

INTRODUCTION

VICTIMS OF CRIME

The Texas Hate Crimes Act, Chapter 411.046 of the Texas Government Code, defines hate crimes as crimes that are motivated by prejudice, hatred, or advocacy of violence including, but not limited to, incidents for which statistics are or were kept under Public Law 101-275 (the Federal Hate Crimes Statistics Act). The federal law further defines hate crimes as crimes that manifest evidence of prejudice based on race, religion, sexual orientation or ethnicity and added in 1997, disability.

Violation against selected groups within Texas has been recognized as a threat to the safety of Texans. In an effort to quantify these incidents of bias crimes, the Texas Hate Crimes Act directed every law enforcement agency within Texas to report bias offenses to the Department of Public Safety.

The total number of reported Texas hate crime incidents in 2001 was 430. This represents an increase of 50.3% when compared to 2000. These incidents involved 473 victims, 425 offenders and resulted in a total of 464 offenses.

DALLAS COUNTY HATE CRIME TOTALS BY JURISDICTION

Jurisdiction	1999	2000	2001
Dallas Police Department	19	25	29
Carrollton Police Department	3	6	3
Cedar Hill Police Department			2
DeSoto Police Department		2	
Duncanville Police Department	1		1
Farmers Branch Police Department		1	
Garland Police Department	1	5	13
Irving Police Department		3	9
Lancaster Police Department	2	1	3
Mesquite Police Department	1		
Richardson Police Department	1	5	2
Rowlett Police Department	2	3	2
Total	30	51	62

*Department of Public Safety Crime in Texas Report
Agencies not listed reported zero incidences*

Adult Protective Services (APS)

APS clients are adults who live in their own homes, in facilities regulated or operated by the Texas Department of Mental Health and Mental Retardation (TDMHMR), or in unregulated facilities.

APS responsibilities include:

- Investigate reports of abuse, neglect and exploitation of elderly people and people with disabilities who reside in the community and if appropriate, provide or arrange for protective services, including referral to other programs, respite care,

guardianship, transportation, counseling and emergency assistance with food, shelter and medical care.

- Investigate reports of abuse, neglect and exploitation of disabled persons (children and adults) receiving services from MHMR facilities, local authorities, community center, home and community-based services waiver (HCS-W) programs and their contractors.

Three program areas serve APS clients: in-home investigations and services, MHMR investigations and guardianship services.

In-home

The largest and oldest APS program area is in-home investigations and services. In-home investigations protect people 65 and older who reside in their own homes or in room and board homes not subject to licensure. In-home also protects adults with disabilities and adults living in nursing homes who may be financially exploited by someone outside the facility.

Guardianship

Guardianship is a legal method to protect individuals' wellbeing when they cannot protect themselves. A guardian is court-appointed to make decisions on behalf of an incapacitated person, known as a ward. A guardian's duty may include protecting the ward's estate.

MHMR Investigations

APS is responsible for investigating abuse, neglect, and exploitation of clients in MHMR facilities and related programs including:

- State schools
- State hospitals
- State centers
- Community mental health/mental retardation centers
- Facility and community center contractors including home and community-based waiver programs

APS STATISTICS FOR DALLAS COUNTY

	Population Ages 18-64	Population Ages 65 +	Total APS Intakes	Total APS Investigations	Validated APS Investigations	APS Clients Receiving Services
2000	1,423,077	179,876	****	3,210	1,993	1,964
2001	1,443,836	181,248	3,634	3,341	2,862	3,300
2002	1,466,053	183,420	3,778	3,522	2,771	2,893

Source: Texas Department of Protective and Regulatory Services, Annual Data Book

The following is a compilation of problem statements affecting residents of Dallas County.

**Victims of Crime Community Plan
Focus Group Participant List
FY 2005 Grant Cycle**

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*NOTE: This list was compiled using
focus group sign-in sheets from
meetings held in 2002-2003.*

VICTIM ADVOCATES

PROBLEM

What is the problem for Dallas County?

The number of advocates to provide services in Dallas County is insufficient in relation to the number of crimes against persons reported; therefore, it is not possible to provide adequate or quality services. The lack of an appropriate number of advocates exacerbates the negative impacts of crime, such as Posttraumatic Stress Disorder, increases in relational and occupational problems and dysfunctional behavior.

Why is this a problem for Dallas County?

Violent crime crosses all economic and ethnic plains. When an individual is victimized, the impact progresses beyond that individual and into his family, professional and social networks. Violent crime delivers a blow to the community as a whole. Without a sufficient number of advocates, victims are forced to venture through the often confusing and frustrating legal system on their own, lacking adequate information and emotional support. If victims feel alienated, they are less likely to cooperate with prosecution and to report to law enforcement future re-victimization. Without advocacy, victims are less likely to receive mental health care, thus exacerbating emotional struggles.

What needs to be done to alleviate this problem?

To alleviate the problem, the community requires a greater number of advocates. The ratio of victims to advocates to victims is too high to provide comprehensive satisfactory assistance to victims.

Impact for Dallas County

“Although the crime rate has declined dramatically in recent years, only a fraction of the Nation’s estimated 29 million victims has access to comprehensive, quality services in the aftermath of a crime”¹ Additional advocates will improve victim services in many regards. Victims would receive personalized attention because advocates would not have to juggle an unmanageable number of cases. Fewer victims would be forced to navigate through the legal process alone. Many advocates are therapists, meaning victims would have access to mental health professionals, thus reducing the likelihood of a negative impact on the community. Victims would have assistance with Crime Victims’ Compensation. Better advocacy would result in greater community awareness, leading to more accurate reporting of crimes that have been underreported. Dallas County benefits because its members receive the treatment they are due. Victim advocates’ objectives include alleviating the impact of violent crime. Because violent crime has such a pervasive impact, improved advocacy for victims equates to advocacy for the community itself.

SUPPORTING STATISTICS

The most basic statistics support the need for more advocates. In May of 2002, Victim Outreach in Dallas, Texas conducted a survey and determined that Dallas County has

approximately 204 victim advocates. In the year 2002, the Dallas County District Attorney's Office received 12,106 cases of violent crime. This results in a 59 to 1 ratio of victims to advocates. This is a very conservative ratio, considering that: (1) many victims have family members who also require advocacy, (2) this figure includes only the cases filed with the District Attorney's Office, and (3) does not include unsolved cases.

Additional crime reports reveal a greater need for more advocates. In 2002, the Dallas County Juvenile Court received 1,389 cases involving violent crime. When you combine these cases with adult cases referred to the Dallas County District Attorney's Office during the same year, the ratio of victims to advocates is approximately 66 victims to each advocate. Again, this is a low estimation due to the reality that most crimes impact more than one person. By adding only one family member to each case, the ratio of victims to advocates reaches 132 to 1, a much more accurate portrayal of this problem. Furthermore, many cases do not reach the District Attorney's Office. For instance, in 2002 the Dallas City Attorney's Office received 17,959 class C misdemeanor assault cases, approximately 12,000 of which were family violence reports.

DATA CHARTS



Data Source: Dallas County District Attorney's Office²

CURRENT SERVICE PROVIDERS

Victims Outreach in Dallas maintains an information and referral list that is attached. However, each agency listed does not necessarily maintain a designated victim's advocate. The level of services provided in some of these agencies is unknown.

GAPS IN SERVICE DELIVERY

Victims in some rural areas in Dallas County do not have access to advocates and could benefit from geographical placement of advocates within their community. In some law enforcement agencies, one person serves as the advocate for more than one city. In addition, many law enforcement agencies only provide an advocate on a part-time basis or an advocate who has full-time duties in another position within the agency.

GOALS AND OBJECTIVES

A rough estimate of an increase in advocates by 20% at the end of three years would provide some alleviation of the problem. The result is an additional 40 advocates in the county to provide information, referrals and intervention services to victims of crime. The estimated annual cost for 40 additional advocates (at an estimated \$47,000 per advocate) is \$1,880,000.

EVALUATION AND OUTCOME MEASURES

Increasing the number of trained victim advocates will reduce the revictimization of victims of crime when such individuals are trying to sort through the emotional and judicial system ramifications of criminal activity.

Outcome #1

Objective: Victims of crime will experience reduced trauma by having a trained advocate guiding their healing and justice system journey.

Measurement: Number of new victim advocates hired by victim service agencies in Dallas County.

REFERENCES

1. Report to the Nations 2001 – Fiscal years 1999 and 2000 by the Office for Victims of Crime (OVC) of the US Department of Justice Programs.
2. Dallas County District Attorney's Office

LAW ENFORCEMENT

PROBLEM

What is the problem for Dallas County?

In 1989, victims in Texas gained legally mandated rights to receive services and participate in the criminal justice system. According to a study completed by Travis County, victims may have an increased risk for violent behavior or future victimization, physical and mental health problems, living in constant fear or financial burden. According to the National Center for Victims of Crime, "Many victims don't report crime because the criminal justice system does not meet their emotional, physical, or financial needs in the aftermath of crime." Without proper training for victim advocates, victims of crime could be re-victimized and even psychologically harmed by those assigned to assist them through the maze of the justice system.¹ The term *designated advocate* refers to someone whose duties are devoted to providing services to victims of violent crime.

Why is this a problem for Dallas County?

Interaction with law enforcement provides the first opportunity for victims to receive any services. Victims need a service system that is designed to meet their needs, rather than being adjuncts to a system that is designed to deal with offenders. Dallas County has approximately 47,900 reported crimes against persons annually². In a recent study, there are currently 16.5 victim advocates that work within law enforcement agencies in Dallas County.³ Some are abiding by the law that requires every law enforcement agency have a victim services liaison, but they do not abide by the spirit of the law⁴. In some agencies the victim services liaison is an active duty officer who also has the liaison title. In others, the liaison is part of desk duty and is perceived to be punishment. There is no continuity of services from one jurisdiction to another.

What needs to be done to alleviate the problem?

"Many victims don't report crime because the criminal justice system does not meet their emotional, physical, or financial needs in the aftermath of crime."⁵ Every law enforcement agency needs to have a Victim Advocate who has received specialized training. Training would include, victims rights and compensation, crisis intervention skills, knowledge of the justice system, police system, community resources and the impact of victimization. Services would include: follow-up contact, emergency financial and legal assistance, advocacy and referrals.

Impact for Dallas County

With proper training, officers may illicit more cooperation from victim/witness and more cases may be solved and successfully prosecuted.

SUPPORTING STATISTICS

Law Enforcement Agency	Victim Advocate(s)	Proposed Victim Advocate(s)
Addison	1	.5
Balch Springs	1	1
Carrollton	3	2
Cedar Hill	1	1
Cockrell Hill	0	.5
Coppell	0	1
Dallas	2	10
DeSoto	Covered by Cedar Hill	1
Duncanville	Covered by Cedar Hill	1
Farmers Branch	0	1
Garland	2	2
Glenn Heights	0	.5
Grand Prairie	1.5	2
Highland Park	0	.5
Hutchins	0	.5
Irving	4	2
Lancaster	0	1
Mesquite	0	1
Richardson	Covered by non-profit	1
Rowlett	1	1
Sachse	0	1
Seagoville	0	.5
University Park	0	1
Wilmer	0	.5

Source: Recent survey conducted by Victim Services Focus Group members.⁶

CURRENT SERVICE PROVIDERS

See chart above.

GAPS IN SERVICE DELIVERY

Of the 24 law enforcement agencies surveyed in Dallas County, only 37% or nine (9) agencies employ a Victim Advocate who has received specialized training and is designated to working only with crime victims. Of the 15 law enforcement agencies which do not employ a Victim Advocate, four agencies respond that NO services were provided to victims of crime from their agencies. Eleven (11) law enforcement agencies responded that they have an officer or civilian employee that is available to respond to victims of crime when requested. No outreach effort is provided to victims of crime through these agencies. Dallas County has only seventeen (17) Victim Advocates which work for the nine law enforcement agencies.⁷

GOALS AND OBJECTIVES

All Law Enforcement Agencies will meet the legal mandate in Article 56.04 and provide basic services to victims of crime. Total advocates needed by 2005 are **39.5** and estimated cost at \$40,000 per advocate is **\$1,580,000** per year.

EVALUATION AND OUTCOME MEASURES

According to the North Central Texas Council of Government's demographic study of the 24 law enforcement agencies:

PROJECTED POPULATIONS 2005

<10,000	<20,000	<30,000	<50,000	<150,000	<250,000	>1,239,000
Cockrell Hill	Addison	Balch Springs	Cedar Hill	Carrollton	Garland	
Glenn Heights	Seagoville	Sache	Coppell	Mesquite	Grand Prairie	Dallas
Highland Park		University Park	DeSoto	Richardson	Irving	
Hutchins			Duncanville	Rowlett		
Wilmer			Farmers Branch			
			Lancaster			

Outcome #1

All Law Enforcement Agencies will meet the legal mandate in Article 56.04 and provide basic services to victims of crime.

Measurement: Number of police agencies adequately meeting the legal mandate by either training for hiring victim advocates.

REFERENCES

1. Travis County Victim Services Task Force
2. Dallas Police Department
3. Recent Survey conducted by Victim Services Focus Group members
4. Texas Code of Criminal Procedure, Article 56.04C
5. National Center for Victims of Crime
6. Recent survey conducted by Victim Services Focus Group members
7. Recent survey conducted by Victim Services Focus Group members

COUNSELING FOR VICTIMS OF CRIME

PROBLEM

What is the problem for Dallas County?

Many adult and child victims of violent crime in Dallas County do not require emergency shelter services, but do need intervention to address the impact of these criminal acts. Without nonresidential services available to adult and child victims, there is no way to ensure the majority of victims and their children receive the most accessible level of care. Both residential and nonresidential services need to be continued in Dallas County and expanded to meet the specific geographic, ethnic, and social circumstances of all victims and their children. Without counseling services, the detrimental effects on the mental health of crime victims could be destructive to the lives of victims, their loved ones and other members of the community.

Why is this a problem for Dallas County?

Lack of services contributes to the victims' sense of isolation, helplessness and powerlessness. Victims of domestic violence, for instance, can be left believing they have no alternative but to return or remain in an abusive situation. Victims of other violent crime are left to manage the trauma and its impact alone, often without the skills to do so effectively. The children feel powerless with no choice about what happens to them. Most research done indicates that without treatment children are at a significant risk for delinquency, substance abuse, school dropout, and difficulties in relationships.

What needs to be done to alleviate this problem?

Adult and child counseling services, including individual and group counseling, early interventions for children in the form of play therapy and art therapy for those too young to verbally express their thoughts and feelings, and specialized counseling for adolescents, teenagers, and young adults to reduce or eliminate maladaptive behavior must be continued and expanded in Dallas County to help address needs of this vulnerable population. An increase in these services is critical to the well being of adult and child victims.

Impact for Dallas County

Counseling provides a means to understanding how the violence has impacted the lives of adult and child victims as well as breaks the isolation so they do not feel so alone. Individual and group counseling can increase greatly the likelihood of victims gaining a sense of control over their lives. Counseling intervention can reduce the likelihood of a continued cycle of violence, crime, and other destructive behaviors.

SUPPORTING STATISTICS

In 2002, the Dallas County District Attorney's Office received more than 12,000 cases of violent crime. However, statistics regarding family violence alone provide a strong case for the need for services. In 2001, the Texas Department of Public Safety reported 28,839 incidents of Family Violence in Dallas County. Family violence statistics include relationships such as marital, parental/child, and other family relationships. To determine the number of domestic

violence (DV) victims, percentages from marital relationships (which include husband, wife, common-law husband, common-law wife, ex-husband and ex-wife) were compiled. A total of 55.1% of all reported family violence cases were in the marital category. A total of 9.4% of the victims were roommates, including same-sex intimate partner relationships.¹

According to the Texas Department of Public Safety, the nine police departments listed below reported 26,544 incidents of FV in 2001. These police departments were contacted for calendar year 2002 family violence statistics.

DALLAS COUNTY FAMILY VIOLENCE INCIDENTS^{2,3}

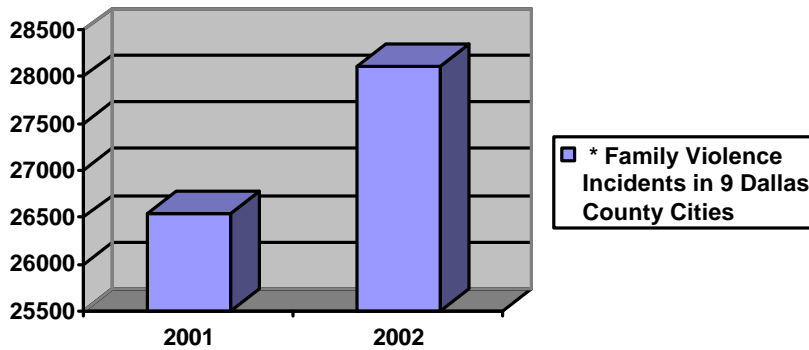
City/Municipality	Total Offenses Reported in 2001	Total Offenses Reported in 2002
Addison	150	148
Carrollton	365	336
Dallas	19,375	19,206
Farmers Branch	143	170
Garland	1,752	2,622
Grand Prairie	1,327	1,608
Irving	1,920	2,532
Mesquite	1,170	1,052
Richardson	342	439
Total	26,544	28,113

In addition, in 2000, the Texas Department of Protective and Regulatory Services reported that Dallas County had 16,710 reports of suspected child abuse and neglect. This resulted in 4,802 cases of confirmed abuse and neglect.⁴

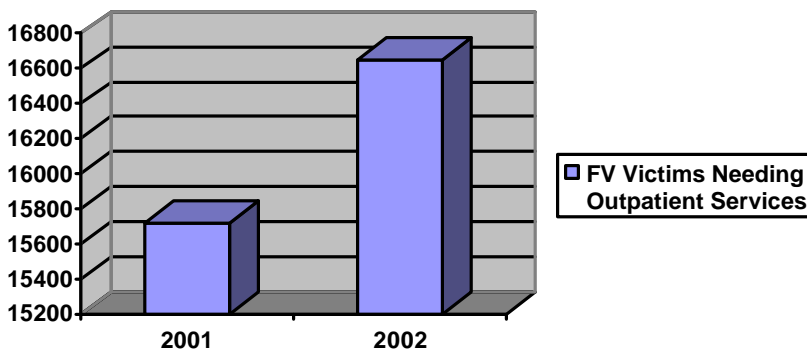
Without effective intervention, research indicates child victims will most likely repeat the cycle of abuse they learned at home or turn to lives of juvenile or adult crime. "Child abuse and neglect increase the odds of arrest as a juvenile by 53%, as an adult by 38%, and for violent crimes by 38%. Children from violent homes are 24 times more likely to commit sexual assault, 50 times more likely to abuse drugs, and six times more likely to abuse their own children. Survivors of childhood sexual abuse are much more likely to be victims or perpetrators of domestic violence."

According to data collected by the Texas Department of Human Services, between 1998 and 2000, 59.22% of victims served sought outpatient services instead of emergency shelters. Based on these numbers, in 2002, close to 16,650 victims of domestic violence needed outpatient services.

DATA CHARTS



**Source: Texas Department of Public Safety, 2001. Each police department was contacted by telephone in January 2003 for their 2002 data¹*



CURRENT SERVICE PROVIDERS

In a review of a list of 186 agencies in Dallas County serving adult and children, there was identified 15 agencies providing outpatient counseling services mentioning counseling for victims of crime. Of these 15, only three indicated this as a primary focus. The domestic violence shelters provide outreach and support group services. Even though we conducted a telephone survey, we were unable to ascertain the actual or even approximated number of victims served annually.

GAPS IN SERVICE DELIVERY

There are not sufficient financially and geographically accessible services to meet the needs of the victims of crime who would benefit from outpatient counseling services.

GOALS AND OBJECTIVES

To provide geographically accessible no- or low-cost outpatient counseling services focused on issues arising from victimization and subsequent events experienced by victims of crime to ameliorate the effects of and speed the recovery from victimization.

Estimated Budget:

Estimated 16,650 victims of crime needing outpatient counseling services

Estimated cost of group and individual counseling for 16,650 persons annually is \$ 6,243,000, averaging only \$375 per person served.

EVALUATION AND OUTCOME MEASURES

Outcome #1

Objective: Increase client functioning from the start of treatment through discharge as well as counselor assessment using appropriate instrument capable of measuring goal attainment.

Measurement: Total number of clients provided outpatient counseling services based on survey of programs currently providing such services to victims of crime.

REFERENCES

1. Texas Department of Public Safety, 2001
2. Texas Department of Public Safety, 2001
3. Each police department was contacted by telephone in January 2003 for their 2002 data
4. Beyond ABC: Growing up in Dallas County 2002

Underserved Victims of Crime in Dallas County:

Although it may appear that adequate community resources are available for many victims of crime in Dallas County—centers for child abuse, shelters for battered women, rape crisis centers for sexual assault victims—far fewer resources are given to those victims whose crime victimization falls beyond these “traditional” categorizations. Indeed many victims have in the past been overlooked, under-reported, and over-simplified. These “underserved victims” include those who are survivors of homicide victims, those who have been killed or injured by drunk drivers, elderly victims of fraud, trafficking victimization, immigrants, and others.

Elderly victims of economic fraud

1. The vast majority of older adults live on a fixed income. For most, Social Security makes up the greatest part of their retirement funds. “The average Social Security recipient age 65 and over receives just \$12,437 in annual benefits; and among individuals 65 and older who received income from financial assets, half received less than \$1,542 in 2008” (*New York Times*, October 24, 2009). And yet, these are the people whom others prey upon and financially exploit. Social isolation and mental impairment are two reasons why older adults are vulnerable. Because of a decline in their executive functioning, older adults are more likely to make poor money decisions, and criminals are aware of this vulnerability. Scams range from a door-to-door repairman offering to “fix up” a sagging porch to a family member who regularly takes the older adult’s Social Security check to a “friend” who, in turn, takes the senior’s life savings along with their identity. A family member is more often the abuser than outsiders. At this time of life, the older adult has no chance of acquiring replacement income, and, unfortunately for many, the income they had before the economic fraud was already insufficient to cover their living costs. Everyone is aware of the prevalence of identity theft--high profile cases such as the one in which Brooke Astor’s son was indicted and finally convicted are frequently seen in the news. However, the general public is not as aware that this type of exploitation can easily happen to anyone, particularly someone living on a reduced income. “For vulnerable older adults, management of daily financial obligations can become an overwhelming burden, quickly spiraling into adverse behaviors and at-risk situations such as unpaid bills, un-deposited checks, and the terrifying consequences of cut-off utilities, bank foreclosures, evictions, and financial exploitation” (Brookdale Center for Healthy Aging & Longevity, *The Value of Daily Money Management*, June 2009.)

2. The U.S. Census Bureau reports an estimated elderly (individuals aged 65 and older) population of 49,034.6 persons for Dallas County in 2009, which is 8.6% of the total population in the County (49,034.60 of 2,451,730). Total population for the State for 2009 is estimated at 24,782,302. This number reflects an increase of 18.8% for total State population and an increase of 10.2% increase in the county population since 2000.

3. “Given the expected 117% increase in the population of persons aged 65 years and older by 2030, policy makers face enormous challenges. Without policy initiatives and programs to prevent economic and health distress, vulnerable populations of low-income older adults are likely to increase substantially with distressing consequences for themselves, their families, and their communities” (Brookdale Center for Healthy Aging & Longevity, *The Value of Daily Money Management*, June 2009). Many elderly victims

end up having to turn to the community for assistance with rent, utility bills, home repairs, and food. This puts an additional burden on community resources already stretched thin.

4. Organizations throughout Dallas County have been involved in the issue of economic fraud of the elderly for many years, among them: The Senior Source, Jewish Family Services, and ARC of Dallas County. These programs address two specific concerns for the elderly, guardianship and money management. For example, in 1995 the Guardianship and Money Management Program was initiated by The Senior Source as a result of requests from the Texas Department of Protective and Regulatory Services and the Dallas County Probate Courts. Providing guardianship services for incapacitated older adults who live in Dallas and several surrounding counties is one service of the Guardianship and Money Management Program. The older adults **served by this program** are not only unable to handle their own personal and/or financial affairs, but also have no appropriate family, friends or other support system to turn to for assistance. The Senior Source is appointed guardian of the person by the courts. This critical program recruits and trains volunteers to serve as legal guardians for older adults deemed incapacitated by the probate courts. The volunteers play a vital role in preventing abuse, neglect, or exploitation of these frail individuals who, for the most part, live alone. In addition to guardianship, a money management component offers assistance to low-income older adults who have difficulty managing their financial affairs. Many times the difference between living independently or requiring assisted living is the ability of the older adult to manage his or her money. Services are provided by two types of trained volunteers, bill payers and representative payees. The bill payer helps organize bills, balances the check book, sets up a monthly budget and assists with check writing (the client signs all checks). The representative payee, in addition to the duties listed above, is named on the Social Security check, reports to the Social Security Administration on how benefits are spent, maintains control over benefits, and signs all checks. VIP Volunteers help protect the well-being of this extremely vulnerable segment of our population and also help prevent their abuse, neglect, and exploitation.

In addition to these nonprofit programs, there are a number of senior-focused businesses that provide guardianship and money management services for a fee. Seniors with an ability to pay utilize these entities after an assessment has been made, often at the request of family or friends who are unable to provide such specialized care. For those clients, these businesses play a major role in their ability to live as independently as possible.

5. Given the ever-growing senior population in Dallas County, cases of elder exploitation will only increase in the coming years. The isolated, the low-income, and the easily duped among the elderly will surely be the victims. Adult Protective Services, the DA's Office, and the County Courts concentrate, as they should, on efforts to apprehend, prosecute, and punish those responsible for economic crimes against the elderly. However, after the gavel in court goes down, someone must be there for the victims to help them pick up the pieces of their shattered lives. For those who cannot pay for guardianship and money management programs, nonprofits must fill the gap. The greatest need in the community at this time is increased funding for more staff to manage their expanding caseloads. Programs like the Guardianship and Money Management Program play a vital role in keeping the elderly safe, but these cases are not simple and thus are staff-intensive. For these programs to grow and meet the increasing need, there must be more staff to provide the service, whether it is assisting

with paying bills for a person not in need of guardianship or serving as a guardian for someone no longer able to handle their own affairs.

There is also a need for increased training for all persons who encounter this issue. From caregivers to neighbors, clergy and medical professionals, all have a part to putting an end to the silence of this victimization. First responders, such as law enforcement, need to be more aware of the concerns affecting older adults and vigilant for signs of exploitation; banks and other financial institutions need further information on all aspects of elder fraud, including recognizing fraud against an elderly person and how to intervene quickly. In the larger community, the general public needs to be made aware that exploitation of an elderly individual is a crime and should be reported to the authorities immediately.

Vehicular Crimes

1. There are a number of specific vehicular crimes which impact victims on a daily basis in Dallas County. Among the most prevalent are DWI-related offenses, which include Intoxication Manslaughter, Intoxication Assault (involving Serious Bodily Injury), DWI (with minor injury/property damage), and DWI/Child Endangerment (DWI with minor child in car). Also, the offense of Failure to Stop and Render Aid (FSRA) occurs in the community frequently. These "Hit and Run" crashes often result in no charges against the offending party, leaving the victim to deal with the full brunt of the crash physically and emotionally as well as financially. Obviously, the trauma resulting from any type of car crash is indeed a trauma. The effects of car crashes are numerous and evident--death, serious injury, emotional and physical suffering, and financial devastation are among the most common effects. However, when the crash becomes a crime, the trauma is instantly compounded and complicated. Depending upon the offender's survival (mentally as well as physically), the criminal justice process most likely will become involved, with all that that system brings to the table--police, arrest, jail, judges, etc. With this process comes the extreme need of most victims for involvement, information, and, of course, intense interest in the outcome of the case. How the community is affected becomes clear when one is close to a victim of a vehicular crime and is witness to the tragedy that these crimes bring. However, a more far-reaching impact can be seen in the budgets of public hospitals with trauma capability when victims and offenders alike are treated at enormous community expense because of the criminal actions on a roadway. In 2000, alcohol-related crashes in the U.S. cost the public an estimated \$114.3 billion, including \$51.1 billion in actual monetary losses and \$63.2 billion in quality of life losses (National Highway Traffic Safety Administration, NHTSA). People other than the drinking driver paid \$71.6 billion of that bill, which is only 63% of the total (NHTSA). In 2000, the average cost of an alcohol-related fatality was \$3.5 million; the estimated cost per injured survivor was \$99,000 (NHTSA).

2. Alcohol-related fatality rates are a universal statistic used by most entities to determine the level of concern in a state or community. The following statistics are relevant to Texas and Dallas County for the last three years in which statistics are available:

Year	Total Traffic Deaths in Dallas County	Total Alcohol-Related Traffic Deaths in Dallas County	Total Alcohol-Related Traffic Deaths in Texas
2008	202	76	1,310
2007	224	96	1,333
2006	225	89	1,400

Source: National Highway Traffic Safety Administration

3. Drunk driving is a concern in Dallas County as well as around the state. NHTSA has determined that, although drunk driving deaths have significantly decreased overall in the US (as well as in Texas) in the last 20 years, Texas continues to lead the nation in these deaths. In 2009, the Dallas County Department of Community Corrections and Supervision processed 10,977 DWI probationers through their system. Of these offenders, 123 were on probation for Intoxication Assault, 54 for Intoxication Manslaughter, and 148 for Failure to Stop and Render Aid. Felony DWI offenders accounted for 2,079, and 411 were on probation for DWI/Child. Out of a total of 54,684 total probationers, DWI-related offenses accounted for 20% of offenders on probation.

4. Several agencies in the Dallas County area currently provide services for families experiencing the loss of a loved one due to a criminal act. Victims Outreach, MADD, Trauma Support Services of North Texas, Compassionate Friends and Parents of Murdered Children (self-help volunteer groups) provide crisis intervention, information and referral, and group support in varying degrees.

5. Certainly adequate resources should be allocated to agencies that provide direct services to these victims. The consistent decrease in roadway fatalities of this nature is evidence that this crime may become a thing of the past one day. Through the efforts of law enforcement, promotional campaigns, and education, the dangers of drinking and then driving are well in place in the minds of the vast majority of drivers on the road. However, victimizations continue to occur—although not at an alarming rate as in the past—and these victims require services.

Homicide, Assault, Robbery

1. “Victims of crimes often suffer a broad range of psychological and social injuries that persist long after their physical wounds have healed. Intense feelings of anger, fear, isolation, low self-esteem, helplessness, and depression are common reactions. ... The emotional damage and social isolation caused by victimization can be compounded by a lack of support and even stigmatization by friends, family, and social institutions” (*New Directions from the Field: Victims Rights and Services for the 21st Century*, Section III, Chapter 8, p. 219).

Survivors of homicide victims experience the aftereffects of the crime just as described above, but compounded by grief over the untimely loss of their loved one. In particular, the parents of younger homicide victims struggle with the “unnatural” loss of their child. Child survivors of victims may face developmental setbacks and behavioral problems as they attempt to manage difficult emotions. Initially, survivors may receive support and help from friends, the community, and law enforcement, but the impact of homicide is long-lasting, and often the full impact of such a loss is not felt until years after the event long after friends, the community, and even law enforcement have “moved on.” Many times, one survivor is especially traumatized by the loss, but other family members recover at a faster pace, leaving the one survivor isolated and suffering.

Robbery and assault victims often experience trauma reactions following the violent incident especially anxiety, fear, nightmares, flashbacks, anger, and isolation. They may be unable to work or perform daily tasks due to such reactions, yet often they find there is little support for them, especially if no significant physical harm occurred. Those who do suffer physical harm often must deal with not only the psychological trauma, but also must adapt to new physical limitations as well as manage anger and grief over their physical wounds and losses. As with homicide survivors, during the initial crisis phase, support from family, friends, and an employer may be adequate but quickly fades, while the assault victim may continue to struggle with the affects of the victimization for many months or longer.

Because victims of violent crime commonly experience poor work productivity, increased absenteeism, alcohol and drug abuse, psychological and emotional disruptions, and strained interpersonal relationships, the impact of violent crime can spread through their family, social, and employment networks (*Rebuilding Shattered Lives*, Chu, 1998). The distress and trauma of victimization can result in family dysfunction or even violence, school and workplace friction, and other disruptions such as increased anxiety or anger among friends and neighbors. The costs of the struggle to recover are not only emotional but economic as victims (and the family members they support) encounter medical, burial, and legal expenses. Lost wages or even job loss may be experienced, or, at best, diminished productivity may persist. The community risks losing more of its tax base and is frequently called on to provide services or financial assistance to struggling victims. Another way that violent crime affects the entire community—in effect, turning a community into another victim—is through repeated media coverage. Constant exposure to stories, often detailed or graphic, of violent crimes can lead to increased, and often unwarranted, fear, prejudice, aggression, and withdrawal of residents from social interaction with neighbors which exacerbates and perpetuates the cycle of fear and violence by reducing community connections and awareness of others.

2. Violent Crime Volume in Dallas County

Reporting Year	Murder	Rape	Robbery	Aggravated Assault	Family Violence
2005	264	854	8,211	10,367	24,679
2006	228	953	8,229	9,638	22,488
2007	242	810	8,890	7,880	21,294
2008	225	815	8,071	6,614	21,725
2009	204	777	7,191	6,082	19,859

(Source: *Crime in Texas 2005, 2006, 2007, 2008, 2009* Texas Department of Public Safety)

Comparative Rates of Murder

Reporting Year	Dallas Police Dept.	Dallas County	State
2005	16.4	11.11/10.8	6.1
2006	15.0	6.9/6.36	5.9
2007	16.1	5.17/4.17	5.9
2008	13.3	6.6/6.15	5.6
2009	12.9	5.6/5.02	5.4

Dallas county rates include DPD rates in the first number, but exclude DPD rates in the second. (Source: *Crime in Texas 2005, 2006, 2007, 2008, 2009* Texas Dept. of Public Safety)

Comparative Rates of Aggravated Assault

Reporting Year	Dallas Police Dept.	Dallas County	State
2005	632.6	238.8/223.0	329.9
2006	584.2	198.2/182.8	317.4
2007	428.9	223.2/214.9	307.8
2008	335.8	184.5/178.7	314.4
2009	315.4	163.3/157.2	299.1

(Source: *Crime in Texas 2005, 2006, 2007, 2008, 2009* TDPS)

Comparative Rates of Robbery

Reporting Year	Dallas Police Dept.	Dallas County	State
2005	559.4	110.9/91.4	156.5
2006	553.9	107.0/88.4	158.5
2007	582.8	138.9/120.4	162.2
2008	506.7	118.1/101.9	155.2
2009	426.3	119.3/107.5	153.5

(Source: *Crime in Texas 2005, 2006, 2007, 2008, 2009* TDPS)

3. In Dallas County, the overall number of violent offenses has declined in recent years, and the rates of violent crime in the county are only slightly higher than state rates. However, the rate of violent crime in the city of Dallas remains much higher than surrounding communities and the state average. For example, statistics from the Dallas Police Department reflect that the 2009 murder rate was 138% higher than the state rate per 100,000 persons. Rates for robberies reported in the City of Dallas were 177% above the state rates in 2009. Aggravated assault rates have dropped significantly but remain above the state average. Given relatively high rates of violent crime, alongside weaker economic conditions and increased poverty in the Dallas region (*2008 Community Needs Assessment*, United Way of Metropolitan Dallas), it is likely that the need for services for victims and others affected by violent crime will remain strong in coming years.

4. Dallas County has a number of long-established coalitions of victim service providers that serve to facilitate awareness, referrals, training, and support among staff of both public and private service providers. In addition, there are victim advocates at most local law enforcement departments as well as numerous agencies who offer a wide array of services, but many of these advocates are dedicated for victims of family violence. Resources are limited for victims of crimes such as homicide, robbery, and assault. Only three social service organizations in the county include such victims in their service population (Victims Outreach, Trauma Support Services of North Texas, and Victims Relief Ministries). These agencies provide free crisis intervention, counseling, advocacy, and support services for this underserved group, but all are small organizations with very limited capacity to perform sufficient intervention, advocacy, outreach, and education across this large, urban county.

5. Crime victims need crisis intervention and advocacy to deal with the immediate effects of violence and to support their involvement with the applicable civil or criminal justice systems. Victims of violent crime who receive intervention quickly are more likely to regain the emotional stability needed to improve functionality in all areas of their lives. Benefits include decreased feelings of isolation, depression, and helplessness, a reduction in negative coping skills, increased job productivity as well as the development of positive social relations. Thus, intervention via counseling and crisis services for victims of crime can promote individual healing while also enhancing overall community well-being. Counseling and support groups are warranted not only in the immediate aftermath of a crime, but to serve ongoing needs of victims and their families as they survive and try to heal from violence and loss.

In order to provide adequate care and assistance to these previously underserved victims of crime, the Dallas community needs:

- 1) regular training for all law enforcement on responding to victims' needs in homicide, assault and robbery cases;
- 2) collaborative cross-training and networking among law enforcement, criminal justice professionals, and social service providers to ensure that accurate information and supportive assistance is provided to victims upon entry into the victim assistance arena;
- 3) an increase in staffing funds for local victim service agencies to provide vital assistance to clients on an ongoing, round-the-clock basis, including more staff

who are bilingual to provide crisis, advocacy, and counseling services to a growing Hispanic population.

Undocumented Victims

1. Undocumented persons are especially vulnerable to crime. They are at increased risk of victimization not only because of cultural and linguistic barriers, but also due to the lack of awareness about the law, their rights, and available services. In particular, they have a tendency to underreport crimes to the police out of fear that they will be deported. This in turn thwarts the investigative abilities of the law enforcement agencies. In order to protect not only immigrants but the community as a whole from criminal activity, the relationship between the immigrant population and law enforcement must be strengthened to facilitate cooperation. Additionally, the immigrant population needs community outreach to educate them about the laws and the services available to them in the event that they become victims of crime.

Although there are community services and agencies that can help undocumented crime victims, the undocumented members of our community are often unaware of them or do not know that they might be able to qualify for services such as crime victims' compensation, counseling, and domestic violence shelters. Consequently, these victims are less likely to receive needed services to cope with both short- and long-term effects of victimization. At the same time, service providers are often overwhelmed and unable to fully assist victims due to a lack of resources. Consequently, they must sometimes ask incoming victims to look elsewhere for housing, legal services, and/or counseling. Further exacerbating the problem for undocumented persons is the fact that some service providers are restrained by grant requirements that their clients have legal status.

2. It is extremely difficult to produce a specific total for the undocumented population in Dallas County. The Census Bureau did acknowledge in 2009 that Dallas County had one of the top 10 "hard to count" populations in the country, estimating that 364,226 individuals fall into this category. "Hard to count" populations include persons who are ethnic minorities living in economically-depressed areas (The Census Project). The Pew Hispanic Center estimates that, for the year 2009, about 1,600,000 undocumented individuals lived in Texas.

3. Recognizing the difficulty in quantifying undocumented individuals who are victims of crime, it is important to note that law enforcement agencies in Dallas County (as well as throughout Texas) are mandated by the Governor's office to designate an individual within their department as the Victim Assistance Coordinator. These Coordinators are required to provide services to crime victims *regardless of citizenship status*. In fact, at the Dallas Police Department, the largest policing agency within Dallas County, a victim's legal status is not considered during an intake call or visit and no known police agency within Dallas County keeps current statistics on victims of crime who are U.S. citizens and those who are not. Hence, even for law enforcement, the number of undocumented victims is an unknown. Ideally, the fact that law enforcement agencies are not tracking legal status of victims should be made known to the community in order to encourage reporting and cooperation from the undocumented population.

4. Despite the problems that service providers face in determining the extent of the problem of undocumented victimization, there are two agencies in Dallas County

dedicated to assisting the undocumented victim navigate family, criminal, and immigration matters--Catholic Charities and Mosaic Family Services. Of particular relevance to undocumented crime victims are the relatively recent VAWA, T-Visa, and U-Visa provisions of immigration law which provide pathways to residency for some victims of domestic violence, human trafficking, and victims of certain qualifying violent crimes. Especially with the promulgation of U-Visa regulations in September 2007, more undocumented crime victims are seeking legal assistance, although further outreach is needed to ensure that both undocumented crime victims and law enforcement understand such legal avenues. Synergy between the undocumented victims and law enforcement is vitally important to successful T-Visa and U-Visa applications which require proof of reasonable cooperation with investigative authorities. The U-Visa applicant must submit a certification form signed at the discretion of qualifying law enforcement officials. When the law enforcement community is uninformed, suspicious, or simply uncooperative during this important phase, it undermines the very purposes of the T-Visa and U-Visa which are to strengthen the relationship between the undocumented and policing communities and facilitate cooperation so that criminals are more likely to be subject to the criminal justice process. Even for individuals who are eligible to apply, the lengthy wait for adjudication leaves the undocumented victims with a continued need for community resources since they are without work authorization.

5. Paramount to the provision of potential services for immigrant crime victims is the need for culturally sensitive, bilingual, and affordable service providers or advocates. This is especially true as Dallas sees more incoming refugees every year, emphasizing the need to supplement Spanish-speaking services with other language capabilities.

The Census Bureau released figures that show that in 2000, 32.5% of Dallas County households spoke a language at home other than English. For the three year period of 2006-08, that same bureau reported that 39.6% or 861,116 persons (age 5+) of Dallas County did not speak English at home. For services to be effective for undocumented crime victims, it is important that the victims comprehend and feel comfortable with service providers, especially because word-of-mouth testimonies play an important role in the immigrant community in disseminating information about available services.

Cultural issues must also be addressed because they will affect the victim's willingness to make complaints, appear in court, and even how victims perceive pro bono service providers. Services must also be affordable for undocumented victims who seem more prone to poverty than others. Dallas County has a poverty level that is slightly higher than the state average of 15.8% (17.3% as reported by The Census Bureau for 2008). Because many undocumented crime victims are women who are survivors of domestic violence, it is also useful to consider that the number of families with a female as head of the household is estimated at 30% in Dallas County.

Calculating the amount of resources needed to aid undocumented victims of crime is difficult due to the very fact that the victims are undocumented. In terms of immigrants generally, 20.9% of Dallas County residents reported being foreign-born for the period 2006-08 compared to 13.9% statewide (Census Bureau). The undocumented are more likely to underreport their victimization which further complicates the identification of resources truly needed. In Dallas County, this is especially important to note because some agencies outside of Dallas County often refer victims to Dallas County programs and services. As a result, the effects of underreporting are compounded and place an even greater burden on the service providers in Dallas.

Though it is difficult to provide specific numbers to substantiate the actual need for services for undocumented crime victims, such a need does exist and is demonstrated by the numerous service providers in Dallas County who are overwhelmed by demand from these victims. For instance, Catholic Charities estimates that 50,000 individuals in Dallas are served each year by the organization through a variety of programs. Dallas County would be well-served to focus on helping undocumented crime victims secure services because they otherwise might not report crimes that are occurring in the community. In fact, criminals may be encouraged to victimize communities where they know their crimes are less likely to be reported. As population growth continues in Dallas County, coupled with the recent economic downturn, crime rates may increase. Situated in a major metropolitan area, Dallas County must be vigilant when it comes to crime. According to the FBI Crime Reports Database, there were 11,420 violent crimes in Dallas in 2009. To combat crime, the value of community outreach cannot be overestimated. Education and cooperation play a vital role in ending the cycle of victimization. Otherwise, fear of the investigative community may lead victims to remain silent at first, waiting until the consequences of their victimization are too serious to ignore.

Human Trafficking

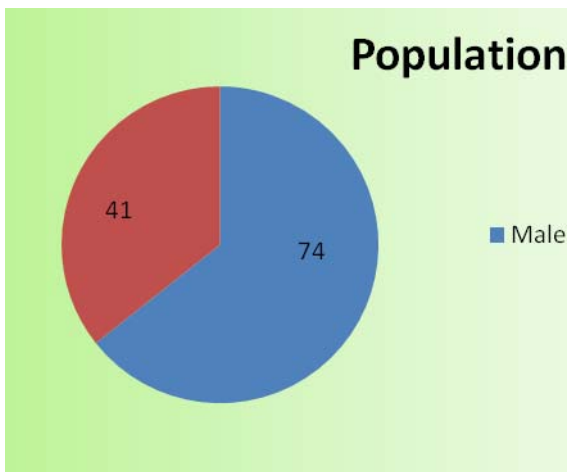
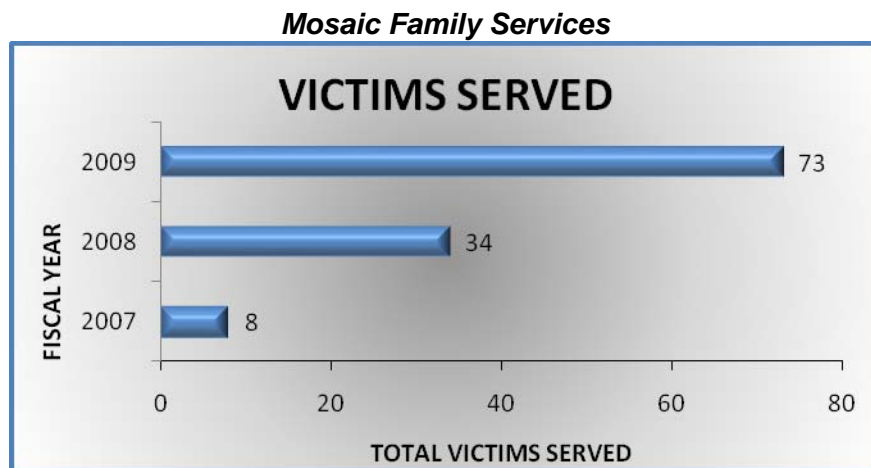
1. Human trafficking is a form of modern-day slavery. It is the illegal trade in human beings through abduction, the use or threat of force, deception, fraud, or sale for the purposes of sexual exploitation or forced labor. Every year, children and teenagers as well as men and women from all over the world are transported within or across borders and forced to work in prostitution, the sex entertainment industry, domestic servitude, sweatshops, restaurant work, migrant agricultural work, and many other industries. Human trafficking is multinational, an organized criminal industry that generates billions of dollars a year. (HHSC Report October 2008: *The Texas Response to Human Trafficking*.)

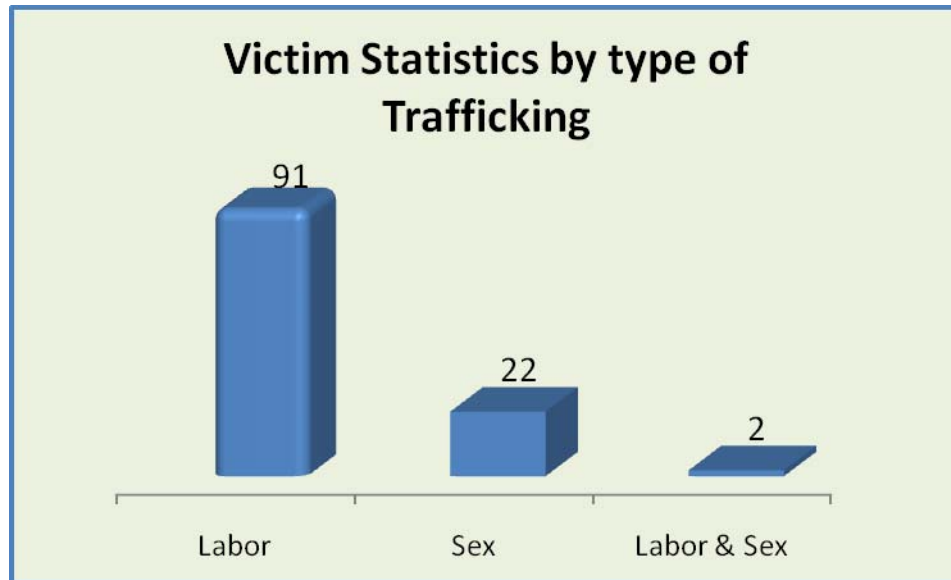
Vulnerability to human trafficking is associated with poverty-related, situational, and personal characteristics. For example, people looking for opportunities to better their or their family's lives are particularly vulnerable to being exploited through false promises or misleading contracts. Also, situational characteristics, such as isolation or being an undocumented immigrant, as well as personal factors like being a woman or a child, or lacking knowledge about individual rights, increase vulnerability to human trafficking. The experience of being trafficked means that individuals often endure considerable fear and anxiety over extended periods of time. This causes extreme suffering both physically and emotionally, and makes the immediate and long-term needs of victims very expansive. In addition, victims often have nothing but the clothes on their backs, which means they need food, clothing, temporary and long-term shelter, and employment. Also, they have potential safety concerns that need to be addressed. The consequences of the traffickers' control tactics include fear, anxiety, shame, and humiliation which play a significant role in creating barriers to victims seeking help. In addition, immigrant victims of human trafficking may have significant language and cultural barriers that impede their ability to seek help as well as a lack of awareness or understanding about their rights in America or knowledge about who to turn to for help with their situation. Although victims of trafficking share some of the same needs as

other types of crime victims, trafficking victims require specialized services and support. The human and social consequences of trafficking are compelling. From the physical abuse and torture of victims to the psychological and emotional trauma (not to mention the economic and political implications of unabated crime), the impact on individuals and society is clearly destructive and unacceptable. (United Nations Global Initiative to Fight Human Trafficking; *An Introduction to Human Trafficking: Vulnerability, Impact, and Action.*)

There is a general recognition that this crime remains hidden with victims usually not self-identifying. This is due to the fact that human trafficking is often an organized crime which results in victims experiencing extreme fear of retribution if they speak out. Law enforcement personnel, medical service providers, and social service agencies are just becoming aware of the extent to which human trafficking exists in the U.S. and particularly in North Texas. Because of the additional burden of proof involved in convincing a jury that a case is definitely human trafficking, many cases are prosecuted under other statutes even when the victims are identified as victims of human trafficking and are served as such. The hidden nature of this crime explains the smaller numbers of cases investigated and victims identified as compared to other types of crime.

2.





3. Human trafficking is the second largest criminal activity in the world as well as the fastest growing, according to the Department of Health and Human Services. The U.S. Department of State estimates that 14,500 to 17,500 people are trafficked into the country each year. The state of Texas is viewed as one of the four states with the highest number of trafficked victims, with the U.S. Department of Health and Human Services reporting that 25% of trafficking victims are in Texas. In 2008, 38% of all calls to the National Human Trafficking Resource Center hotline were dialed from Texas. According to the U.S. Department of Justice, there was a 64% increase in the number of convictions for human trafficking from 2007-2008. The Dallas Police Department investigated 69 human trafficking cases involving 98 potential victims in 2008 and 45 cases involving 83 potential victims in 2009. These victims are considered “potential” as they may or may not obtain certification as a trafficking victim from the federal government. The reasons they may not be able to obtain certification are: they declined to assist law enforcement with the prosecution of their traffickers (a requirement to obtain legal immigration status under the TVPA); their case could not be completed for other reasons (evidentiary, lack of corroboration, etc), or the victim wished to return to their home country. U.S. citizens will also face these obstacles in obtaining certification; however, they do not have an immigration requirement.

Mosaic Family Services, Inc. is the only shelter for human trafficking survivors in the Dallas-Fort Worth Metroplex (and one of a very few in the nation). Since 2007, the agency has served 115 human trafficking victims. A total of 91 of the clients served by Mosaic have been labor trafficking victims, 22 have been victims of sex trafficking, and 2 of them were victims of both sex and labor trafficking. Males accounted for 74 of these victims and 41 were females. Only one client was a minor. There were no victimization reports due to gangs, drug addiction, or kidnapping.

4. The Human Trafficking Unit of the Dallas Police Department investigates reports of human trafficking and rescues potential victims of trafficking. The Human Trafficking Unit operates under a larger North Texas Anti Trafficking Taskforce (the NTATT). This group consists of federal and local law enforcement agencies, other federal agencies as

well as local NGOs. The NTATT has developed a protocol in order to implement the process of meeting the needs of trafficking victims in the North Texas area. In that protocol, Mosaic Family Services is the point of contact for coordinating all social services.

Those attending the meetings of the NTATT include: US Attorney's office, Federal Bureau of Investigation, Immigration and Customs Enforcement, District Attorney's offices of Dallas and Fort Worth, Department of Labor, Internal Revenue Service, Dallas Police Department, Fort Worth Police Department, Human Rights Initiative, Arlington Police Department, Richardson Police Department, Irving Police Department, Coppell Police Department, Grand Prairie Police Department, Garland Police Department, Child Protective Services, Adult Protective Services, Mosaic Family Services, Parkland Hospital, International Rescue Committee, Center for Survivors of Torture, Genesis Women's Shelter, and Catholic Charities.

5. In January of 2010, a true law enforcement co-located task force was formed, comprised of agents and officers from federal and local enforcement agencies. This unit is investigating trafficking cases and anticipates large numbers of client referrals in the future due to enhanced investigative activities.

Goals of the task force are:

- To raise awareness about human trafficking by increasing outreach to victims and general education of the public, particularly to the vulnerable populations.
- To increase resources and support for victims. Victims need to be properly identified and treated so that they are not re-victimized by being charged with crimes or put in jail. Law enforcement and legal system representatives in particular need training to properly identify victims and hold the traffickers, not the victims, accountable.
- To provide linguistically and culturally appropriate services. Victims will disclose their experiences if the language barriers as well as the fear and trust barriers are overcome, and if the right questions are asked.
- To provide basic legal services and representation--this is a most crucial demand, acknowledged by both social service providers and law enforcement officers. When rescued or escaping from the bondage of trafficking, survivors are most concerned with their immigration status and legal situation, and they are protected under both federal and state law.
- To provide for more shelter from further harm. Safe and secure housing for both foreign and domestic victims is needed in Dallas County. Also, housing for male victims of trafficking is also needed desperately as there is no such housing available anywhere currently.
- To assist agencies such as domestic violence shelters and homeless shelters as they seek more funds and resources, including language access/interpreters, housing, safety, and health services to adequately address human trafficking in the Dallas area. These victims often have no one to help or support them in any way which increases their dependence on service agencies.
- To develop more efficient interagency service coordination and clearer guidelines between social service providers and law enforcement. This is critical to effectively serving victims in the Dallas County area.

Victims with Intellectual and Related Developmental Disabilities

1. According to the American Association on Intellectual and Developmental Disabilities, "Intellectual disability is a disability that occurs before age 18. It is characterized by significant limitations in intellectual functioning and adaptive behavior as expressed in conceptual, social and practical adaptive skills." (The term "mental retardation" appears in this document when used in the original source material.)

"Children and adults with disabilities who become victims of abuse and other crimes need to have equal access to and protection of their rights as crime victims by the criminal justice system. Unfortunately, this access is oftentimes obstructed or made more difficult for victims with disabilities due to a lack of specific training on the part of the professionals who are responsible for providing first response services to them." (Joye E. Frost, Acting Director, Office for Victims of Crime, U.S. Department of Justice.)

Interaction with the Justice System

- According to the Center for American and International Law, people with cognitive disabilities may say what they think the police want to hear, even if it is not true.
- A survey of people with mental retardation found:
 - 38% think they could be arrested for having a disability;
 - 58% would talk to the police before talking to a lawyer;
 - 68% believe that the arresting officer would protect them.(*Justice for Defendants with Mental Retardation*, Fowler, et al)
- Texas Appleseed finds that the "...stigma of mental retardation is so great that individuals with mental retardation will often 'mask' their disability in order to avoid its detection. This is true even when the consequences of having the disability would be beneficial to the person. They also cannot easily decipher the motives of other people and act on that information appropriately. As a result, they are more easily deceived than the general population. When they are asked why they confessed to a crime, many individuals will respond, 'They told me if I told them I did it, we could all go home.'"
- Mental Retardation is:
 1. Rarely identified at the time of arrest.
 2. Rarely identified at the time of police questions.
 3. Rarely identified at arraignment.
 4. Infrequently identified at pretrial.
 5. Occasionally (10%) identified at trial.
 6. Often not identified until the person is in prison or even on death row.(William Edwards et. al., *Equal Justice 2002.*)

People with intellectual and related developmental disabilities experience extraordinarily high incidences of abuse, neglect and exploitation. The majority of service providers who provide supports for victims of abuse and neglect are not positioned to help if the victim is intellectually disabled.

2. Data that focuses specifically on intellectually and developmentally disabled victims can be gathered from known research in the field and concludes that:

- 83% of women with disabilities [in a sample study] had been sexually abused, and 50% of those had been abused 10 or more times (Sobsey and Doe);
- People with intellectual disabilities are 4 to 10 times more likely to be abused than people without disabilities (Sobsey and Doe);
- Children with disabilities are at twice the risk of physical and sexual abuse than typical children (Crosse, et al.);
- There were 347,396 CPS investigations in Texas in 2006 (Department of Family and Protective Services). Of these, 97,995 were confirmed cases of abuse. National data suggests that up to 64% or 62,716 of those children had a developmental or intellectual disability.

Findings of the U.S. Department of Justice, Bureau of Justice Statistics, *Special Report: Crime Against People with Disabilities*, 2007 (Rand and Harrell) included:

1. Persons with a cognitive functioning disability had a higher risk of violent victimization than persons with any other type of disability.
 2. Females with a disability had a higher victimization rate than males with a disability.
 3. Persons with a cognitive disability experienced violent crime, including rape or sexual assault, robbery and aggravated assault, at a rate higher than persons with other types of disabilities.
 4. Police did not respond to about 23% of reported violent crimes against persons with disabilities, compared to about 10% of reported violent crimes against victims without disabilities.
- Despite high rates of violence against people with disabilities, in a 2003 national survey conducted by SafePlace, only 9% of sexual assault and domestic violence centers reported having a line item in their annual budget for accessibility and accommodations (Schwartz, Abramson & Kamper)
3. It is estimated that 392,311 disabled individuals (age 5+) resided in Dallas County in 2000 (U.S. Census Bureau). Although this number accounts for both physical as well as intellectual disability, it is evident that many of these residents will interact with police at some point in their lives. Assisting police and other criminal justice personnel to be ready for that interaction is the hope of organizations dedicated to serving this population.
4. Attempts to mandate training for police, probation officers, judges, lawyers, and other criminal justice professionals on how to effectively interact with victims and potential witnesses with intellectual disabilities have been largely ineffective. The training is not reinforced and actual competency is not demonstrated. Responders lacking these skills

prevent victims with intellectual disabilities equal access and protection by the justice system.

For example, one local Dallas County police department was presented with records showing that a detective chose to rely solely on a phone interview with a victim of sexual assault whose previous reports indicated that she was significantly disabled and had very limited expressive communication abilities. The department declined to utilize free training materials developed by the U.S. Department of Justice's Office for Victims of Crime offering techniques for interviewing victims with communication and/or cognitive disabilities. The victim's case stopped with the interview, and she was denied her "day in court" and no charges were filed—the perpetrator was free to abuse others.

Training in forensic interviewing techniques for these underserved victims of crime is needed. Also, justice professionals should understand that they will be more effective in their jobs and justice will be more accessible to all victims and witnesses if utilized. In addition, educating law enforcement regarding the services of area agencies to disabled individuals would go a long way towards assisting these victims in times of crisis.

People with intellectual disabilities, on their own, consistently demonstrate their lack of skills to effectively interact with the justice system. This coupled with the fact that corrections professionals and court personnel are not trained to successfully communicate with people who have communication differences results in inequality of treatment.

Currently, several agencies in the Dallas area are dedicated to working with the intellectually and developmentally disabled. These agencies include the ARC of Dallas, Metrocare Services, the Dallas offices of the Department of Assistive and Rehabilitative Services (DARS), REACH of Dallas, and UCP (United Cerebral Palsy).

5. Many crisis intervention and abuse prevention agencies are not equipped to serve people with disabilities. The stigma associated with disability and a lack of disability-related training and information make agencies such as rape crisis centers, hospitals, and abuse prevention programs ill-equipped and therefore virtually inaccessible to people with intellectual disabilities. As a result, it is unlikely that the abuse will be reported or that people who have been abused will be able to access services. Training and information resulting in proven competency is required to protect victims with intellectual disabilities.

In addition, education should be provided to people with intellectual disabilities, their families, and their caregivers. These individuals too infrequently receive appropriate training and information on how to protect the disabled and prevent victimization, how to recognize abuse and neglect, how to report mistreatment, and how to deal with the aftermath of victimization. Training needs to be provided at multiple locations and life stages. Schools must modify violence prevention curricula so that **all** students can benefit. Residential programs, vocational programs, and other settings where the disabled are served should be targeted for this specific personal safety instruction.