships and gathering other resources; and taking a variety of innovative and often evolving actions. Lessons learned include:

- o Broad-based, long-standing community groups, while desirable, are not necessary for successful action and will not be present in most communities;
- o Police must understand that community people will almost invariably begin by being angry at them;
- o Non-traditional police leadership and responses are called for;
- o Many of these efforts reduce drug dealing and improve the quality of community life.

Examples range from Tacoma, Washington, to the Fairlawn section of Washington, DC. Typical tactics include:

- o Organizing masses of residents to picket crack houses;
- o Videotaping transactions;
- o Redirecting traffic;
- o Sending postcards to owners of cars observed plying dealing sites and areas of prostitution;
- o Organizing alliances with municipal code enforcement to attend to crack houses and force landlords to evict dealers;
- o Citizen patrols.

Initiatives focused specifically on violence and developing tools to prevent violence are beginning to emerge in troubled communities. MAD DADS, Inc., in Omaha is:

- o Painting over gang graffiti,
- o Walking street beats,
- o Organizing activities for youth,
- o Speaking at schools and other gatherings,
- o Organizing an anonymous tip-line for reporting gang and drug activity.

The Stockton Youth Gang and Drug Prevention Program in Stockton, California is operating a crisis intervention team, specially trained to respond to a community that has been affected by gang related violence, that provide conflict resolution, crisis counseling, parent support groups, rumor control, and links community residents with needed resources and

services.

Many of the community mobilization initiatives are supported by Federal funds through HUD's drug elimination program HHS's TA and Training program at the Center for Substance Abuse Prevention, and DOJ's Weed and Seed program.

Public Transportation

Crime, disorder, and fear on public transit is a multiple insult. Ridership drops, which affects the financial health of the system and diminishes social control over misbehavior. Physical damage to equipment is a further financial burden and decreases system performance. Residents in poor communities either must ride in dangerous conditions, which increases community fear, or will refuse to, which often cuts them off from labor markets. A transit system that is out of control sends a signal to the entire city that the city is out of control. Analysis of transit-related crime and fear has suggested that disorder and minor crime--graffiti, the homeless, aggressive panhandlers, farebeating--is a more important driver of fear than is "serious" crime, which in most systems remains relatively low.

The New York City Transit Police and the Southeast Pennsylvania Transit Authority (SEPTA) have both mounted long-term, successful campaigns aimed at quelling disorder, with--at least in New York--documented lowering of riders' fear. New York's operation included:

- o Immediate removal of graffiti;
- o Problem-solving operations aimed at disorder and minor crime (farebeating, aggressive panhandling, and the like);
- o Increased transit police visibility;
- o An extensive program to define and enforce acceptable behavior by aggressive panhandlers.

Youth

Many communities are reacting to the increase of violence by initiating youth programs to develop the skills and capacity of young people to prevent their becoming involved in neighborhood violence. Youth programs should take into account the uniqueness of the community, the needs of the youth living there, the developmental characteristics of targeted population, and the enlistment of youth in the development and implementation of the program design. Programs often involve the development of life skills, peer leadership, adult mentoring, learning capability, youth empowerment, youth entrepreneurship and conflict

resolution. The following are examples of youth programs working in communities across the country.

- o Oakland Men's Project (OMP) is dedicated to eliminating violence by promoting gender and racial alliances. OMP conducts workshops, trainings and community organizing for youth and adults, reaching adolescents, parents, social service professionals as well as religious, civic, governmental and correctional organizations.
- o Youth as Resources is a program that draws on the youth of the community to help them plan, implement, and manage community service projects. This program draws on the positive skills and willingness of young people to serve their communities.
- o Local Boys & Girls Clubs provide many opportunities for neighborhood youth to participate in tutoring programs, skills development, recreation and sports to help prevent youth involvement in neighborhood violence.
- o The Midnight Basketball program is working successfully in many high risk communities with young people who might otherwise be involved in crime and violence by channeling their energies into positive sports activities. Midnight Basketball is unique because it offers more than sports and provides contact with role models and opportunities for discipline and leadership development.

The Youth Gang Drug Prevention program, administered by the Family and Youth Services Bureau of the Department of Health and Human Services, supports efforts to conduct community-based, comprehensive, and coordinated activities to reduce and prevent the involvement of youth in gangs that engage in illicit drug-related activities. Programs funded by the Youth Gang Drug Prevention Program do the following:

- o Provide outreach prevention and referral services for youth and families;
- o Organize neighborhood coalitions;
- o Target services to traditionally underserved groups such as adolescent females and new immigrant and refugee youth;
- o Develop strategies for working with intergenerational gang families and for gang-proofing young children;
- o Facilitate cooperation and collaboration among youth-serving agencies;

- o Conduct research about the nature, characteristics, and dynamics of youth gangs.

Programs provide culturally sensitive services, activities to promote self-sufficiency, youth empowerment and leadership, educational outreach, parenting programs and activities, job training, community awareness and outreach, and home-based child and family services combined with school-based gang prevention services.

Prosecution

Prosecutors are increasingly interested in using their limited capacity not just to win convictions--their traditional primary goal--but to address particular community problems. In this scheme, such things as low-level domestic violence and minor public order offenses--of little interest traditionally--gain significance if they are seen to be a threat to the community, or if suppressing them is part of a larger neighborhood revitalization strategy. Some prosecutors have begun to organize their offices along neighborhood principles rather than statutory ones, and to set priorities jointly with police and other groups, to facilitate this new outlook.

The State's Attorney in Montgomery County, Maryland, has implemented "Community Based Prosecution" to good effect. The intent is to link prosecution to community policing. The office is divided into five geographically focused teams (with ties to the five county police stations). Prosecutors are encouraged to get out of their offices and spend time in the field, learning more about the concerns of local institutions (particularly, to date, the police, schools, and the business community). Police are encouraged to see and develop working relationships with prosecutors; and for the prosecutors to attend police roll calls. The office is working to adopt a problem-solving orientation, with some problems to be identified from within his office and others from outside.

Community-Based Corrections

However one wants to address the issue of prisons and punishment for offenders, two truths stand out: 1) at least two out of three will not be incarcerated, and 2) those who are incarcerated generally return to their communities, often on probation. There are ways to hold offenders living in the community more accountable for their actions, and to deter them from behavior, especially drug use, likely to lead to further crime and violence. In Boston's Metropolitan Day Reporting Center, offenders are supervised intensively and at the same time assisted in making connections that will help move them into productive lives. Oregon's DROP program has traded stiff sentences for intensive supervision tied to swift, certain, but

modest punishments for drug use. Probationary offenders are tested regularly for drug use: the first failed test gets them a few days' incarceration, the second a week, the third two weeks. Research has shown that drug use is down significantly. This kind of effort--which could be extended to include surveillance for weapons, domestic violence, and perhaps other destructive behavior--is within the capacity of many probation departments.

Crime Prevention Through Environmental Design

The design of the public space through which we live and move can create an atmosphere of safety, support and self-regulation, or one of disorder, threat, and withdrawal. Environmental design can help eliminate fear-producing space. Crime prevention through environmental design (CPTED) has had some recent innovations in community and problem-solving policing. These include "cul-de-sacs," the LAPD's use of physical barriers to identify neighborhood boundaries and inhibit easy access for drive-by shooters, to the observation that large window-mounted advertising posters encourage robberies of convenience stores by blocking the view from outside.

A current project in Sarasota has played a significant role in the revitalization of the North Trail area. The Ringling School of Art and Design, located in an area considered unsafe, used CPTED principles to create "a strong sense of place. Property has been treated with a new attitude and respect. There is little trash, sculptures placed in open view have not been defaced...and an overall pride is easily recognized."

Workplace

Most programs addressing workplace violence are developed on a local level to address specific causes and problems. For instance, immediate threats from a co-worker require immediate and local police action. Long-standing threats due to lack of basic security measures might be addressed by the Occupational and Safety Health Administration (OSHA). Many employers use enforcement, cooperative development of guidelines, and employer-employee joint programs. In Iowa, workplace injuries among hospital employees have decreased due to workplace training on violence prevention and training on patient aggression. Washington State adopted standards for "Crime Prevention Requirements for Late Night Retail Establishments." Covered businesses are to develop crime prevention educational programs, and provide appropriate signs for doors and windows. The state has also developed a training video for employees of late night retail stores.

III. Recommendations

While the Working Group identified a series of recommendations for the Federal Government, it is the Group's strong sense that the foundation of a comprehensive approach to preventing and responding to violence must be local action: by cities, communities, citizen groups, and the like. The chief role of the Federal Government must be to support these local efforts. The Federal Government should encourage and foster local approaches. It should examine, and where necessary revise, its programs and practices to make them more responsive to local conditions and local needs. It should improve the way it provides technical assistance, and the kind of assistance it provides. It should examine its programmatic and funding practices to allow the maximum feasible flexibility; this includes decategorizing Federal funding streams and, where possible and appropriate, providing waivers for Federal programs.

General Recommendations

1. Encourage the development of neighborhood and community-wide antiviolence coalitions and task forces. The federal government could build on the work currently being done in the "Cities Project" by allowing the U.S. Attorneys around the country to lead teams of officials from various federal agencies to assist cities that want to develop antiviolence strategies. We might consider providing some financial assistance to cities and states on a formula basis that could be used as start-up funding for the coalitions.

2. Build on current federal efforts to cut red tape, and make the federal government more responsive to state and local governments and communities in the area of violence prevention. The federal government should work with states and localities around the country to help them better deliver their antiviolence programs. Through better understanding and coordination of programs at the federal level, expedited waivers, improved on-line computerized information about federal resources, new resource guides and how-to manuals we can begin to respond to the needs of communities.

3. Strengthen neighborhoods through the Empowerment zones and Enterprise Communities. Much of the activity called for by this new legislation will help communities combat violence. Through economic development, human capital development, support for families, and steps for community-building, 104 communities will be supported in their efforts to strengthen themselves and the families who live there.

4. Use national service to get full-time volunteers into violence reduction and prevention activities. National service volunteers could be a wonderful resource for anti-violence programs throughout the country and could help to develop the

reality that everyone must take personal responsibility for reducing violence. Building on the theme for the Summer of Service in 1994 as the Summer of Safety, the Administration could call on everyone involved in national service to make violence reduction a priority.

Specific Recommendations

There are specific steps particular Federal agencies can and should take to assist communities.

The Corporation for National and Community Service - place National Service Corps volunteers in violence-reduction positions in neighborhoods, public housing, and youth clubs.

The Department of Justice - provide technical assistance and support to police departments committed to community policing, and fund research into local drug and gun markets.

The Department of Health and Human Services - fund innovative public health violence-prevention programs.

The Department of Housing and Urban Development - pursue violence reduction in public housing.

The Departments of Labor and Education - improve employment and training opportunities.

All Departments - Disseminate research and evaluation findings of all government funded work more widely, backed by technical assistance, to provide maximum benefit to all efforts.

However, these--and other--steps will only be successful if they are implemented as part of a comprehensive violence prevention and reduction strategy. Such strategies will necessarily be organized at the neighborhood and community level, and based on community concerns, strengths, and opportunities. The Federal Government's primary job is to foster and support those local initiatives.

A. Federal Legislative Recommendations

Sentencing - Review and amend Federal sentencing guidelines to focus correctional capacity on violent offenders.

Demonstration Programs - The Administration should develop a Community-Based Violence Prevention Initiative, allowing the Federal Government to provide financial and technical support to selected communities to initiate comprehensive violence prevention and community empowerment strategies. (This program could be created under new legislative authority or through an Executive Order.)

Communities would submit an application identifying the problems, the approaches, the necessary waivers and an evaluation. The Federal Government would provide start up funding, technical assistance, and flexibility in Federal programs through waivers and other mechanisms, current waiver authority, legislative proposals to expand or create waiver authority where necessary.

The Federal Government could administer the program through several methods, using the existing model of Weed and Seed:

- o An interagency entity, could be established to administer the program; or,
- o One Federal agency could administer the program but would receive guidance, funding, and technical support from other Federal agencies through an interagency advisory board.

Financial support for local non-profits - Require banks and other financial institutions to recognize community service organizations as viable economic development agencies and provide such organizations low interest loans.

Support private sector initiatives - Adopt legislation which would support private sector initiatives to address violence. Such efforts include: company sponsored employee assistance programs which discuss violence related topics, such as conflict resolution, the prevention of domestic violence, and related themes; company policies outlining clear employee harassment and grievance procedures; and company support of community service programs dealing with issues related to violence, job training and mentoring, and other services.

Community Policing Training - Build on the crime bill's 100,000 police officers by offering community policing training and implementation support to police departments. This should include assistance in developing new performance measures, and specific assistance in developing innovative violence prevention tactics.

Public Housing

The following legislative changes should be made to help public housing residents organize community-based responses to violence and to expand ongoing efforts.

Pool Resources - Allow individual public housing authorities to pool Federal, state, and local resources with other local housing authorities in order to promote comprehensive community-based programs.

Comprehensive Strategies - Require that a certain percentage of Federal money provided to public housing authorities be set-aside for job training for residents, resident-based community organizing efforts, and violence prevention initiatives.

Enforce Codes - Require public housing authorities to enforce existing housing codes and standards.

National Service Corps - Require participants in the newly created the National Service Corps to work for public housing authorities.

Jobs for Public Housing Residents - Increase job training, apprenticeship, summer jobs programs, and other programs for residents of public housing.

Youth Specific Programs - Use HUD's Public Housing Youth Sports Program as a model for a larger Federal program to support community programs which serve youth. Activities could include: mentoring, tutoring, recreation, job training, boys and girls clubs, volunteer service programs.

B. Reconfiguration of and Interdepartmental Cooperation Regarding Existing Programs and Policies

Support local initiatives - Listen carefully to what states and cities need and work with them to supply it. States and cities are tired of being told what to do and having to twist local priorities and activities to fit program requirements set in Washington. Recognize that even national problems have local faces and that framing one-size-fits-all national approaches is often a mistake. Develop ways to support local initiatives.

Allow and encourage initiatives that cut across federal agencies and funding sources - Take action to make Federal resources more easily worked into Sandtown (Baltimore) and Savannah-style neighborhood revitalization plans. Washington funds and administers thousands of programs in housing, health, education, job training, social services, drug prevention and treatment, youth and family services, law enforcement, corrections, and many other areas. All of them are potential components in local strategic plans, but categorical funding, differing application and performance requirements and schedules, the bureaucratic dispersal of responsibility for different programs, et cetera make it extremely difficult for local executives to tie Federal resources to particular local needs and opportunities. The Federal government should explore: block-grant type funding, interagency "desks" to coordinate action on local plans, waivers.

Develop up-to-date federal program inventory - Inventory Federal programs of potential local strategic problem-solving

utility, and present to state and local practitioners in an accessible form. We suggest topical groupings of programs; regular reviews and updates; computerization; and an 800 number.

Include violence prevention in related funding applications

- Ensure that violence and fear are important factors in deploying Federal enforcement and correctional capacity (FBI, DEA, ATF, Federal judiciary, Federal corrections). FBI, DEA, and ATF do not currently make violence, or the community impact of violence, a priority.

Reduce application requirements for federal funding -

Reconfigure government and government funding in such a way that organizations seeking funding to not have to apply to so many programs as often as they do. Actions that could facilitate this:

- o Publish an Executive order to encourage/allow interagency work and funding on violence;
- o Develop a single point application process for multi-agency funding;
- o Allow and encourage National Service Agency work with HUD and other existing agencies for violence prevention work;
- o Create interagency entity to award funds to localities to address needs the local community identifies;
- o Link up HUD/Education/Justice funds on local levels.

Use financial institutions - Develop funding mechanisms to prevent violence through short-term relief to starting organizations (tax relief); use the SBA & CRA models to allow/encourage non-profit funding; encourage businesses in PHA's- credit unions.

Analyze problems and design responses - Undertake analyses of local violence problems and design responses. Explore the possibility of redeploying existing resources from generalized responses (police patrol, job training) to carefully focused ones (police attention to "hot spots," apprenticeship programs in troubled neighborhoods).

Pilot comprehensive responses - Support pilot projects tying prosecution, judiciary, and corrections more tightly to neighborhood violence problems.

Help local government develop neighborhoods responses - Support projects to structure local government and local services in ways that focus attention on neighborhoods, neighborhood

violence and fear problems, and solution to those problems. Possibilities would include: spread problem-solving orientation and operational capacity to neighborhoods and throughout local government; develop Family Resource Centers; one-stop shopping for coordinated social services; explore community antiviolence programs on public health model.

Develop interagency "Violence Review Boards" - Include medical examiner, police, corrections, emergency medical services, social service agencies, schools, and community representatives to examine all violent acts and design preventive agency/community responses.

Examine the issue differently - Design methods to gather information, and identify opportunities for prevention, from hospital emergency rooms and other parts of the health system; explore public health methods for identifying violence risk factors; examine resources applied to persistent hot spots like public housing, and ensure distribution is equitable and appropriate.

Use out-dated military resources - Work with the military to convert closed military bases to youth training camps, and use the military reserve units for training, TA in community clean-ups, environmental design, etc.

C. Leadership and Speech Ideas

Need to raise the urgency of the issue, get the message across and target the resources on the level of Somalia, flood victims, etc. It is essential that the Administration elevate the problem of violence and crime in the attention of national, state, local policy makers. The President should lead this effort through a series of public speeches and addresses. President Clinton must raise concern about the escalating incidence of violence and crime, but he must also provide a sense of hope that it is within our ability to successfully stop the violence, reduce community fears, restore community pride, and develop a real sense of hope among our youth and national citizenry.

Use a crisis approach - Suspend bureaucratic problems and barriers to allow a "crisis" approach as with humanitarian aid. Elevate violence to emergency status with emergency actions.

Make the issue bigger than more police and jails - Make it clear that violence prevention, and the Federal role in violence prevention, is about more than law enforcement and corrections; it is about re-creating whole communities, prevention of violence and re-allocation of resources.

Support local efforts - Emphasize that, since the

fundamental responsibility and capacity for violence prevention is local, the Federal government is newly committed to acting in support of local needs and local initiatives.

Every community can and should be safe - Emphasize that the Federal commitment is to the health and protection of families and communities; every community in America should be safe place to live, work, worship, socialize and shop.

Local solutions are working now - Make it clear that violence prevention is primarily a local matter, that it cannot wait for utopian national solutions, and that the time has come to get to work and support those efforts.

Local media can be partners - Work with local media to develop antiviolence campaigns and to promote the community solutions making a difference.

Don't stigmatize - Minorities are concerned that government will point fingers and blame the victim and see all places of violence as minority communities. Need to look at the causes.

Use Civil Rights language and history - Approach the issue as a civil rights issue and with the fervor and commitment of the civil rights work of the 1960s, with similar tactics, rhetoric and resources.

Pro-peace speeches - Need to set moral tone against violence but more importantly toward peace.

Government Leadership in Workplace Violence Prevention - Federal Government should be a leader in the corporate world to demonstrate how employers can promote pro-peace, anti-violence behaviors. The Department of Education and the Department of Housing and Urban Development are examples of encouraging employee volunteer work in local schools. Each department should develop a volunteer action plan for anti-violence work.

The President can publish an Executive Order that would require all Federal agencies to examine the way they address workplace safety and violence prevention issues for their employees. This Executive Order could outline a series of steps agencies must take in order to make the Federal Government a model employer in the violence prevention and intervention area. This action plan could include:

- o Employee assistance programs focused on domestic violence,
- o Sexual harassment,
- o Alternative dispute resolution,

- o Educate employees about programs operating in their community that may address domestic violence and other problems;
- o Evaluation of current Federal personnel, sexual harassment, and other procedures to improve the way the Federal Government operates and serves its employees.

Alternatively, since the best way to address workplace violence remains unclear, the President could commit Federal agencies to exploring and implementing model workplace violence prevention programs.

D. Technical Assistance Activities To Assist Grass-Roots Initiatives

Planning Assistance - Offer planning assistance to cities and communities interested in comprehensive, strategic approach to local violence prevention and neighborhood revitalization.

Work with Urban and Town Planners - Offer assistance to cities and communities interested in developing "24 hour communities." These communities are not abandoned by 9-5 workers during the day as in the suburbs, or by 9-5 workers as night as in the inner city. Need to work toward integrated, vital communities that provide housing, employment, and recreation.

Work with Probation Rules - Use Federal resources to help communities develop meaningful community-based sanctions, with close supervision and real penalties for probationers who act violently and who do drugs. Address the possibility of forbidding alcohol use by probationers.

Develop TA and Training for "Intervention Teams" - HHS needs to provide TA and violence reduction response training for both professionals (police, emergency room staff, emergency medical staff) and community volunteers in developing teams that respond "on-the-spot" to crime scenes and emergency room situations to prevent further eruptions or acts of violence.

Support Local Public Housing Efforts - HUD needs to make violence prevention in public housing a top priority. Support the local capacity and authority necessary to make this happen.

Disrupt Markets for Drugs and Guns - Provide TA and training for cities and communities to develop better ways to disrupt street drug markets and black markets in guns.

Redesign "Success" and Help Communities Measure It - Develop and distribute guidelines to local governments as they develop new performance measures to reinforce and allow evaluation of

problem-solving approaches.

Help Applicants Navigate Federal Agencies for Funding - Develop "navigational specialists" to assist organizations identifying and assisting with funding.

Require All Federal Grantees to Make General and Generic Recommendations - Re-write program reporting requirements to require that all reports and evaluations for specific communities include generic findings and recommendations for other communities.

Improve Clearinghouses and Toll Free Numbers - A number of federal agencies operate clearinghouses and toll-free numbers to provide information. Need to increase their effectiveness in providing technical assistance to local organizations and make broader use of these activities as a method of informing local organizations.

Increase Federal funding for Technical Assistance - Use HUD's anti-drug, anti-crime technical assistance activity, allow this program to provide legal assistance, and use HUD staff to facilitate discussion between service providers experiencing similar problems to enable these providers to learn from each others' experiences, allow more follow up.

Support networking among and technical assistance by front-line violence prevention practitioners. Fund leading-edge providers to train one another.

Support in-service training of local program staff through conferences, seminars, and workshops organized by Federal regional offices; and

Support in-service training of Federal employees by sending Federal employees into the field to learn about successful programs.

Refocus Existing Law Enforcement Training to Successful Approaches - Use the ATF, DEA and FBI training academies and research organizations to promote community policing and the new TA and training initiatives on drug and gun markets.

Sponsor Violence Related Technical Assistance Initiatives Initiate a comprehensive technical assistance effort targeted solely to violence. This needs to be an all-out campaign to increase awareness of the general public, policy makers, and service providers at the local, state, and federal level about the issues related to violence.

Pursue legal actions - The Department of Justice and other agencies should aggressively pursue all legal remedies available

to reduce crime and violence and assist state and local criminal justice systems to enable these systems to do the same, similar to the course of action pursued by the Justice Department during the civil rights campaign.

Summer Internships - The Department of Education, ACTION, or some other appropriate Federal agency could sponsor summer internships for high school and college students in grass-root organizations providing anti-violence education and prevention programs.

Develop Community-based service agencies - The Small Business Administration (SBA), ACTION, or some other appropriate federal agency, could encourage the development of community-based service agencies which sponsor violence prevention activities--by providing start-up funds, tax relief, and technical assistance, similar to the type of assistance currently provided to small businesses;

Develop a Federal Media Strategy - Distribute free or low-cost videos and other materials about programs which have successfully reduced or prevented violence. (This would be one part of a media strategy to encourage the media to publish positive, rather than negative stories about violence prevention and intervention.)

E. Other Actions

Have been recommended to the appropriate subgroups.

F. Research

Limited Federal research or evaluation is dedicated to the local work outlined in this paper. Where attention is given, it tends to follow academic social-science imperatives (define, test, evaluate): the questions typically asked are, Is this the best example of the idea at issue? Can we prove that it had an impact? For many new ideas, like community policing and the public health approach, these questions are premature.

Need for Systematic Monitoring and Reporting of Local Initiatives - Other questions equally important to practitioners (how was this program implemented? what relationships were established among partners? what managerial lessons were learned?) tend not to get asked at all. Because nobody takes on the job of systematically monitoring and reporting on local initiatives, practitioners in many places struggle in isolation with the same problems; the lessons they learn--both positive and negative--do not get conveyed to the persons and organizations which need to know.

The Federal Government can act as a clearinghouse of information about local initiatives; extract, rapidly and in a form useful to practitioners, lessons about performance, implementation, management, and possible next steps; circulate this information rapidly and widely.

Data Collection - Some kinds of data are already collected as part of the federal government's statistical surveys. The government should identify all of these collections and draw on them for the purpose of program design, as well as identify gaps in our basic information about violence and place.

Ecological Factors - Government needs to understand better the relationship between informal social control in localized areas and social disorganization in surrounding areas. We do not know well enough the combination of factors necessary in localities. Some inner-city communities have done so successfully, others have not. What is the difference and how can we encourage the one and not the other?

Spike in Youth Violence - Relatively little is known about the recent spike in youth violence in general. We need to know.

Redefine Program Evaluations - Need to redefine requirements for program evaluations so that outcome measurements are understood, are made as uniform as possible, and are begun when the program begins, not when it finishes.

Its chief operational accomplishment to date has been the development of school-based violence prevention curricula focused on the dynamics of youth violence, with the intent of preventing youth violence not just in school but throughout the community. Pioneering projects in the Boston and Little Rock school systems have shown considerable promise.

focuses on the intended use of the space, how space affects how people gather and move, how spaces (and areas within spaces) relate to other spaces around them, how people define borders, how spaces feel to those who use them, and what environmental features support widespread utilization and informal social control.

under the auspices of, and were anticipated by, CPTED. There were several important pilot applications of CPTED in the 1970, ranging from the NILECJ demonstrations in Portland and Hartford to HUD work in public housing drawing on the ideas of Richard Gardiner and William Brill. Since then, the momentum behind CPTED has largely been lost, though Canada has continued to apply its lessons.

In order to decrease handgun related violence, stricter handgun legislation must be made law. This legislation would go beyond the five day waiting period for handgun purchases included in the Brady Bill. Specific components would include: establishing ammunition taxes to make it more difficult for youth and other individuals to obtain ammunition; prohibiting Federal, state, and local law enforcement agencies from selling confiscated handguns; and setting or increasing a federal handgun dealer registration fee and/or increasing state fees. Money raised by the increased ammunition tax and registration fees could be used to fund a Federal violence prevention initiative. Funds could also be used to establish a handgun compensation injury fund to compensate victims of handgun related injuries or their families. With regard to licensing, attention must be paid to the fact that a Federal license imposes obligations not required of unlicensed dealers--regarding permissible buyers, and record-keeping--as well as privileges. An alternative approach would be to mandate wider, or obligatory, Federal licensing for all gun traders, and beef up ATF's regulatory and enforcement capacity accordingly.

State and local

Review and amend State sentencing guidelines to focus correctional capacity on violent offenders.

Pass legislation permitting youth possession of firearms only in presence of designated adults.

Strengthen ATF's capacity to monitor the gun trade, especially the record-keeping and tracking provisions that would facilitate local initiatives to disrupt black markets in firearms.

Offer the States assistance in reviewing their sentencing practices to focus correctional capacity on violent offenders.

For domestic violence, there are currently almost no legal tools between the restraining order (which is meaningless if the abuser chooses to make it so) and prosecution/incarceration. We need to develop them.

Re-examine the requirement and use of program evaluations. Nearly every program requires one, and they could serve as a valuable resource for collecting information, drawing conclusions and shaping policy, rather than for defining "models" and "modalities," as is currently often the case.

LOCAL GUN MARKETS

Gun crime is on the rise in the United States. In particular, gun crime among youth, especially minority urban youth, is on the rise. Perhaps nothing else is more responsible for the high and growing level of violence and fear in urban communities. The gun homicide rate is higher for teenagers than for the general population--in 1988, 8 gun homicides per 100,000 people for ages 15-19, versus less than 6 per 100,000 for the general population--and far higher for black teenage males: in 1989, 83.4 per 100,000 (versus 7.5 for white teenage males). Youth gun homicides, particularly minority youth gun homicides, are highly concentrated in core urban areas. In some of these areas, the youth homicide rate is rising very quickly: Baltimore's, for instance, more than doubled between 1991 and 1992, from 10% of the city's killings to 22%. A 1993 national poll found 30% of black adults knowing a child who was wounded or killed by another child with a gun. Much of this gun crime is committed with illegally obtained weapons (many, perhaps most, youth purchases, possession, and carrying of guns are already illegal, yet obtaining a gun is very easy for many kids in most cities).

Cities and communities have considerable, but largely untapped and untested, capacity to act against the black market in guns. In addition to pursuing the traditional roster of legislative gun control measures, steps should be taken to disrupt local black markets, especially illegal sales to juveniles, and to discourage the carrying and use of guns, especially in communities particularly troubled by gun violence. Boston and Tampa are currently exploring strategies for such market disruption.

Firearms - Pass legislation permitting youth possession of firearms only in presence of designated adults.

Black Markets for Guns

Relatively little is known about the shape of local black markets in guns, and even less is known about the nature of youth supply and demand, youth market mechanisms, and potential interventions. We need to know.

Powerful public health ideas which need operational exploration include community-based conflict resolution; crisis response teams to prevent escalation and attend to fear and shock after violent events like gang shootings; the use of hospital emergency rooms and other components of the health system to identify acts and risks of violence; and the identification of risk factors for violence.

This suggests that they weigh individual offenses, and their offices' commitment to prosecuting them, not against an abstract ordering of statutory seriousness but against the community impact of 1) the actual offense and 2) making the offense a prosecutorial priority.

The following section outlines a series of steps that could be taken to address the problem of violence where people live, work, worship, do business, and socialize. The recommendations are divided into five categories: 1) legislative actions; 2) how the Federal government can organize and reorganize itself; 3) Presidential leadership and speech ideas; 4) technical assistance and other support that the Federal government can provide to local actors; and 5) research and evaluation issues.

Require applicants to evaluate the proposed intervention to provide information about program effectiveness and potential for replication.