

Beyond Advocacy: Mapping the Contours of Victim Work

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Abstract

In contrast to works on victim advocacy in specific organizational contexts, this article introduces the term “victim work” to capture the vast array of victim-related roles and tasks that have proliferated in recent decades. Data are derived from in-depth interviews with 30 “victim workers” in public and private agencies in two Midwestern states. The interviews revealed diverse work experiences that spanned hotlines, crisis response, legal proceedings, and postconviction support. Three themes emerged that characterize “victim work”: flexibility, emotions, and the challenge of “fit”—the multifaceted difficulties of interacting with victims and agents of the justice system. Based on the findings, we offer a revised model of criminal justice vis-à-vis victims and implications for practice and future research.

Keywords

domestic violence, intervention/treatment, legal intervention, sexual assault, support seeking, vicarious trauma

Introduction

Recent years have witnessed a proliferation of victim rights, services, and related reforms in adversarial legal systems that were previously characterized by minimal victim inclusion. These changes have transformed victims’

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interactions with the criminal justice system and fed the growth of a “victim inclusion infrastructure,” increasing the number and diversity of occupational and volunteer positions in victim services. Jurisdictions in the United States and elsewhere have begun to incorporate personnel whose primary responsibility is to inform, support, refer, listen to, and assist victims as cases are processed by the legal system.

Despite striking changes to the inclusion of, and responsiveness to, victims in many jurisdictions, extant research has focused mostly on topics of victim advocacy, victim rights, and victim participation in the justice process, failing to capture the scope and nature of victim service roles and activities (defined and discussed later as “victim work”) and the experiences and challenges faced by those who fill them. This study begins to fill this gap by examining the narratives of individuals in a number of positions within the relatively new and burgeoning public and private field of victim work. We document the spectrum of these workers’ experiences and the complexities they face across an array of titles, circumstances, and organizational contexts. We pinpoint areas of commonality that span across the experiences of public and nongovernmental organization (NGO) advocates and those in nonadvocacy victim-oriented roles, suggesting core characteristics of victim work. The findings indicate that the criminal justice system continues to evolve as victims are increasingly transformed from being “outsiders” (Bibas, 2006, 2012) to “insiders” in criminal justice processes (Erez, Globokar, & Ibarra, 2014)—although not without challenges.

The article first reviews the literature on the victim rights movement in the United States, much of which has focused on advocacy. A definition of “victim work” is offered, followed by a description of methodology and sample characteristics. Data analysis presents themes from interviewees’ narratives about their work, the challenges they face, and the solutions or approaches they adapt in response. Based on the findings, we offer a revised model of the criminal justice system that goes beyond traditional notions of victim advocacy, depicting the core task of victim workers as the mediation of interactions between victims and adversarial legal structures. The article concludes with theoretical implications and policy recommendations pertinent to victim work.

Background and Literature Review

The victim rights movement has transformed the nature of victims’ interactions with the criminal justice system. In countries with adversarial systems, victims’ experiences in the aftermath of criminal incidents have historically run parallel to justice processes (see Figure 1) as the state assumes the legal role of “victim.” Although victims are affected, sometimes deeply, by case

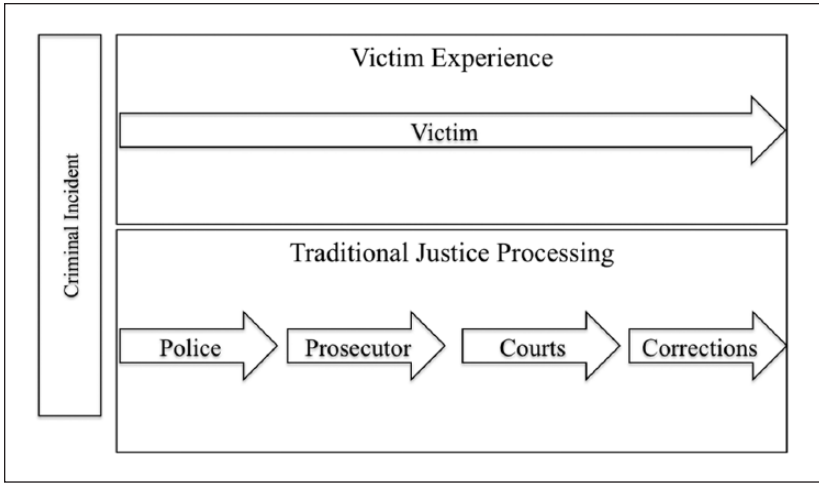


Figure 1. Traditional justice model.

developments such as prosecution and conviction, they have traditionally been “outsiders” (Bibas, 2006, 2012; Erez et al., 2014) with limited exception, as when police or prosecutors call upon them to serve in the capacity of complainant or witness.

Whether driven by an ideology of “victim rights” or “victim services” (Mawby & Walklate, 1994), government bodies in many countries have implemented laws, compensation structures, information-sharing practices, and other support functions (Hall, 2010) that have increased victims’ involvement in proceedings from prosecution to sentencing and beyond (Erez & Roberts, 2013). Research has documented the nature of these reforms (e.g., Caringella, 2009; Caringella-MacDonald, 1988; Fattah & Peters, 1998; Spohn & Horney, 1992) and their effects on justice processes, case outcomes, and victim satisfaction (e.g., Erez & Rogers, 1999; Erez & Tontodonato, 1990, 1992), as well as the services available to victims (see review in Taylor, 2014). These trends toward “individualization of the victim” (Erez & Sebba, 1999) and corresponding efforts to advance “victim reentry” (Erez & Ibarra, 2007) have opened newly institutionalized channels for contact between victims and the justice system. Victims’ increased opportunities for involvement place demands upon justice actors to engage in “victim management” as they balance responsiveness to victim needs with the practical demands of the justice system—a task that can prove challenging in the context of heavy workloads and victim-system incompatibilities (see Erez et al., 2014).

Structurally, these reforms have prompted the growth of a “victim inclusion infrastructure” comprised of new governmental agencies and new roles within existing agencies to serve victim needs, such as victim-witness units within prosecutors’ offices. There has been a parallel proliferation of victim-focused programs in the private sector with the emergence of NGOs dedicated to helping victims utilize services or exercise their legal rights. In both arenas, there have been efforts to connect victims to legal advocacy, financial compensation, and resources to support their emotional and physical well-being (Zweig & Yahner, 2013).

Despite this (r)evolutionary expansion in roles and responsibilities related to victim involvement, research has largely focused on the purpose and effects of advocacy for victims, most often in relation to female victims of sexual assault or intimate partner violence (e.g., Campbell, 2006; Kolb, 2014; Maier, 2008, 2012a, 2012b; Ullman, 2010; Ullman & Townsend, 2007) or specific vulnerable populations, such as battered immigrant women (e.g., Erez & Britz, 2006). These studies suggest that advocate involvement can contribute to faster recovery time (e.g., Wemmers, 2013), alleviate the trauma resulting from sexual assaults (e.g., Campbell, 2006; Ullman, 2005), reduce self-blame (Maier, 2008), and promote egalitarian relationships and victim empowerment (e.g., McDermott & Garofalo, 2004; Schow, 2006). In general, advocates attempt to alleviate, and are careful not to exacerbate, the trauma associated with victimization by listening, informing, supporting, and shielding victims from the vicissitudes, hardships, and unpredictable or adverse outcomes associated with criminal justice (Erez et al., 2014; Herman, 2005; McDermott & Garofalo, 2004). By almost exclusively addressing victim support functions, these studies lend the impression that victim advocacy is focused only on the victim and largely isolated from justice processes (see Figure 2).

Some studies have instead examined the relationship between victim advocacy and the traditional criminal justice system. Advocacy has been found to affect justice processes by facilitating victims’ participation in the justice system and improving their experiences (e.g., Englebrecht, 2011; Erez, Ibarra, & Downes, 2011). Advocates can enhance battered women’s resilience to intimidation and fear of testifying in court (e.g., Erez & Ibarra, 2007), help with the preparation and submission of victim impact statements (e.g., Schuster & Propin, 2011), reduce surviving family members’ bewilderment as they attend the trials of those who killed their loved one(s) (e.g., Erez et al., 2011), and buffer victims from exposure to criminal justice professionals who might be less than sensitive to their needs (Erez et al., 2014). Generally, justice agents such as prosecutors appreciate the emotional and informational support that advocates provide to victims (e.g., Hartman & Belknap, 2003).

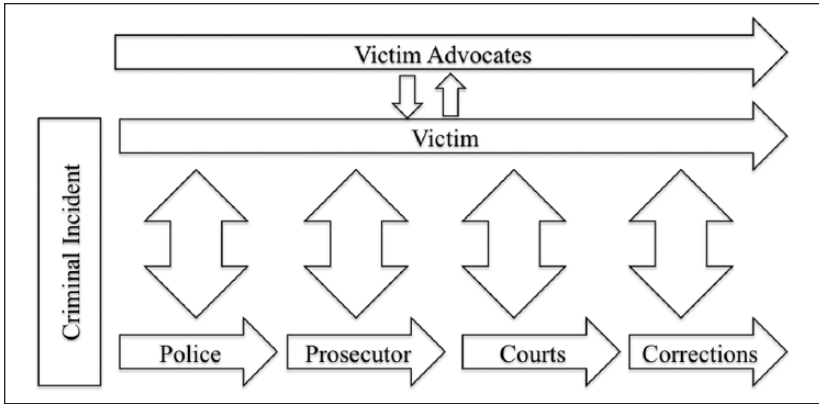


Figure 2. Conceptualization of the role of victim advocates in current literature.

Tensions, however, can arise between advocates and traditional justice workers—those who hold roles in law enforcement, courts, and corrections that have historically focused on offender processing—when their training, values, and protocols clash (e.g., Sudderth, 2006). Victim service providers have expressed concern over a victim-blaming culture (Johnson, McGrath, & Miller, 2014; Payne, Button, & Rapp, 2008; Payne & Thompson, 2008) and insensitivity toward victims of domestic violence (Johnson et al., 2014) and sexual assault (Payne et al., 2008; Payne & Thompson, 2008) within the justice system. Conversely, traditional justice workers are upset when they perceive that advocates transgress professional boundaries by providing legal advice, place too great an onus on the justice system for domestic violence victims’ safety, or generally interfere with investigations (Payne & Thompson, 2008) or the court process (Hartman & Belknap, 2003). Public defenders in one jurisdiction were reportedly so hostile toward advocates that they referred to a local agency that specialized in helping female victims as “bitches helping bitches” (Hartman & Belknap, 2003, p. 359).

These clashes can make it difficult, but not impossible, to form collaborative partnerships (Johnson et al., 2014; Payne & Thompson, 2008). Victim service providers have responded to these challenges by building their credentials to gain respect, strategically fostering relationships with receptive justice actors, and hosting training sessions to help justice personnel understand the dynamics of abuse (Johnson et al., 2014). Collectively, this research suggests that important insight might be gained by shifting the locus of analysis to victim specialists’ experiences—not just as they relate to victims but also to police, prosecutors, and others in traditional roles in the justice system.

The unique terrain of victim service providers has yet to be fully explored as they simultaneously navigate their relationships with victims and traditional justice workers. Kolb's (2011) work has documented the difficulties (and rewards) of advocates' and counselors' balancing of "care work" and "legal work." Advocates' association with victims may lead them to be treated as system outsiders, contributing to legal, procedural, and resource hurdles (e.g., Kolb, 2014; Maier, 2012a, 2012b) and role conflict in the course of their duties (Bibas, 2006). At the same time, advocates may encounter clients who do not heed their advice, such as victims who return to abusive partners (Dunn & Powell-Williams, 2007), leaving advocates to cope with the clash of their professional values and victims' self-professed needs (Powell-Williams, White, & Powell-Williams, 2013; Ullman, 2005). These difficulties compound with advocates' risk of vicarious traumatization (McCann & Pearlman, 1990), an occupational hazard that can be aggravated if they receive inadequate emotional support from their organizations (Slattery & Goodman, 2009; Wasco, Campbell, & Clark, 2002), lack access to shared power in the workplace (Slattery & Goodman, 2009), or generally face barriers in aiding the clients in whom they have become emotionally invested (Pearlman & Caringi, 2009).

The focus of extant research on samples from particular roles (typically advocacy) or specific victim-helping agencies (e.g., Kolb, 2014) inhibits the ability to draw conclusions about the cornucopia of new positions that stem from victim-related reforms. The growth of advocacy and other victim assistance and service roles in the public and private sectors suggests that there could be benefit to approaching these developments as part of a broader occupational and structural (r)evolution that is closely related to, but likely distinct from, traditional occupations within criminal justice.

Defining "Victim Work"

"Victim work" is conceptualized here as encompassing any effort to address the legal, financial, emotional, relational, informational, and, in some cases, safety needs related to victimization. It is broader than victim advocacy or services, incorporating a wider range of activities and interactions across a variety of roles and circumstances. For instance, traditional justice employees such as prosecutors, judges, and probation officers foray into victim work when specific contexts arise that demand attentiveness to victim needs (see Erez et al., 2014). While they may engage occasionally in some aspects of victim work, this study focuses specifically on "victim workers"—public or private employees or volunteers whose primary role is to tend to victim well-being.

An important aspect of victim work is that it transcends organizational boundaries, affiliations, and specific job descriptions: It occurs wherever a role is generated to address needs that stem from victimization, including but not limited to providing support through legal processes. Thus, victim workers are best described as engaging in support without borders. While specifics vary by jurisdiction, collectively victim workers have permeated the system from crime scenes and emergency rooms through police stations, prosecutor's offices, courtrooms, parole hearings, and beyond. At the same time, even as victim workers seemingly transcend the justice system's institutional boundaries, they are not untouched by the outsider status of the victims they serve. Their work is colored by the adversarial system's long tradition of victim exclusion (Bibas, 2006, 2012), which spills over to those who work with them (Erez et al., 2014). Understanding the characteristics, complexities, and challenges of "victim work" provides new insight into the meaning of such roles and their influence on victims' experiences.

Method and Sample

In-depth semistructured interviews were conducted with 30 workers from victim service and criminal justice agencies in two adjacent Midwestern states within the United States. Following Institutional Review Board (IRB) approval, colleagues and practitioners who were familiar with victim services referred us to five agencies that employed at least one person whose primary role involved victims. The directors of these agencies (two prosecutor's offices, one probation department, and two NGOs) were contacted and asked to cooperate with the study. Once their permission was secured, employees whose primary duties pertained to work with victims, whether termed victim advocates, liaisons, or specialists, were invited to participate. Thirty agreed to be interviewed. Those who consented were interviewed individually ($n = 4$) or in small groups of two to four participants each ($n = 26$) based on their preference. The semistructured interviews lasted between 90 min and 2½ hr. All were audio-taped and then transcribed verbatim. Topics of discussion included the roles and responsibilities of each interviewee, the nature of their interactions with victims, and some of the benefits or challenges of their work.

The vast majority of the interviewees were female (97%), White (93%), and paid employees (97%). Their ages ranged from 24 to 50, and their years of experience stretched from 1 to 10 years. Respondents' relevant experiences spanned the private and public sectors. Half were employed by NGOs ($n = 15$) and a third by prosecutor's offices ($n = 10$). Others held roles within probation departments that placed them in frequent contact with victims,

holding designations such as “victim specialist” or “victim liaison” ($n = 4$). The one volunteer was affiliated with an NGO.¹ All of the agencies operated at the county level, so participants’ responsibilities spanned urban and rural areas. All of the interviewees were heavily involved in direct work with victims, but the details of their work varied considerably.

All data pertaining to the workers’ job-related experiences were coded in two stages: open coding and axial coding (Strauss & Corbin, 1998). The open codes reflected respondents’ statements about their responsibilities, views, stressors, and the costs and benefits of their position. Axial coding was then utilized to explore broader patterns and relationships within the data (Charmaz, 2006). The grounded theory model using a constant comparative approach was adopted as a basis for analysis (Charmaz, 2006).

Findings

Although the data reveal immense diversity in the experiences of those who work with victims, three common themes emerged across the contexts and roles represented in our study: a flexible orientation, the salience of emotions, and the challenge of navigating “fit” with traditional justice workers and vis-à-vis their victim clients. This section describes the variation within the sample and then explores the three identified themes.

Variations Within Victim Work

The interviews revealed significant variation among respondents in duties, work context, and the frequency and nature of contact with victims. Victim work entailed involvement with a number of victim types, criminal justice agencies, and stages of the justice process. Some workers in both the private and public sectors specialized by type of offense. While they frequently handled cases of domestic violence and sexual assault, the sample also included those who had worked with victims of stalking, child abuse, harassment, theft, burglary, and assault, and the family members of homicide victims. The sample included those who dealt with felony and misdemeanor cases, juvenile and adult court, and criminal and civil matters (such as providing assistance to victims pursuing protection orders).

Victim workers were placed within a multitude of settings, and their working hours spanned around the clock. While most worked out of the main office of their employing agency, others rarely visited the office. One NGO advocate in a group interview described only stopping by to get her mail, to which another advocate added: “I don’t even get my mail.” There were both prosecutor-based and NGO advocates who maintained satellite work

locations within police and sheriff's departments, which allowed them to work more collaboratively with law enforcement and make initial contact with victims at the time of crisis or soon thereafter. Most respondents also spent substantial time in the field, whether for crisis response or to meet with victims at their homes, in hospitals, and/or for court dates.

Responsibilities were highly variant. They included duties that served victims, workers' employing agencies, and the community at large (or some combination thereof), and spanned all stages of the criminal justice process. Victim workers engaged in crisis intervention, staffed hotlines, provided counseling, assisted with orders of protection and other legal paperwork, accompanied victims or their families to court, and helped domestic violence victims develop safety plans or separate from abusers with the support of electronic monitoring.² They were also information brokers: They explained legal processes and rights, sent notification letters, gathered information for victim impact statements, referred victims to other agencies and services, and engaged in community outreach and education. Administratively, they applied for and fulfilled the requirements of grants, supervised other victim workers, and served on task forces.

It was not uncommon for NGO advocates to fill two or more of these functions simultaneously, or to have held a variety of responsibilities over the course of their careers. They described adjusting their day-to-day activities based on community or agency need. One NGO advocate struggled to summarize her role:

Our primary function is crisis intervention . . . There are a handful of officers who will . . . call me out to wherever the scene might be. Also I will do home visits, hospital visits. Those can entail crisis emergency calls or nonemergency situations. Now even though that is our primary function, what I spend more of my time doing is court advocacy . . . I do a little bit of everything so it is really based on the frequency of the individual crimes, meaning that I do more domestic violence than anything . . . probably followed by your menacing phone harassment-type cases and assaults. You know, maybe a couple of murders a year. [After a recent string of suicides] I just became this suicide educator. I was just going around and teaching teachers . . .

Many NGO advocates began as volunteers or interns and then transitioned to paid positions when they became available. In some cases, they had initially been assigned to court advocacy or crisis hotlines but later moved into counseling, supervisory, or administrative roles, while others experienced changes in the types of cases and courts to which they were assigned.

Those employed by public offices described more constrained roles. Two victim specialists in a probation department gathered victim impact statements

as part of presentence investigations, two more staffed electronic monitoring programs that required victim cooperation or consent, and a prosecutor-employed advocate sent court notification letters and fielded follow-up communications from victims. Other publicly employed advocates described a moderate variety of duties, such as engaging in victim notification, consultation, crisis counseling, referrals, and court accompaniment, but their roles were less generalist than those of NGO advocates, entailing less crisis response and community outreach.

Flexibility

The interviewed workers made frequent references to flexibility, a *sine qua non* for working with persons in crisis. This primarily took the form of responsiveness to victims' highly individualized, dynamic, and often intangible needs. Victim workers often traveled to different locations to serve their clients. An NGO advocate explained that many victims do not have cars, so "you just go out to their homes or a hospital [where they are]." A probation department-employed victim specialist described the need to travel to surrounding counties, and occasionally out of state, to set up electronic monitoring technology in victims' homes. For many, flexibility had temporal dimensions. A probation officer would stress to victims: "You have access to me 24 hours a day," just as an NGO advocate underscored: "I don't care what time of day it is, we have a hotline, [or] you can call me at home . . ."

Flexibility was further necessitated by the variation in clients' readiness to pursue restraining orders, participate in criminal cases, and make other major life choices such as leaving an abuser. Advocates were well aware of the need (and often made special efforts) to work on clients' personal timelines, as one NGO advocate described of domestic violence victims' readiness to leave their abusers:

Everybody gets to the point where they are going to do whatever they are going to do at their own time. So I do not pressure them. I just say, "it might take you 10 times of [trying to leave an abusive relationship] before you sit down and say 'I have had enough'" . . .

Victim workers' flexibility also manifested in a willingness to take on different roles as needed within their agency. As public and private agencies expanded or contracted their services in response to shifts in community need, legal developments, and funding, victim workers responded accordingly. Prosecutor-employed advocates described changes in responsibility due to legal changes and judges' preferences, while probation officers sometimes filled the roles of coworkers who were out of the office. Workplace

demands for flexibility appeared the most acute within NGOs, where responsibilities could vary daily. One NGO legal advocate described her day-to-day activities: “It [just] depends on where I am needed.”

If victim workers’ emphasis on flexibility was a reflection of their broader working conditions, it was only paradoxically so: They recognized their flexibility as an acute necessity given the complex patchwork of client needs, rigid legal constraints, jurisdictional characteristics, and organizational demands they had to navigate. One NGO advocate stated, “. . . we don’t have any power. We can advocate and advocate, but we don’t make the decisions.” A probation officer tasked with electronic monitoring mentioned, “All I can do is go by what’s court-ordered.” As they held little control over the resources (or lack thereof) of their employing agencies, or over the legal rights, processing decisions, and case outcomes that so intimately affected their clients’ lives and their role within it, they instead focused on helping victims prepare for the nature of interactions, processes, and outcomes that they were most likely to encounter in a given context.

Emotions

Emotions played a central role in victim workers’ experiences as they navigated feelings—their own, victims’, and others’—in their duties. Victims’ emotions were dynamic and highly individualized, often including some combination of stress, frustration, sadness, and fear related to their victimization or interactions with the justice system. Their stressors included daunting paperwork, unfamiliar terminology, confusing procedures, and potentially intimidating experiences and environments such as facing a defendant and reliving the victimization in a courtroom. The emotions could be intense, as with parents who first learn of the extent of their young child’s sexual assault victimization when the child is on the witness stand, and complex, as with relatives who vehemently disagree with one another about the desired outcome in a case of molestation or domestic violence.

The salience of victims’ emotions presented both challenges and rewards for victim workers. They sometimes bore the brunt of victims’ frustrations, as described by one NGO advocate:

By the time a lot of our clients get to our doorstep they are . . . pissed off, they have had it, everyone has been pushing the buck, pushing them around . . . they are very angry, very frustrated . . . yelling at me.

These experiences could even take on a physical dimension, particularly in the throes of crisis. One advocate had been swung upon after telling the mother of a murder victim that she could not go into the crime scene, while

another was once hit by a chair thrown by someone upset at a death notification.

Despite these perils, bearing witness to victims' emotional healing was a potential source of gratification. A probation officer tasked with gathering victim impact statements shared, ". . . you learn from [victims], all kinds of things, personally, emotionally . . ." An NGO advocate was gratified to watch domestic violence victims progress from ". . . in crisis" to seemingly "empowered, stronger, more relieved, more relaxed" after obtaining an order of protection. Prosecutor-, NGO-, and probation-employed workers all described occasionally receiving letters or other expressions of gratitude for the role they played in victims' healing, even when at the time of their contact they did not realize their own impact. According to an NGO advocate, that kind of feedback, while rare, "does wonders." An advocate at a different NGO, when asked what she gets out of her work, focused on the satisfaction gained from contributing to victims' healing:

[I like] being able to give someone a sense of security, let's say giving them their power back . . . so they can have something to do with what is going on in their lives . . . I get a tingle when I get to assist someone.

Victim workers employed several strategies to meet victims' emotional needs. The extent of their training in counseling and crisis intervention was highly variant and often ad hoc—There was one licensed counselor in the sample, but others learned on the job, through internships, or by shadowing others. Workers more often stressed the importance of just being present: "sometime that is all it is, just being there." Workers were able to ease victims' emotional burdens when they could accompany them to court proceedings, assist with paperwork, and explain terminology and procedures. One NGO advocate described her role during court proceedings as to "just walk them through and hold their hand . . . there is a lot of comfort that goes along with [advocacy]." A probation officer involved with the electronic monitoring program stated, "A lot of [victims] just want someone that will listen to them . . . it's just being there for them when they need it."

As much as the workers were genuinely concerned about victims' well-being, victims' emotions could present challenges within a legal context and thus had to be actively managed with coaching on the proper restraint and display of emotions. An NGO advocate advised clients:

. . . when you are talking to [police, detectives, or prosecutors] and they can be a little difficult sometimes, I say, try to keep your anger under control and talk to them and then you can call me and yell at me, you know, but I need you to talk diplomatically to them so we can get what we want . . . we can't show them

that anger, not right now. You know there is a place for that and we will get to that in the victim impact statement . . .

A prosecutor-employed advocate would prepare victims for the witness stand: “Don’t get angry, don’t show that you’re angry . . .” The workers described offering themselves as buffers, providing victims with a contextually appropriate channel for venting emotions without jeopardizing the progression of the case, as might be risked if a victim showed hostility to the police or on the witness stand.

Victim workers also had to occasionally contend with the emotions of traditional justice workers. An NGO advocate recounted,

. . . [I] had a prosecutor tell me that he will not talk to a victim because he was in a bad mood. [Sigh] Wow. And I said, “Well she is in a bad mood too, so the two of you ought to get along together.”

Yet another emotional dimension was the toll suffered by victim workers themselves. This was particularly acute among NGO workers, some of whom made reference to vicarious trauma.³ One NGO advocate explained,

I’ve always wanted to be in a field where I did something that mattered and that did help people. But I didn’t really think through the amount of emotional and physical toll it takes on a person . . .

Another pointed out that “. . . you really have to be thick skinned” to engage in this line of work.

Specific emotional costs included heightened awareness of, and sometimes paranoia about, crime. One NGO advocate described stress so intense that she had begun to have “very vivid” dreams:

Most of them will be very violent and with me as the victim, experiencing what my clients experienced but instead of their body being there, it is mine. In my dreams I am watching myself die or watching myself being harmed and it is awful, it is horrific . . . I don’t let my emotions show [at work], but there are contexts where I have gone home after a case and just cried . . . because it was so overwhelming.

Their stress could create tensions in personal relationships, either because the workers were emotionally drained or because they wanted to shield their loved ones from the realities of their work. Some found themselves with limited patience for those whose problems seemed comparatively trivial. An NGO advocate shared,

I hate this because this is so unfair to [my] family members, but they will start complaining about something that happened at school or somebody was mean to her at the bank or something and it is like, “Oh!! If you knew what real problems were you wouldn’t let this get to you.”

Conversely, several workers felt that working with victims deepened their appreciation for their own life, as one NGO advocate commented: “World War III could happen in my house and I would be like, damn it is a good day.”

Prosecutor- and NGO-based advocates identified other workplace stressors such as long hours, large amounts of paperwork, exposure to imperfect justice processes, and general administrative burdens. Both publicly and privately based victim workers faced organizational demands that conflicted with their service to victims, such as the data recording requirements of grants. An advocate in a prosecutor’s office complained that if she recorded every contact as instructed, “I wouldn’t get as much done,” consistent with the description of an NGO advocate:

. . . that aggravates me more than anything else . . . having to enter everybody that you have spoken to ever . . . into the database . . . I could be helping other people and here I am spending the whole day trying to enter this.

Collectively, these stressors could combine with the emotion of victim interactions to make work “exhausting” and “frustrating.”

Given the stress and risk of burnout faced by interviewees, it was not surprising that they emphasized the importance of good coping mechanisms such as taking time off, knowing one’s emotional triggers, maintaining clear boundaries between work and personal lives—a skill described as developed over time—prayer, maintaining a work–life balance, and approaching work with a sense of humor that others might find macabre. They looked to supervisors and coworkers for support, not only encouraging victims to “vent” to them but also “venting” to one another to deal with their own anger, stress, sadness, and frustration. One NGO advocate described working the phones for a crisis hotline:

You have to be nice and supportive [when talking to the victim] so when the phone is hung up, to vent kind of helps the helpers, helps us inside, you know. I notice that psychologists and police officers all do the same thing.

The Challenge of “Fit”

A third theme that emerged in victim workers’ narratives was that of difficulty in navigating their relationships with both victims and traditional

justice workers. These relationships were not entirely negative—Workers often described productively mediating between the two domains by facilitating communications from the crime scene through conviction and beyond. They could garner information that otherwise might not have been shared, as one NGO advocate stated:

I have been able to have women sign charges against their abuser because they will listen to me and not a police officer . . . [and] I am usually able to talk them into [telling an officer what happened].

By serving as an intermediary for communications, they could help explain legal paperwork, processes, and terminology to victims, minimizing their confusion and frustration. Traditional justice workers also appreciated their buffering of victims' emotions and general presence: One NGO advocate who assisted victims with paperwork for orders of protection shared of the prosecutor's office:

They do not want [victims] down there. They said that it used to be that they had the victims down there and the kids running around, they were tripping over the kids, they like it this way where they come to [the NGO] office and we take the paperwork over.

Still, this capacity for strong working relationships tells only part of the story.

Tensions with justice workers. Consistent with prior research, victim workers reported some tensions with traditional justice workers. The most acute issues were reported by NGO-affiliated workers who clashed with traditional workers in priorities and demeanor: They risked appearing superfluous, naïve, or troublesome to police, prosecutors, or judges who might view them as a distraction from “real” justice work.⁴ An NGO advocate explained,

There is a lot of pressure to do what we do differently . . . by criminal justice professionals, prosecutors, attorneys, judges and what not. I mean, just in general conversation there is a lot of pressure. There . . . [are] a couple officers who will always make jokes like, “oh here is the social worker back to save the world one person at a time.” . . . for whatever reason, they're motivated to try change your mind about doing what you are doing and wanting to question how valuable your role is.

In a separate interview, an NGO advocate from the same agency reported that on her first night working within the local police station, she was approached by an officer who said, “You'd better not be one of those fucking bleeding

heart liberals.” An NGO advocate who expressed an understanding that victims lie for “a million different reasons,” including valid safety concerns, clashed with a prosecutor who wanted to charge a victim with falsification of information: “The prosecutor . . . [is] like ‘this person is breaking the law right in front of you, how can you still support her and do these things?’” When asked how judges and attorneys perceive advocates, one stated simply, “They think we are a thorn in their side.”

The NGO advocates sometimes bridged this (real or perceived) gulf through cultural assimilation—matching their persona and demeanor to the agency (or agencies) with which they were working. One described melding into police officers’ culture:

. . . I think that when I came in being the type of person that I am with my sense of humor and, you know, I think that they accepted [my agency] more so, you know, that we weren’t that touchy-feely, “Oh I’m so sorry” kind of person . . . They don’t want to deal with that. I can remember the gang [officers] didn’t know me as well and they were talking about something and they started cursing and one of them said, “shhh, there is a woman over there” and I said, “Yeah goddamn it shut that shit down,” and from then on I was totally accepted with them.

Another NGO advocate sometimes placed within a sheriff’s department initially felt like her “own little island . . . like I was the hated one” until she finally rebutted one of the detective’s verbal jabs:

Finally I looked at him and just started picking on him right back . . . and he . . . just started laughing, and then after that it has been fine . . . word spreads and then they are like, okay, maybe she is not so bad.

Such assimilation did not necessitate a compromise of the advocates’ loyalty to their clientele. To the contrary, strong relationships with justice employees better situated victim workers to do their job, as with police more readily inviting them to crime scenes for assistance.

Another strategy used by NGO advocates was to establish their worth by emphasizing the practical benefits of their presence for the justice system. One advocate who engaged in crisis response described this as a mechanism for becoming ingratiated:

. . . I think being able to also come in and say “let me help you with this” to the officer. Let me help take this person who is trying to get onto the crime scene off to the side and explain to them why they can’t get onto the crime scene so that I can free you up to do your job . . . I think that most of them appreciate that.

None of the probation- or prosecutor-based employees reported a culture clash with traditional justice agencies. They generally reported positive relationships with their coworkers, as with a prosecutor-employed advocate who would facilitate communications among justice agencies because it “helps that teamwork”:

We [advocates] can be a liaison between the law enforcement to us to the prosecutor or the prosecutor to us to law enforcement. . . . I’m located where the detectives are located in the department so many times they have information that needs to get to the prosecutor, written information or documentation. And sometimes it’s just easier to get it to me because I’m going to be seeing them and I can like transfer information, transfer paperwork.

The same advocate described staying in the courtroom after victims had completed their testimony “because I could be a support to the prosecutor or maybe somebody else in the [victim’s] family . . . but mainly as a support system also for the prosecutor.” Still, they were not immune from workplace tensions. NGO advocates were sometimes approached by prosecutor-employed counterparts who felt constrained by their work circumstances. An NGO advocate explained, “We can be the voice of independence . . . I am not going to lose my job if I say that this prosecutor is . . . incorrect.”

Some clashes with the justice system presented formidable challenges. Their efforts to inform and advocate could render victim workers vulnerable to accusations of “practicing law without a license.” One advocate was accused when a lawyer requested that a domestic violence victim return money to a joint account during a divorce and the advocate suggested that “joint” meant both parties could access the funds. The advocate believed it was an intimidation strategy by the attorney: “As long as you are doing it their way, they are good with your job.” Some advocates attempt to protect themselves by prefacing victim interactions with “I am not an attorney, and here are your options.” A similar complexity was encountered among those who were physically placed within law enforcement agencies, as they had to be careful not to play an active role in investigations.

Tensions with victims. Just as victim workers could experience tensions with traditional justice agents, they could also struggle in their relationships with victims. First, victims’ trust was not automatic. One NGO employee would change into jeans or a sweatshirt or T-shirt to speak with victims at her agency’s shelter because they “are not going to reveal things to a three-piece suit . . . if they have been victimized at all by the system.” In other instances, victims’ level of resistance, combined with workers’ strong relationships with

traditional justice agents, altered the workers' loyalties from what might be expected of an advocate. An NGO advocate described an incident with a shooting victim:

. . . [the victim] was being very uncooperative with the medical staff at the hospital, the detectives, the police officers. He told the police officers actually that he was going to hunt them down and shoot them, to which these guys are like my family now because I am with them so much that, you know, honestly, I am not going to waste our services on someone who . . . obviously doesn't even want to talk to me or the police or anything.

Both public and NGO victim workers had their loyalties tested by victims who were looking to "abuse the system" (e.g., seek unjustified financial compensation) or play it "like it's a game" by making false accusations. An NGO advocate had received hotline calls from people who had not been victimized at all—"people who can't sleep or [are] ticked off or crazy." A victim specialist in a probation department had encountered rare instances in which victims would try to get probationers into "trouble for something they didn't do." While she continued to serve victims in those instances, she also coached the probationers on how to protect themselves from false accusations.

Victim workers encountered—sometimes frequently—what some referred to as "viminals"—victims with a history of criminal involvement that may have contributed to their victimization. One NGO advocate estimated that over half of her contacts "aren't really victims," but rather are "victims one day and then suspects the next day." In some instances, victim workers were hesitant to serve viminals due to safety concerns or loyalty to traditional justice workers, while others were frustrated when police would not invite them to crime scenes despite their desire to be there. One NGO advocate shared,

I think that that happens a lot on homicides . . . or assaults, when someone happens to be a viminal at the time, [the police] may not call us that night because . . . it is a matter of our safety . . . but that normally does not stop us because we get the police reports and go out anyway.

Discussion: Modeling "Victim Work"

Past research on victim-related work has failed to capture the full range of victim support roles as they pertain not only to victims but also the traditional justice system. The findings from this experientially, organizationally, and jurisdictionally diverse sample represent a starting point for mapping the contours of the broader field of "victim work," identifying a greater range of roles, contributions, and dilemmas than is captured by the term "advocacy."

It illuminates a multiplicity of advocacy and nonadvocacy victim service positions in public and private agencies, the complex legal and emotional contexts in which they operate, and the treacherous position of victim workers as they navigate loyalties betwixt and between conflicting domains.

Themes varied in strength across the interviews, but in all instances victim workers spoke of accommodating others with flexibility, interacting on an emotional plane, and encountering at least some tensions in their management of the interface of traditional justice workers and victims. This work builds on prior documentation of tensions between advocates and traditional justice workers in geographically or situationally specific contexts such as rural advocacy (e.g., Johnson et al., 2014) and sexual assault advocacy (e.g., Payne & Thompson, 2008).

The findings have implications for the recruitment, training, and support of victim workers. The study complements prior research findings on the risks of vicarious trauma and burnout in advocacy work (e.g., Maier, 2008; McCann & Pearlman, 1990; McDermott & Garofalo, 2004; Powell-Williams et al., 2013) and reinforces the relevance of organizational context to these phenomena (Slattery & Goodman, 2009; Wasco et al., 2002) with evidence that interactions with victims and traditional justice workers, agencies, and processes can contribute to stress. Optimistically, it also reveals practical strategies that workers might use to lessen these hardships, ease tensions, and build productive and supportive working relationships, such as cultural adaptation and establishment of worth. Merely acknowledging the frequent gulf of priorities and culture between victim workers and traditional justice agents may also enable frank discussions and generate creative strategies for traversing differences.

The results challenge the straightforward loyalties implied by the term “advocate.” Respondents in both public and private agencies had complex orientations toward victims and traditional justice agents as workers encountered resistance or constraints from traditional justice workers on one hand, and “viminals” and other morally ambiguous victims on the other. The conflicted loyalties of victim workers are not entirely problematic. To the contrary, they might be seen as an inevitable outcome of victim workers’ enigmatic position vis-à-vis victims and a justice system that has historically marginalized them. Without victim worker involvement, victims are left vulnerable to the frustration, harm, and revictimization that can stem from unmediated contact with a system that may view them as a hindrance (see Stenross & Kleinman, 1989, for detectives; see Erez et al., 2011, for prosecutors and judges). Whether employed by NGOs, prosecutors’ offices, probation departments, or elsewhere, victim workers are well situated to buffer, filter, translate, diffuse, and mediate between two potentially conflicting

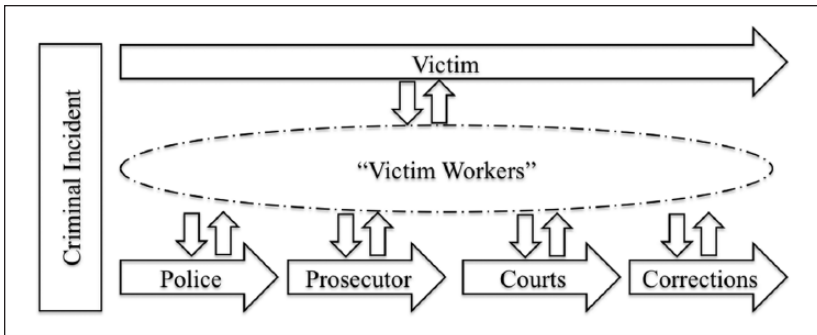


Figure 3. The place of “victim workers.”

domains (see Figure 3). Victim workers’ lack of decision-making power in legal cases may even bolster their relationships with victims, allowing them to serve as empathetic allies while remaining inculpable for upsetting case developments. Victim workers’ space “in between” allows them to focus on listening, informing, explaining, and otherwise empowering victims within the boundaries set by the legal system.

At the same time, victim workers’ exposure to the imperfections of the justice system may increase their stress and place them at risk of overstepping professional boundaries. They assist victims without license to provide legal advice and in some instances lack training in counseling and crisis intervention. The management of “dual clientele” may be problematic when victim workers employed by traditional justice agencies are reluctant to challenge their employers on victims’ behalf. Furthermore, the effects of workers’ conflicted loyalties may fall unevenly: Populations with histories of distrust or tension with the police and other social service agencies (e.g., Miller, 2008) may increasingly find themselves alienated from victim workers when those workers personally or professionally align with traditional justice institutions.

Given that victim workers rarely encounter the “ideal victim” (Christie, 1986) and the significant overlap between offender and victim populations (Jennings, Piquero, & Reingle, 2012), the challenges of providing services to traumatized “viminals” and victim workers’ orientations to the spectrum of “viminality” should be further studied. As stressful experiences (presumably including victimization) can increase the risk of criminal offending in the absence of adequate coping mechanisms (Agnew, 1992), the development of effective practices for working with “viminals” could enable victim workers to reduce crime (and, by extension, victimization), adding a preventive angle to their typically reactive services.

Research should explore the effects of race, class, and neighborhood context on perceptions of and responses to “viminality” and how any such effects might be surmounted. Prior literature supports that victims of color and those of low socio-economic status are more likely to be criminalized or viewed as deserving of their victimization. For example, Miller (2008) found that African American girls in disadvantaged urban areas are more likely to be perceived as willing victims. This line of inquiry seems particularly crucial as victim services sometimes fall short of addressing the needs of immigrant populations, people of color, and those of disadvantaged socio-economic status barring active efforts to the contrary (see review in Donnelly, Cook, Van Ausdale, & Foley, 2005).

This article did not examine the gendered dimension of victim work even though feminist activism played a central role in the victim rights movement (see review in Nichols, 2013), and victim services remain female-dominated, with its utilization highest among female victims of sexual assault and intimate partner violence (Langston, 2011). This contrasts to the male-dominated (e.g., Reaves, 2015) and masculine domain of criminal justice (Proskos & Padavic, 2002). It is not unreasonable to suspect that some of the culture clash between victim workers and traditional justice workers is attributable to this difference. A feminist analysis could more fully illuminate the structural and relational effects of gender in this field.

Although this work presents a new approach to the study of victim services, it has some jurisdictional and organizational sampling limitations. Future research should explore the experiences of victim workers in other regions of the country, with different employment affiliations (such as those employed by police departments), and those who volunteer. The implications of public- versus private-sector employment for victim workers warrant further investigation. Research might also examine justice agents’ perceptions of victim workers to explore new ways to strengthen partnerships and aid victim integration, healing, and trust in the system (Bibas, 2006). The use of larger and representative samples can help validate the dimensions of victim work that were discerned in these data.

Conclusion

Attending to victims’ concerns and fulfilling their needs remains paramount whether one speaks of “advocacy” or “victim work”; yet, this study suggests that the latter term better captures the scope and the field and its complexities. Victim workers will continue to find themselves at the center of reforms that transform victims from system outsiders to insiders (Bibas, 2012; Erez et al., 2014). Victims stand to benefit when their allies can work collaboratively with

system agents, but the justice system also stands to benefit from properly mediated victim integration. This study calls for a revision of prevailing criminal justice models that overlook the growing role of victim workers within and in relation to the system. Incorporating victim work into the conceptual modeling of the criminal justice system may enhance our understanding of the diverse roles victim workers play, the challenges they face, and the value they offer to both victims and the criminal justice process.

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Notes

1. Volunteers were underrepresented in this study due to the recruitment process. The agency administrators invited their "staff," which excluded all but one volunteer (who was integrally involved in day-to-day operations) due to the intermittent schedules and additional time constraints of most part-time volunteers.
2. This technology allowed victims to be notified if their offenders were within a certain proximity.
3. This may have been due to the nongovernmental organization (NGO) workers' greater involvement in crisis response. One NGO advocate explained that in her jurisdiction, "a lot of the victim advocates that work . . . in the county prosecutor's office, they're in several court rooms . . . they're not a constant presence." Her colleague added, "[The prosecutor-employed advocates are] more about court, specific court prep, where ours is more support and crisis intervention." Several prosecutor-employed advocates did describe providing emotional and informational support to victims, but none reported engaging in crisis intervention.
4. This was not true of all NGO workers. One, while sharing that "overall, I think police officers and whatnot have kind of a bad taste in their mouth [about advocates]. Probably a lot of it has to do with because we challenge them a lot with what they do," said that when people learned the name of his agency, they respond differently and "always want to open doors and invite you in" because of their "fantastic reputation."

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