A Trauma Informed Perspective

by Angie McCown, Director
TDCJ Victim Services Division

The concept of a trauma informed approach is not new, but it has become more prevalent in the criminal justice and victim services systems as more is being understood about the impact of trauma on individuals, families and communities. It is a paradigm shift from asking individuals, “what’s wrong with you” to instead asking “what happened to you.” The victim services field was most likely operating from a trauma informed perspective long before the term became popular. That being said, it might be helpful to review some of the guiding principles of a trauma informed approach.

So what is the definition of trauma? Several years ago the Substance Abuse and Mental Health Services Administration (SAMHSA) brought together nationally recognized professionals who work in the field of trauma to conduct a review of definitions of trauma. After extensive review and discussion, the group developed this working definition of individual trauma:

*Individual trauma results from an event, series of events, or a set of circumstances that is experienced by an individual as physically or emotionally harmful or threatening and that has lasting adverse effects on the individual’s functioning and physical, social, emotional or spiritual well-being.*

From this definition came the three E’s:
1. The event and circumstance;
2. The individual’s experience of these events or circumstances helps to determine whether it is a traumatic event; and
3. The long lasting adverse effects on an individual are the result of their experience of the event.

So trauma is the sum of the event, the experience, and the effect.

Most of the literature references the five guiding principles of a trauma informed approach as safety, trustworthiness, choice, collaboration and empowerment. These principals provide a foundation for responding to victims impacted by crime that restores a sense of safety, autonomy and control to the victim-survivor.

To adopt these guiding principles the individual or agency might first incorporate the three R’s:
1. Realizing the prevalence of trauma;
2. Recognizing how trauma affects all individuals, including clients and staff; and
3. Responding by putting this knowledge into practice.

More information on these principles and other information regarding a trauma informed approach can be found on the SAMHSA website at www.samhsa.gov.
Sexual Assault and Educational Settings

by Nicole Wilkes, Research Assistant
Sam Houston State University School of Criminal Justice

It is the time of year when many people across Texas are thinking about the return of the academic year. As thoughts of backpacks and residence hall decorations return, considerations of safety also arise. When thinking about students’ safety, it seems natural to think about things like injuries or stolen property, yet over the past several years we have seen incidents of sexual assault in middle and high schools, as well as college, receive more public attention. It is important for parents, communities, victim service providers and students to be aware of these issues.

Just this past summer, news was released of a 16-year-old female student from Houston being sexually assaulted by peers. Since this incident, photos and memes have appeared mocking the victim in social media, including individuals posing like her in an unconscious state. Other highly publicized cases in Steubenville, Ohio and Maryville, Missouri also involved teenage victims.

Similarly, numerous cases of college sexual assault and harassment have been appearing in the news regularly over the past several months, and the attention has increased scrutiny over how colleges are handling these cases. An article was included in the New York Times about a sexual assault case involving a college freshman at a small private college in New York. In this case, the victim reported to college officials after being assaulted by multiple male students. Despite the forensic evidence and witnesses, the alleged perpetrators were not penalized through the college’s judicial process.

Problem of Sexual Assault

Research has indicated that approximately one in five women experience sexual assault during their time in college, and college women are at greater risk of

continued on next page
Sexual Assault and Educational Settings (cont.)

sexual assault than women in the general population.ii Male college students also experience sexual assault and other forms of sexual harassment, but at considerably lower rates.

College sexual assault is widely underreported to campus and law enforcement officials. Fewer than 5% of victims report the incident to authorities and/or college administrators.iii In 80-90% of college sexual assault cases, the victim knows the offender.iv

Less is known about the prevalence of sexual violence among teens and circumstances surrounding these incidents. In a study conducted by the Center for Disease Control and Prevention, the prevalence of sexual assault was 10.5% for female and 4.2% for male students in grades 9-12.v The same study also looked at sexual violence within dating relationships, reporting 14.4% of females and 6.2% of males in these relationships experience sexual dating violence.vi

Situations of sexual assault both on college campuses and within middle and high schools face unique challenges. For example, the victim and offender may be in the same classes or residence hall. They may also be shamed and harassed by peers at their school or college as a result of the incident.

More attention has been given to colleges’ response to sexual assault than to other forms of gender-based violence and harassment and to the response from K-12 institutions of education. Recently, colleges have faced significant scrutiny for their policies and procedures in handling sexual assault cases. Numerous colleges and universities have been cited for not complying with federal requirements to hold offenders accountable and provide a safe environment for victims.

Title IX
Title IX is a federal law prohibiting discrimination on the basis of sex in educational programs and activities operated by recipients of federal funds. Title IX applies to elementary and secondary schools, colleges and universities-public and private-that receive federal financial assistance. The act applies to sexual assault, stalking, intimate partner violence, gender-based hate crimes, and other forms of sexual and gender-based violence and harassment.

Title IX, enacted in 1972, requires schools to establish gender equitable learning environments. It applies to students, employees and visitors of the school. If a case of gender-based violence occurs on school property or in some way moves onto school property (via harassment or other means), the school is required to investigate, provide accommodations and respond to the incident independently from the criminal justice system.

The following are a few key points about Title IX that could be useful information for victim service providers:

• Schools are required to have a Title IX Coordinator who is the person primarily responsible for issues of gender-based violence and harassment.

• Schools must conduct their own investigation into claims of gender-based violence and discrimination independent from the criminal justice system. The investigation should be concluded within 60 days.

• Schools must take immediate action to prevent ongoing discrimination, harassment.

---

iv Ibid
vi Ibid

continued on next page
Sexual Assault and Educational Settings (cont.)

and violence. This could mean adapting class schedules or housing arrangements.

• Title IX prevents retaliation against the complainant.

The Office for Civil Rights (OCR) oversees Title IX compliance. If a school is suspected to be noncompliant with Title IX standards, it can be investigated by the OCR. Anyone who believes there was an act of discrimination based on sex can file a complaint with the OCR within 180 days of the alleged discrimination.

Campus SaVE and Clery Act
Colleges are also required to comply with the Campus Sexual Violence Elimination (SaVE) Act and Clery Act. The Campus SaVE Act, an extension of the Clery Act, was passed as a part of the Violence Against Women Reauthorization Act of 2013. The Clery Act requires colleges to disclose information about crime on and around their campus, including sexual assault.

The Campus SaVE Act expands upon the Clery Act by requiring colleges to also disclose information about reports of stalking and dating violence. Additionally, Campus SaVE requires colleges to conduct ongoing primary prevention programming for new students and employees.

Challenges in Responding
Title IX and the other federal acts colleges are required to comply with are complicated and lack clarity in certain areas. Educational institutions face numerous barriers in responding to incidents of gender-based violence and developing policies and procedures, as well as general compliance with federal requirements. The majority of the resources and training programs are directed at colleges, with few available for and specific to K-12 educational sites. Additionally, there is generally no external funding available to educational institutions to work on these issues or to provide the programming at colleges that is required under the Campus SaVE Act.

Federal Response
Recently, the federal government has taken a more proactive approach in trying to address the problems with institutional response to college sexual assault. In April, the White House released a report and resources after conducting a number of listening sessions with college administrators, law enforcement officers, victim service providers and sexual assault survivors. With this report they also launched a website with information and continued on next page

Texas Victim Assistance Training Online

The Texas Victim Assistance Training (TVAT) Online is a state-wide foundational victim assistance training focused on victim-centered service delivery and professional development that complements other victim services initiatives and enables new advocates to acquire baseline professional skills and competence.

CALENDAR
Check out the Calendar page for Texas Victim Assistance Training (TVAT) Online. Criminal justice and victim services professionals can view, search, and submit victim-related trainings and events on the TVAT Calendar webpage.

Sexual Assault and Educational Settings (cont.)

resources for colleges and victims. The majority of this information would also be applicable to K-12 educational institutions.

As a part of the federal response to the issues of college sexual assault, the list of colleges and universities being investigated for Title IX compliance related to sexual assault cases was released for the first time. As of July 2, 2014, there were 67 schools currently under investigation, three of which are in Texas.

Research with Campus Law Enforcement Officers in Texas
The Crime Victims’ Institute at Sam Houston State University recently conducted a survey of 118 campus law enforcement officers in Texas to increase understanding of how officers perceive sexual assault cases and how their departments respond to these cases. When sexual assaults are reported, campus law enforcement officers are often the first, if not the only responders. Given campus law enforcements’ role in sexual assault cases on college campuses, it is important to understand their perceptions and procedures. A full report of this study can be found at the following address: www.crimevictimsinstitute.org/publications.

The majority of the campus police officers surveyed noted that they had received some kind of specialized training on sexual assault (see Graph 1). The most common type of specialized training received was investigation of sexual assaults (77.1%), while 43.2% received training on identifying drug-facilitated sexual assaults. Over half of respondents (59.3%) had received training on the role of alcohol or intoxication in sexual assaults. Victim sensitivity training was identified by 63.6% of respondents, and 53.0% noted that they had been trained on the trauma of victimization. Finally, 57.4% of respondents noted that they had received specialized training on federal requirements for sexual assault, such as the Clery Act and Title IX.

Less than half of respondents’ departments were participating in efforts to improve response to sexual assault in their communities or campus (see Graph 2). Roughly half of respondents (52.2%) noted that their department was not involved in a Sexual Assault Response Team (SART). Of the remaining respondents, 35.4% noted that their agency was involved in a SART, while 12.4% were not sure. Relatively few respondents noted that they or their department were currently involved with other collaborative efforts to improve response to sexual assault. Approximately one-third (34.8%) of respondents’ departments were involved with an on-campus group focused on improving response to sexual assaults, and even fewer (29.2%) were involved with an off-campus organization that focused on improving response to sexual assault cases.

continued on page 12
Victim Offender Mediation / Dialogue

by Lauren Bledsoe, VOMD Supervisor
TDCJ Victim Services Division

There is a steadily growing interest in Victim Offender Mediation Dialogue (VOMD) from victims, their family members and the victim services community. Accordingly, VOMD programs across the United States are growing quickly. However, to many the process is still unfamiliar.

The VOMD is a victim-initiated and victim-centered program that allows a victim/survivor to request to meet in-person with the offender who is responsible for their victimization.

In Texas, the Victim Services Division (VSD) VOMD program was formed within the division in 1993 after a crime victim requested this service. In 2001, the 77th Texas Legislature passed legislation providing victims of violent crime the right to request victim-offender mediation. As such, the Texas Department of Criminal Justice (TDCJ) is statutorily designated as the entity that will provide mediation services to victims, guardians of victims and close relatives of deceased victims.

Historically, states have had victim offender dialogue programs for nonviolent offenses. The uniqueness of the VSD VOMD program is that it has been developed for victims of violent crime. THE VSD VOMD program facilitates cases where an offender has been convicted of a felony, and is either serving his/her sentence in prison or is on parole supervision. The TDCJ VSD does not provide VOMD services pre-adjudication, or on the misdemeanor level.

Victims or surviving family members may consider this service for a multitude of reasons and may also request to conduct a “creative alternative” mediation, which usually consists of writing a letter to the offender. Some victims want to ask the offender about details of the crime that only the offender can provide. Some wish to explain to the offender the full impact of their victimization and have the offender truly listen to what they have to say in an environment outside of the judicial process. Many victims that request VOMD feel that it is an important part of their healing process that allows them to regain some of the control over their victimization.

For offenders, the VOMD is an opportunity to take responsibility for their actions and to be accountable for the pain and suffering those actions have caused. The VOMD process can only be initiated at the request of the victim, and offender participation is voluntary. Either party may withdraw from the VOMD process at any time.

Mediators work with both the victim and the offender in order to assess their goals and fully prepare them for the meeting. The preparation process takes approximately six months, depending on the individual needs of the case. Throughout the process, the assigned mediator prioritizes the victim’s needs and safety. Part of the mediator’s role is to assess the offender’s appropriateness for mediation.

If an offender chooses to participate, he/she must admit guilt and take responsibility for the offense. An offender’s participation is not intended to affect the offender’s prison, parole, or appeal status. The VOMD process is confidential and offenders are notified that their participation will not be documented for or reported to the parole board in any official capacity.

The VSD VOMD program is the largest VOMD program in the

continued on next page
OCTOBER IS DOMESTIC VIOLENCE AWARENESS MONTH

Resources:

You may reach the National Domestic Violence Hotline
(800) 799-7233 / TTY (800) 787-3224

National Resource Center on Domestic Violence
www.nrcdv.org/dvam/

National Network to End Domestic Violence
http://nnedv.org/

Texas Council on Family Violence
www.tcfv.org/

National Violence Against Women Online Resource Center
www.vawnet.org

End Violence Against Women International
http://www.evawintl.org/

Victim Offender Mediation Dialogue (cont)

nation. The program utilizes five full-time mediators and volunteers to facilitate VOMD cases. In Fiscal Year (FY) 2013: 108 VOMD cases were initiated, 120 VOMD cases were assigned and 42 VOMD mediations were conducted.

Referring Victims to VOMD
The VOMD can be very powerful for victims of violent crime. While awareness of VOMD is increasing, it remains one of the lesser known services available to victims of crime.

If you are working with a victim who may benefit from VOMD, please refer them to TDCJ VSD for more information. Victims who may be interested in VOMD might make statements about wondering if the offender is remorseful, wanting the offender to know the full impact of their victimization, or having attempted to contact the offender in the past.

Once a victim contacts our office, we will conduct an intake and assess the case for assignment. The VSD VOMD staff can be reached at 512-406-5929 or through the VSD hotline at 1-800-484-4284. We can also be reached via email at vsd.vomd@tdcj.texas.gov.

New VOMD Program Manager
Lauren Douglas Bledsoe became the Ombudsman III/Program Supervisor for the TDCJ Victim Offender Mediation Dialogue program in June 2014.

Lauren is a Licensed Master Social Worker and has extensive experience in criminal justice and social work. She can be reached at 512-406-5933 or lauren.bledsoe@tdcj.texas.gov.
And although family violence fatalities cause all of us to take pause, we must also consider family violence that includes actions short of murder. We know for instance that over 76,131 victims sought services in our state’s family violence programs in 2013 because home was not safe. And those life-saving centers received more than 199,005 hotline calls.1 On one day alone in 2013, Texas programs served 5,923 adults and children but could not meet 1,311 requests for services.2 Shockingly, family violence centers had to turn away another 10,896 due to lack of space. While these numbers give pause while we consider the magnitude of the problem, it is also noted that these 76,131 individuals, primarily women and children, found safety which kept them from more tragic outcomes.

More broadly, over 37% of Texas women have experienced intimate partner violence in their lifetime, translating to over 3 million women currently living in our state. Some 22% of women victimized in this way became pregnant as a result of forced sex. 

1. These figures supplied by the Texas Health and Human Services Family Violence Program.
Moreover, some 1 million Texans currently experience abuse within their relationship and over 10 million people in Texas know someone who has been in an abusive relationship. In large part due to these realities, over 97% of those surveyed agreed that victims of family violence should have access to support services. Over 86% of Texans responding to a survey gauge access to services as important or very important. Almost 70% of those surveyed said they would be more likely to vote for political candidates who help victims of family violence.3

In the past 35+ years, tremendous progress has been made in creating safe havens, increasing legal protections and establishing remarkable transitional services. However, domestic violence persists.

Simultaneously we have placed a priority confronting the root causes of violence by working with local communities across the state in bolstering prevention strategies.

For TCFV, it’s a “yes and” approach. Yes, we will work earnestly to prevent domestic violence and we will continue to support intervention services that are still sorely needed.

In the end these efforts come down to Rosa, Dyrika, Evangeline, April, Lashonda, Shelia, Haroldine, and the other 107 women killed in 2012, the additional 2,506 women killed by their male intimate partner since 1990 and the more than 70,000 Texans that seek family violence services every year.

In the Honoring Texas Victims Report, a map provides a visual illustration with purple representing counties free of fatalities, while white represents those counties where we must redouble our efforts and learn from those tragic outcomes (see above). We have a message and a challenge to all Texans to “Go Purple” and strive for a state where no woman loses her life as a result of family violence.

In that sense, a completely purple Texas represents this aspiration.

“Go Purple” represents a positive focus of our energy on prevention, safety for victims and accountability for battering.

The Texas Council on Family Violence promotes safe and healthy relationships by supporting service providers, facilitating strategic prevention efforts, and creating opportunities for freedom from domestic violence.

---

By David Gutierrez, Board Member
Texas Board of Pardons and Paroles

The Texas Board of Pardons and Paroles (BPP) is proud to share its latest achievements, including key promotions, a new Board office, as well as updated Policies, revitalizing the department’s personnel structure and procedures. As the state’s decision makers, we determine which eligible offenders to release on parole or discretionary mandatory supervision, and under what conditions. The Board uses research-based Parole Guidelines to assess each offender’s likelihood for a successful parole against the risk to society.

The Board also decides whether to revoke parole if conditions are not met, often using a graduated sanctions approach, if appropriate. Depending on the seriousness of the violation, the Board may continue parole, impose additional conditions, place the offender in an Intermediate Sanction Facility, or use other alternatives to revoking parole and sending the offender back to prison. Additionally, the Board recommends clemency matters, including pardons, to the Governor.

The BPP’s Newest Commissioners and Office
The Board’s newest location, on Howard Lane in Austin, is staffed by Parole Commissioners Troy Fox and Elvis Hightower, along with their assistants. The office is assigned the Bartlett State Jail, Halbert SAFPF, Lockhart Work Facility, Lockhart Prison (Private), Stevenson, and Travis County State Jail units. Board Office contact information:

AUSTIN BOARD OFFICE
4616 W. Howard Lane, Suite 200
Austin, TX 78728
Phone: 512-671-2532
Fax: 512-671-2497

Among the Board’s two latest assignments are Parole Commissioners Lee Ann Eck-Massingill and Roel Tejada, both assigned to Board Member David Gutierrez’s office in Gatesville, TX. The units assigned to the Gatesville Board Office include: Boyd Unit, Bridgeport - Male & Female, Crain Unit (Crain/Reception, Crain/Riverside, Crain/Sycamore, Crain/Terrace, Crain/Trusty Camp, Crain/Valley), Estes Unit, Havins Unit, Hilltop Unit, Hobby Unit, Hughes Unit, Kyle Unit, Lindsey State Jail, Marlin Transfer Facility, Mountain View Unit, Murray Unit, San Saba Transfer Facility, Sayle SAFPF and Woodman State Jail.

Ms. Eck-Massingill has been with TDCJ and BPP in various capacities since 1989 and a BPP Commissioner since 2014 and has 25 years of Criminal Justice experience. She has a Bachelor of Science in Criminology and Corrections with a Minor in Psychology from Sam Houston State University, Huntsville, TX.

Mr. Tejada has also been with BPP since 2014 and has over 13 years of Administrative and Supervisory experience. He has a background in Criminal Justice in both Juvenile and Adult systems with emphasis on Substance Abuse, Special Needs and Domestic Violence. He has

continued on next page
a Bachelor of Science degree in Political Science and Master’s degree in Justice Administration, both from St. Mary’s University in San Antonio, TX.

Parole Commissioners assist the Board with parole and revocation decisions. The 14 commissioners are employed by the Chair, their responsibilities include: determine which inmates are to be released on parole or mandatory supervision; determine conditions of parole; modify and withdraw conditions of parole and mandatory supervision; determine the continuation, modification, or revocation of parole or mandatory supervision violators; issue subpoenas; conduct inmate interviews; conduct victim interviews; and conduct interviews with other interested parties, such as family members or attorneys.

Substance Abuse Treatment
The Board has, for many years, required offenders to submit to controlled substance testing. This requirement is a mandatory condition per statute for offenders who had a controlled substance present in their body, ever used a controlled substance or where the use of a controlled substance was related to the offense for which they were convicted. However, oftentimes, the substance abuse treatment or counseling resources were limited or unavailable. But, since 2007, when the legislature earmarked significant resources for treatment programs, the Board’s opportunities to place offenders in substance abuse treatment programs prior to and after being released from prison have increased.

The pre-release options for the Board include a DWI program, which is a 6 month program; an In-Prison Therapeutic Community Program (IPTC), which is a 5 month program; and Pre-Release Therapeutic Community (PRTC) or Pre-Release Substance Abuse Program (PRSAP), which are both 6 month programs. A parole panel may use one of the pre-release substance abuse treatment voting options to require an offender to successfully complete the treatment program prior to release.

The post release option for an offender who completes the IPTC program is a mandatory substance abuse aftercare in-patient treatment program. An additional post release option is the imposition of Special Condition S, Substance Abuse, which requires all offenders to abstain from the use of unlawful drugs, narcotics, or controlled substance; intoxicating inhalants; and alcohol. To ensure an offender complies with components of the condition, alcohol testing and urinalysis monitoring is required and substance abuse treatment or counseling may be required under certain circumstances. For those offenders convicted of a DWI, a parole panel may impose additional components of Special Condition S such as driving restrictions, not to operate a motor vehicle without Board approval or without an “Ignition Interlock Device.”

New Website and Call Center
BPP is revealing new products and services for the general public and those who utilize the department’s resources. Programs include internet based offender status reporting (visit: tdcj.texas.gov/bpp for more details), as well as a new and fully staffed Communications Call Center which will centralize offender status and inquiries with almost real-time updates, set for roll out August 1 and September 1, 2014 respectively. The BPP team welcomes your comments and questions and wishes The Victim’s Informer readers a healthy and successful year. Saludos! ★
WE WANT TO HEAR FROM YOU!

OUR GOAL IS TO PRINT NEWS OF INTEREST FOR VICTIMS AND VICTIM ADVOCATES

The Victim’s Informer newsletter is published quarterly. Articles, meeting notices, and other submissions should be sent to TDCJ Victim Services Division, Texas Crime Victim Clearinghouse, 8712 Shoal Creek Blvd, Suite 265, Austin, Texas 78757-6899; faxed to 512-452-0825; or e-mailed to tdcj.clearinghouse@tdcj.texas.gov. For questions or comments, please call us at 800-848-4284 or 512-406-5931.

Please Note:
You may access the publication at the TDCJ VSD Internet website. If you wish, we will notify you via e-mail each time The Victim’s Informer becomes available on the TDCJ VSD Internet website and provide an electronic link to The Victim’s Informer. Send your e-mail address to: tdcj.clearinghouse@tdcj.texas.gov

Angie McCown, Director
Texas Department of Criminal Justice
Victim Services Division
victim.svc@tdcj.texas.gov
8712 Shoal Creek Blvd., Suite 265,
Austin, Texas 78757

Sexual Assault (cont.)

Even though few of the respondents noted their departments were involved in collaboration to improve response to sexual assault, most respondents wanted to be involved with these efforts. The majority of respondents (87.5%) agreed or strongly agreed that they would like to be involved with improving response to sexual assault on their campus. Also, more respondents’ departments were involved in prevention programming than in collaborative response improvement efforts. The majority of respondents (60.7%) noted their department was involved in prevention programming on their campus.

The vast majority of respondents also noted that their department provided victims with information regarding counseling centers (94.4%), student health services (89.5%), community advocacy centers/rape crisis centers (84.6%), student services (84.3%) and Sexual Assault Nurse Examiners (81.9%). Transportation to medical care facilities, when necessary, was provided by 83.6% of departments.

Resources & More Information
The federal requirements faced by educational institutions, as well as issues of gender-based violence and harassment experienced by students, are complicated. Many sources of additional information can be found online at www.notalone.gov and www.clerycenter.org.

The Texas Association Against Sexual Assault (TAASA) has been proactive in providing resources and training to campus law enforcement, victim service providers and college administrators. In addition to training opportunities, TAASA recently released an app for students, TX Safety U, with campus emergency contact information.★