|  |  |
| --- | --- |
| **TEXAS CTE LESSON PLAN**  [www.txcte.org](http://www.txcte.org) | |
| **Lesson Identification and TEKS Addressed** | |
| **Career Cluster** | Law, Public Safety, Corrections, and Security |
| **Course Name** | Law Enforcement II |
| **Lesson/Unit Title** | More Victims’ Rights |
| **TEKS Student Expectations** | **130.337. (c)** **Knowledge and Skills**  (7) The student understands techniques to foster public cooperation for victims in a variety of law enforcement situations.  (A) The student is expected to demonstrate procedures for advising crime victims legal recourse  (B) The student is expected to explain step-by-step court procedures for suspects, victims, and witnesses entering the system  (C) The student is expected to explain the procedures for providing appropriate assistance to individuals with disabilities such as autism, Alzheimer’s disease, hearing impairment, visual impairment, and mobility impairment |
| **Basic Direct Teach Lesson**  (Includes Special Education Modifications/Accommodations and  one English Language Proficiency Standards (ELPS) Strategy) | |
| **Instructional Objectives** | The student will be able to:   * Identify and discuss elements of crisis intervention * Determine procedures for advising a crime victim of their legal * recourses * Explain step-by-step court procedures for suspects, victims, and * witnesses entering the system * Explain the procedures for providing appropriate assistance to * individuals with disabilities such as autism and Alzheimer’s disease, * and the hearing, visual, and mobility impaired |
| **Rationale** | Students in law enforcement will encounter victims of crime and will need to be able to relay to victims the rights afforded to them under state and federal laws. This will enable them to better foster public cooperation. |
| **Duration of Lesson** | 4 Hours |
| **Word Wall/Key Vocabulary**  *(ELPS c1a,c,f; c2b; c3a,b,d; c4c; c5b) PDAS II(5)* |  |
| **Materials/Specialized Equipment Needed** | **Materials:**   * Things to Say and Things Not to Say to a Victim handout * Hints for Helping Victims handout * Phases of Victims’ Reactions handout * Computers with Internet access and desktop publishing software Construction paper * Magazines * Scissors * Glue * Markers/colors * Note Cards * Crime Victim Brochure Rubric * Discussion Rubric * Individual Work Rubric * Presentation Rubric * Summary Rubric |
| **Anticipatory Set**  (May include pre-assessment for prior knowledge) | Do an Internet search for a video using the following key words: Victim Rights. Every Victim. Every Time. Show the video and discuss with students the rights that they believe victims have and/or should have. Discuss how their perceptions differ from reality. Use the Discussion Rubric for assessment. |
| **Direct Instruction \*** | 1. Elements of Crisis Intervention    1. Safety and Security       1. Physical safety of the victim          1. Should be the first concern for anyone intervening in a crisis situation          2. Until it is clear that a victim is not physically in danger or in need of emergency medical attention, other issues should be put aside          3. Victims who are in physical shock may be unaware of the injuries they have already sustained or the dangers they still face       2. A victim’s concern for the safety of others – if a victim’s loved one is in danger, or if his or her loved one’s whereabouts are unknown, this will be the primary focus of the victim’s attention       3. A victim’s mental safety – the presence of law enforcement does not always guarantee that the victim feels safe. The victim may not feel safe in the following circumstances:          1. The victim can see and hear the assailant being interviewed by law enforcement officers          2. The victim is being interviewed in the same area where an attack took place          3. The victim is cold and physically uncomfortable          4. The assailant has not been apprehended and has threatened to return          5. Survivors of homicide             1. May not be able to focus on safety and instead seek a sense of security through the provision of privacy and nurturing             2. They will suffer feelings of helplessness and powerlessness             3. The shock of the arbitrary death of a loved one is usually not assimilated immediately and survivors may not understand the questions or the directives given to them          6. Security is also promoted when the victims and the survivors are given opportunities to regain control of events. The following are some hints for helping victims and survivors do this:             1. Sit down to talk             2. Ask the victims/survivors where they feel the safest when you talk to them and then move to that location             3. Reassure the victims/survivors with the words “you are safe now”             4. If possible, ask if there is someone the victims/survivors would like to have with them in order to feel safer, and if that person can be contacted to be enroute             5. If possible, keep the media away from the victims/survivors or help the victims/survivors by responding to the media’s questions. Assure the victims/survivors that they do not have to answer questions from the media unless they want to, and under the circumstances of their own choosing             6. If the victims/survivors have loved ones about whom they are concerned, try to find out as much information as possible and address those concerns             7. Provide the victims/survivors with information that may help to assure their safety             8. If the victims/survivors are not safe, keep them informed about the extent of any additional threat             9. Give the victims/survivors permission to express any reactions, and respond to their reactions without judgment       4. Respond to the need for nurturing, but do not become a “rescuer” on whom the victim becomes dependent. Remember the primary goal of crisis intervention is to help the victim restore control over his or her life          1. Take care of practical things             1. Address those things that need to be done but are beyond the victim’s ability to accomplish             2. If a victim is in acute crisis, he or she may be capable of doing very little for him or herself             3. You must gauge the victim’s capacity for responding to his or her environment          2. Suggest specific things that you can do for the victim such as make phone calls, help with transportation, etc.             1. Be specific when making offers, so that the victim can simply respond with “yes” or “no”             2. Do not assume anything; ask permission before you take action          3. Help the victim to reestablish control, first over small things and then over larger ones             1. Allow the victim to make decisions for himself or herself and to take an active role in the process             2. Ask the victim simple questions involving choices that can be easily made: “Where would you like to sit while we talk?”    2. Ventilation and Validation       1. Ventilation          1. Refers to the process of “telling his or her story”             1. Victims need to tell their story over and over to gain control of the events in their mind             2. Bits of memory will come back in dreams, intrusive thoughts, and simply during the storytelling process             3. The story may change over time          2. A part of ventilation is the process of finding words or other ways that will give expression to his or her experiences and reactions             1. It is often culturally specific             2. The power of putting words to feelings and facts is tremendous. For instance, victims may feel intense anger towards an assailant and find that the word “anger” is insufficient to express that intensity. The person intervening may offer words such as “outrage” or “fury.” The victim can feel a sense of liberation after he or she has expressed himself or herself       2. Validation – the process through which the crisis intervener makes it clear that most reactions to horrific events are “normal”          1. Validation should be content specific. Example: rather than saying “I can’t imagine how upset you are,” it is preferable to say, “I can’t imagine how upset you are about your son’s death in a car crash”          2. Tell the victim that his or her reactions are not uncommon when someone has experienced a traumatic event          3. Where possible, repetition of the actual phrases that the victim uses to describe the experience is useful. Reassure the victim that although the crisis may have thrown his or her life into a chaotic state, they are not, as a consequence, crazy       3. Use active listening skills          1. This is one of the most important things you can do in a crisis situation          2. Allow some silence and some time for the victim to respond    3. Prediction and Preparation       * 1. Victims have an incredible need for practical information. Some of the information may be unpleasant but necessary            1. Will the victim have to relocate? What are his or her options?            2. Does the victim have adequate financial resources to pay for any immediate needs caused by the crime?            3. What legal issues confront the victim? Will the case be investigated, filed? Will the suspect be arrested? Will the suspect be released on bond? Victims must be provided with information about the following:   Procedures for the criminal investigation of his or her case  Procedures in the criminal justice system  Victims’ rights  Crime Victims’ Compensation  Referrals to social service agencies  Counseling regarding AIDS and HIV infection and testing   * + - * 1. The victim may be unable to concentrate on complex explanations of the process. Always leave written materials for the victim to refer to for later questions         2. Remember that honest answers and estimates are essential. Let the victim know about the chances that a case will go to trial         3. Never promise a victim any outcome in the system. Do not tell a victim that a suspect will be arrested. Suspects are not arrested 100% of the time. Do not assure a victim of a punishment the suspect may receive       1. The second priority is for information about possible or likely emotional reactions. Victims should understand the normal progression of emotions they may be likely to encounter. Some of the emotional concerns that should be outlined are the following:          1. Immediate physical and mental reactions to the crisis including inability to sleep and concentrate, lack of appetite, irritability, anxiety, numbness, estrangement from the world, and a sense of isolation, anger, fear, frustration, and grief          2. Long-term physical and mental reactions may include intrusive thoughts, nightmares, panic attacks, a continued sense of isolation, an inability to communicate with others, sleep disturbances, depression, an inability to feel emotion, disturbance of sexual activity, startle reactions, irritability, lack of concentration, and so on          3. Reactions of significant others (some friends and family may serve as a good source of support, but many can cause as much harm as good). Three common reactions that may cause a victim distress are   Excessive anger and blame directed at the victim  An unwillingness to talk about or listen to stories about the crime  Overprotectiveness   * + - * 1. Victims should expect that everyday events may trigger crisis reactions similar to the ones they experienced during the crime         2. Help victims to prepare for the fact that children, even if they were not present during the event, can be affected when their parents are in crisis. Help the victim identify who might be able to help address the needs of the children         3. If children are involved, give the parent information and suggestions for helping the children cope with crisis, and signs to look for that may indicate a need for professional intervention with the children         4. Victims need help preparing ways to deal with the practical and emotional future. Some helpful hints include   Take one day at a time: suggest that the victim plan each day’s activities around needed practical tasks  Problem-solving: show the victim how to use techniques to address the overwhelming problems that he or she might face  Talk and write about the event: suggest that the victim use audiotapes or write a journal to tell his or her unfolding stories. Young children can be encouraged to draw pictures and discuss them with a caring adult  Encourage the victims to identify a friend or a family member on whom they can rely for support during the times when they must confront practical problems  Remember that good nutrition, adequate sleep, and moderate exercise can help victims survive times of crisis   1. Explaining Victims’ Rights    1. Identify a Crime Victim Liaison, Code of Criminal Procedures (CCP) Article 56.04       1. The district attorney or county attorney shall designate a person to serve as a victim assistance coordinator       2. A victim assistance coordinator’s duties include ensuring victims are granted rights afforded to them under law       3. Each law enforcement agency shall designate a person to serve as a crime victim liaison, which will consult with the coordinator in the district attorney’s office    2. B. Legal Requirements for Providing Written Notice       1. At the earliest possible time after initial contact, the law enforcement agency shall provide the victim with a written notice of the following          1. Information about the availability of emergency and medical services          2. Referral to available social services          3. Information regarding the Texas Crime Victims’ Compensation Act, including the following information:             1. Costs that may be compensated             2. Eligibility             3. Procedures for application             4. Payment for medical examination for sexual assault             5. Name, address, and phone number of the law enforcement agency’s victim assistance liaison             6. The address, phone number, and name of crime the victim assistance coordinator from the district attorney             7. The following statement: “You may call the law enforcement agency’s telephone number for the status of the case and information about victims’ rights.”             8. The rights of crime victims    3. Crime Victims’ Bill of Rights, CCP Article 56.02 includes the rights to       1. Adequate protection by law enforcement agencies       2. Have the safety of the victim and the victim’s family taken into consideration when setting bail       3. Be informed about the defendant’s right to bail and procedures of the criminal justice investigation       4. Provide victim impact information to a probation department       5. Receive Crime Victim Compensation information       6. be informed of parole procedures and proceedings, and Participate in the process       7. Have separate and secure waiting areas from the offender and the offender’s relatives while waiting to testify and during proceedings.       8. Experience the prompt return of the victim’s property held as evidence       9. Prosecution’s notification of the victim’s employer of the victim’s absence from work to testify       10. Be present at all public court proceedings related to the offense, subject to approval of the judge in the case    4. The Texas Crime Victims’ Compensation Act (TCVC) was passed in 1979 by legislature and established statutory eligibility guidelines for the provision of certain benefits to crime victims. Money in the fund comes from the offender assessed court costs generated by criminal convictions. The fund is administered by the Texas Attorney General       1. Eligibility          1. An innocent victim of crime that suffers physical and/or emotional harm or death          2. An authorized individual acting on the behalf of a victim          3. A person who legally assumes the obligations or voluntarily pays certain expenses related to the crime on the behalf of the victim          4. A department of a victim          5. An immediate family member or household member related by blood or marriage who requires psychiatric care or counseling as a result of the crime          6. An intervener who goes to the aid of the victim or a peace officer          7. A peace officer, a firefighter, or an individual whose employment includes the duty of protecting the public       2. Crimes Covered          1. Crimes involving “criminally injurious conduct,” which is defined as conduct that             1. Occurs or is attempted             2. Poses a substantial threat of personal injury or death             3. Is or would be punishable by fine, imprisonment, or death; this includes   Sex offenses  Kidnapping  Aggravated robbery  Assaultive offenses  Arson  Homicide  Failure to stop and render aid  Manslaughter  Criminally negligent homicide  Aggravated assault  Driving While Intoxicated (DWI)  Intoxication manslaughter  (m)Intoxication assault   * + 1. Basic Qualifications        1. Residency           1. Crime occurs in Texas to a Texas or U.S. resident           2. Texas resident is the victim in another state that does not have Crime Victim Compensation (CVC) benefits        2. Reporting the crime – the crime must be reported to the appropriate law enforcement agency within a reasonable amount of time        3. Timeframe for filing for compensation – the application must be filed within 3 years of the crime date        4. Cooperation – a claim may be denied or reduced if the victim is uncooperative with law enforcement        5. Benefits denial           1. If the victim’s behavior contributed to the crime           2. If the victim knowingly or willingly participated in the crime           3. If the offender, an accomplice, or any person may unjustly benefit from an award to a victim or claimant           4. If the victim was incarcerated in a penal institution or on parole           5. If the victim had been convicted for a felony involving criminally injurious conduct at the time of the crime           6. If the victim knowingly or intentionally submitted false or forged information to the Attorney General     2. Eligible Expenses        1. Medical, hospital, physical therapy, or nursing care        2. Psychiatric care or counseling        3. Loss of earnings or support        4. Loss of wages as a direct result of the crime, or due to participation in, or attendance at, the investigation, prosecutorial, and judicial processes, and travel expenses        5. Care for a dependent        6. Funeral and burial expenses        7. Crime scene cleanup        8. Replacement cost for clothing, bedding, or property seized as evidence or rendered unusable as the result of the investigation of a sexual assault        9. Reasonable attorney fees for assistance with filing the CVC application        10. Loss of wages and travel to seek medical treatment        11. Relocation expenses in domestic violence cases, including movers, deposits, first month’s rent, etc.     3. Limits on awards        1. Claims may be approved for a total benefit of $50,000        2. Paid to the victim or the service provider        3. Catastrophic injuries/permanent disability may receive an additional $50,000 for           1. Making a home or car accessible           2. Job training and vocational rehabilitation           3. Training in the use of special appliances           4. Home healthcare           5. Reimbursement of lost wages   Reimbursement for property damage or theft is not eligible  CVC is the “payer of last resort” and pays after other sources pay first (insurance, employee sick time)   1. Procedures for suspects, victims and witnesses    1. Suspects       1. Interview/interrogation       2. Investigation (gathering of evidence)       3. Grand jury          1. No bill (no charges filed)          2. Indictment equals arrest       4. Arraignment: enter plea and bail is set or denied          1. Guilty = sentencing hearing          2. Not Guilty = schedule trial          3. No Contest       5. Trial          1. Guilty = proceed to sentencing hearing          2. Not Guilty = suspect is released       6. Sentencing hearing (any number of punishments including probation, fines, and even death)    2. Victims and Witnesses (Review the handouts “Hints for Helping Victims,” “Phases of Victims’ Reactions,” and “Things to Say and Things Not to Say to a Victim.” Use the guidelines set out in the documents to determine how victims should be handled)       1. Interview by law enforcement       2. Gathering of evidence       3. If probable cause exists, the arrest of the suspect       4. Trial          1. Prosecution will prepare you for the trial          2. Will have a separate waiting area from the defense          3. May or may not be allowed to remain in the courtroom after testifying          4. Swear to tell the truth          5. Must answer all of the questions          6. Listen carefully to each question          7. Answer to the best of your ability          8. Prosecutor will ask questions first, then the defense          9. Time spent in court cannot be predetermined 2. Accommodations for individuals with disabilities – persons with disabilities can request special assistance during the court process per Americans with Disabilities Act (ADA) Federal Law    1. Autism       1. Very vulnerable to becoming a victim       2. Communication, sensory processing, and behavioral differences       3. Personnel need training and education       4. Believability of the victim       5. Speech and cognition difficulties       6. Judges too quickly    2. Alzheimer’s       1. Include the victim in all of the conversations       2. Explain the intended actions prior to beginning them       3. If agitated, gently pat them or hold their hand       4. Avoid restraining physical contact       5. Anticipate difficulties in making yourself understood       6. Approach from the front       7. Establish and maintain eye contact       8. Introduce yourself       9. Explain that you are there to help       10. Be patient       11. Ask to see his or her identification       12. Treat the victim with dignity       13. Move away from crowded and noisy areas       14. Establish a one-on-one dialogue       15. Talk in a low-pitched, reassuring tone       16. Speak slowly and clearly       17. Use short, simple sentences and familiar words       18. Repeat your statements       19. Accompany words with gestures       20. Give simple, step-by-step instructions       21. Substitute verbal with nonverbal       22. Ask one question at a time       23. Never challenge a victim’s logic/reasoning       24. Do not leave the victim alone    3. Blind/Vision Impaired       1. Introduce yourself as law enforcement and introduce anyone else that is present       2. Tell the victim your name, badge number, and telephone number if they are alone and want to verify your ID       3. Describe the chair and the seating arrangements when assisting the victim with sitting down; place his or her hand on the back of the chair       4. Do not speak loudly       5. Identify the person to whom you are speaking within the group       6. Avoid lapses of conversation in your interview without informing the victim       7. Offer to fill out forms for the victim       8. Read written materials aloud       9. Make written materials available in other formats if possible       10. Never separate victims from their guide/pet dogs without permission       11. Offer your arm for assistance in moving about       12. Orient the victim to the surroundings; give cues to what lies ahead when guiding       13. Give specific warnings and directions    4. Deaf/Hard of Hearing       1. Signal your presence by waving your hand or gently touching the victim on his or her arm/shoulder       2. Communicate initially through writing       3. Determine the method of communication       4. Honor any request for an interpreter       5. Do not use children to communicate unless it is an emergency       6. Do not assume he or she can hear and understand if wearing a hearing aid       7. Remember to be visually oriented       8. Avoid shouting or speaking very slowly       9. Remember that not everyone who is deaf/hearing impaired can read lips       10. Use gestures, mime, and props to communicate       11. Do not assume the victim is unable to speak       12. Observe facial expressions/physical mannerisms       13. Include the victim in all conversations       14. When interviewing, select a location free of distractions       15. Face the victim, making your eyes and mouth visible       16. Stand 3 to 6 feet from the victim in a well-lit, glare and shadow free area       17. Get the victim’s attention, make eye contact, then speak       18. Make questions, instructions, answers, and comments short and simple       19. May need to repeat yourself or use different words       20. Do not rely on the victim’s family members    5. Physically Impaired       1. Ask, “May I assist you?”       2. Do not make assumptions about abilities       3. Treat assistive devices as personal space and valuable property       4. Position yourself at eye level in front of the victim, but do not kneel       5. Move obstacles       6. Open or close doors to alleviate barriers       7. Offer to assist if he or she has trouble in tight places       8. If assisting with an individual in a wheelchair, ask which direction he or she wants to face when going up or down stairs       9. Be considerate of the extra time needed to move       10. Ask the victim if he or she has a seating preference       11. If the victim is in a wheelchair, ask if he or she would like to move to another chair       12. Remember the victim’s disability does not affect the viewing of the crime       13. Never refer to the victim as “crippled,” “confined” to a wheelchair, “wheelchair bound,” or “handicapped”       14. Ask if the wheelchair was damaged during the crime. If needed, offer to assist with repairs or getting a loaner       15. Make referrals for services       16. Help replace caregivers if needed       17. Offer to assist in filling out paperwork       18. Present information materials to the victim   *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  NONE |
| **Guided Practice \*** | *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  NONE |
| **Independent Practice/Laboratory Experience/Differentiated Activities \*** | Crime Victims’ Rights Pamphlet. Students will create a pamphlet for victims of violent crimes. The pamphlet needs to include all of the required information that victims are entitled to know. Pamphlets may be designed using a computer with desktop publishing software or may be handmade. Students may refer to Article 56 of the Texas Code of Criminal Procedure for the definition of a victim, the rights afforded to a victim and the eligibility for Crime Victims’ Compensation. Use the Crime Victim Brochure Rubric for assessment.  Step-by-Step. Prepare several sets of index cards containing the step-by-step procedures of the court process for suspects. Each card will hold only one step. Place the students in groups. Give each group a set of index cards. Have the students race to put the steps in order while discussing with their group the reasoning for their choices. Have the students in each group list the order they created and have them explain their reasons for choosing that order. Use the Presentation Rubric for assessment.  *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  NONE |
| **Lesson Closure** |  |
| **Summative/End of Lesson Assessment \*** | More Victims’ Rights Exam and Key  *Individualized Education Plan (IEP) for all special education students must be followed. Examples of accommodations may include, but are not limited to:*  **Accommodations for Learning Differences:**  For reinforcement, students will review Article 56 of the Texas Code of Criminal Procedure and create a pocket-sized card containing Victims’ Rights. Use the Individual Work Rubric for assessment. |
| **References/Resources/**  **Teacher Preparation** | Texas Commission on Law Enforcement Officers Standards and Education (TCLEOSE) training objectives for the Basic Peace Officer Licensing  “Victim Assistance: Frontiers and Fundamentals” and “Community Crisis Response Team Training Manual” by Marlene Young, PhD of the National Organization for Victim Assistance  Derrelyn Perryman, MSSW, LMSW-ACP, Victim Assistance Coordinator, Arlington Police Department  Texas Code of Criminal Procedure, Article 56  <http://www.statutes.legis.state.tx.us/SOTWDocs/CR/htm/CR.56.htm> |
| **Additional Required Components** | |
| **English Language Proficiency Standards (ELPS) Strategies** |  |
| **College and Career Readiness Connection[[1]](#footnote-1)** |  |
| **Recommended Strategies** | |
| **Reading Strategies** |  |
| **Quotes** |  |
| **Multimedia/Visual Strategy**  **Presentation Slides + One Additional Technology Connection** |  |
| **Graphic Organizers/Handout** |  |
| **Writing Strategies**  **Journal Entries + 1 Additional Writing Strategy** |  |
| **Communication**  **90 Second Speech Topics** |  |
| **Other Essential Lesson Components** | |
| **Enrichment Activity**  (e.g., homework assignment) | For reinforcement, students will review Article 56 of the Texas Code of Criminal Procedure and create a pocket-sized card containing Victims’ Rights. Use the Individual Work Rubric for assessment.  For enrichment, students will interview a victim assistance coordinator from a local law enforcement agency or a district attorney’s office about his or her job duties. The interview should include job duties, salary, education required, and the reason for choosing this job. Have the student write a summary of the experience. Use the Summary Rubric for assessment. |
| **Family/Community Connection** |  |
| **CTSO connection(s)** | SkillsUSA |
| **Service Learning Projects** |  |
| **Lesson Notes** |  |

1. Visit the Texas College and Career Readiness Standards at <http://www.thecb.state.tx.us/collegereadiness/CRS.pdf>, Texas Higher Education Coordinating Board (THECB), 2009. [↑](#footnote-ref-1)