

My teen has been sexually abused.

How will we survive this?

When an Adolescent Has Been Sexually Abused:
An Aftercare Guide for Parents, Families, and Other Persons who Care

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If you are reading this informational guide . . .

A young person that is a part of your life may have been abused, and you are very concerned for his or her well-being. This is a very difficult time for the child, and for the persons who care about that child.

Most parents are profoundly shocked when they discover that their child has been sexually abused, especially if the abuser is their partner, someone else in the family, or a family friend. You are probably wondering what kind of feelings your child is having, especially if your child reluctant to verbally express his or her feelings to you. Even in your care for your child, remember to pay attention to your own feelings.

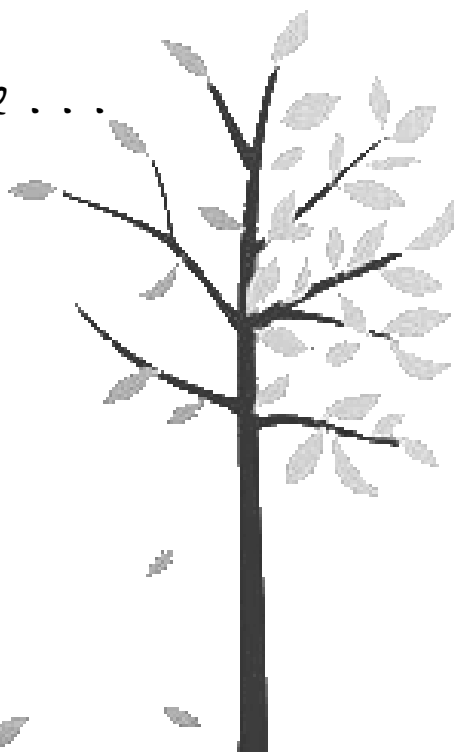
Your feelings are important too.

Sometimes parents or guardians of children who have been abused feel guilty. You may be telling yourself that parents are supposed to protect their children. You may be feeling feel intense anger, which can result in violence. A parent may even know that their child is being sexually assaulted, but not know what do about it. Either way, just as the child is not to blame, neither is the non-offending parent. The abuser is the only person responsible for the abuse.

Responding to Your Teenager

Finding out that your child has been sexually abused or assaulted can be overwhelming. Remember that your child will need all the support and reassurance you can give. Show your child that:

- ♦ you believe what she has told you
- ♦ you know it is not his fault
- ♦ you are glad that she told you about it
- ♦ you care about what has happened
- ♦ you will do all you can to protect him from further abuse
- ♦ you will give her your support and help take care of her needs.



Child Sexual Abuse – A Definition

Any sexual act or sexual threat imposed on a minor is child sexual abuse. Adults or adolescents who sexually abuse young people take advantage of the child's trust, innocence and vulnerability. Child sexual abuse is a serious crime, and is committed against both boys and girls.

Child sexual abuse includes a wide range of behaviors and acts. Some examples are:

- ♦ a person exposing genitals or masturbating in front of a minor
- ♦ exposing young people to pornographic material
- ♦ touching a child's genitals
- ♦ forcing a child to touch an adult's genitals
- ♦ penetration of with a finger, penis or anything else
- ♦ involving a child in vaginal, oral or anal sexual activity.

The abuser is most often either a member of the child's family, or well known to the child and his or her family.

Remember that there are people available to help you.

A victim assistance professional can provide support for you.

In the aftermath of a crime, victims often experience emotional pain and trauma, as well as confusion concerning the legal process. A victim assistance professional, also called a victim advocate, is available to make sure that the needs and the rights of crime victims are met through compliance with the law, and with respectful and fair treatment.

You have certain rights.

You are entitled to information regarding what you may expect from the criminal justice system and how you may receive any available assistance needed as a result of the crime. The Arkansas Crime Victim Rights Law became effective on January 1, 1998. This law mandates certain basic rights for people victimized by crime. The law does not apply to all crimes, but only certain crimes and certain victims, including:

- ♦ a victim who is a minor
- ♦ a victim of a sex offense
- ♦ a victim of any felony resulting in physical injury to the victim
- ♦ a victim of any felony involving the use of a deadly weapon
- ♦ a victim of terroristic threatening in the first degree
- ♦ a victim of stalking

A victim advocate can answer any questions you have about the rights available to you, and can assist you in many ways. Some of those ways include:

- ♦ Providing emotional support
- ♦ Acting as a liaison between victim, police officers, investigators, and community-based agencies



- ◆ Arranging for professional counseling and support groups
- ◆ Providing information and referrals to other services
- ◆ Providing information about the current status of the case
- ◆ Providing information about the Arkansas Crime Victims Reparations program
- ◆ Helping ensure your right to due process in criminal court proceedings
- ◆ Helping you and/or your child prepare a Victim Impact Statement

Who sexually abuses young people?

Sexual abusers are likely to be people we know. If sexual abusers were always frightening “strangers” stalking young people at school or in the community, we might be able to identify them as dangerous persons. But many statistics say that in 85 to 90 percent of sexual abuse cases against children and young people, the child knows and trusts the abuser.

Any person can be a sexual abuser. They can be fathers, step-parents, mothers, grandparents, uncles, aunts or other family members. They can be teachers or coaches, Sunday School teachers, neighbors or ministers. They can be anyone who has close contact with children. Sexual abusers have one common characteristic: that they had thoughts about sex with children or young people and then they acted on those thoughts by sexually abusing a minor.

It’s hard to face the fact that someone we know — and even someone we admire — might be sexually abusing children. But we must not try to convince ourselves that this never happens in our churches or schools or communities. Instead, we need to know how to protect the young people in our care.



Child Sexual Abuse Includes Touching and Non-Touching Behaviors

Touching behaviors include:

- ◆ Touching genitals (penis, testicles, vulva, breasts, or anus) for sexual pleasure or other unnecessary reason.
- ◆ Making a child touch someone else’s genitals or playing sexual (“pants-down”) games.
- ◆ Forcing a child into prostitution.
- ◆ Putting objects or body parts (like fingers, tongue or a penis) inside the vulva or vagina, in the mouth, or in the anus of a child for sexual pleasure or other unnecessary reason.

Non-touching behaviors include:

- ◆ Showing pornography to a child.
- ◆ Exposing a person’s genitals to a child.
- ◆ Photographing a child in sexual poses.
- ◆ Encouraging a child to watch or hear sexual acts either in person or on a video.
- ◆ Watching a child undress or use the bathroom, often without the child’s knowledge (known as voyeurism or being a “Peeping Tom”).

If you have any questions about these or other signs and symptoms, please call the **ARKANSAS CHILD ABUSE HOTLINE** at 1-800-482-5964.

What is child sexual abuse?

In Arkansas Statute, child sexual abuse is sexual activity with a child under seventeen (17) years of age; by an adult, an adolescent, or an older child. When any adult engages in sexual activity with a minor, that is child sexual abuse. **It is a crime.**

However, when sexual activity involves another child or an adolescent, it may not be considered abuse and is often dependent upon the ages of the minors involved. Some kinds of sexual behavior among children might be sexual exploration rather than abuse.

Do children abuse other children?



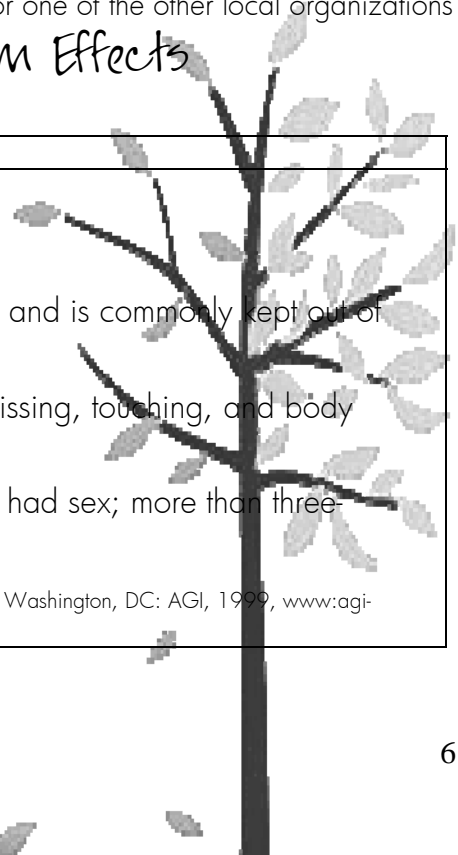
Some statistics tell us that 30-50% of abusers are under the age of 18. A recent study showed that 95% of children with sexual behavior problems were also victims of sexual abuse. Some of the most common danger signals include: a child showing sexual material to younger children, making obscene telephone calls, sharing alcohol or other drugs with younger children, exposing his or her genitals to younger children, forcing sex on another adolescent or child. If you observe any of these behaviors, consider talking to the child or finding someone who can comfortably talk to the child about what is going on.

It is important to remember, however, that some sexual behavior and/or exploration is a part of a child's healthy sexual development. Sexuality is a part of every human being of any age. It helps to know some of the healthy developments and behaviors that children explore at various ages.

Remember that every child develops at his or her own pace. The following table will list some of the healthy sexual development of adolescents. If you have any doubt or any questions about your child or another child you know, please make every effort to talk to a doctor, a nurse, a counselor, or contact Safe Places or one of the other local organizations that work with children and adolescents.

Child Sexual Abuse Has Serious, Long-Term Effects

<p>On-going child sexual abuse can lead to: Ongoing Sexual Behaviors for Adolescents (13-17 years)</p>
<ul style="list-style-type: none"> ◆ Questions about sexual customs and social relationships ◆ Guilt and shame ◆ Decisions about sexuality and when to have sex ◆ Low self-esteem ◆ Difficulty in forming relationships ◆ Self-stimulation or masturbation usually only occurs in private and is commonly kept out of peer view ◆ Difficulty trusting others ◆ Loneliness and isolation ◆ Experimenting with same age peers, including open-mouth kissing, touching, and body rubbing ◆ Confusion about family relationships ◆ Problems in school ◆ Destructive behaviors ◆ By age 17, more than half of girls in the United States have had sex; more than three-quarters of boys ◆ Bedwetting and problems toileting ◆ Inappropriate sexual behavior ◆ Dissociative experiences <p><small>(New Guttmacher Institute (AGI) Issues in Brief: Teen Sex and Pregnancy, New York and Washington, DC: AGI, 1999, www:agi-usa.org/sections/sexbe.html, accessed May 31, 2002.)</small></p>



If I suspect that sexual abuse has happened to my child, what signs will I see?

It is always good to talk with your children, because often parents are not aware of what is going on with them. If you fear that your child, or any child, has been sexually abused, the following danger signals may alert you that a child is being victimized or has been abused in the past.

Keep in mind that some of the behavioral signs listed will show up at other stressful times such as divorce, the death of someone close, or problems in school.

Behavioral Signs:

- ◆ *"Spacing out" at odd times*
- ◆ *Nightmares, difficulty sleeping, fear of the dark, or other sleeping problems*
- ◆ *Intense fear*
- ◆ *Appetite loss, problems with eating or swallowing*
- ◆ *Fear or sudden dislike of certain people or places*
- ◆ *Sudden and extreme mood swings; anger and depression*
- ◆ *Ongoing and unexplained stomach illnesses*
- ◆ *Behavior typical of younger children (e.g. clinging, bed wetting, fear of being away from home)*
- ◆ *Self-mutilation, cutting or burning themselves*
- ◆ *Sexual acting out*
- ◆ *Sudden changes in friends or relationships*
- ◆ *Suddenly having money*

Physical Signs:

- ◆ *Sexually transmitted diseases*
- ◆ *Unexplained bruises, redness, or bleeding of the genitals*
- ◆ *Pain or injury to the genitals or mouth*

Myths and Facts about Sexual Abuse

- Myth:** Adolescents often make up stories about adults having sex with them.
- Fact:** Often young people are afraid or embarrassed to tell anyone about being sexually abused. They sometimes feel that it is their fault or that they will be accused of "asking for it" through their behavior or the way they dress. It is NEVER their fault.
- Myth:** Young people are not really harmed by what some call "gentle" incest that does not include any aggressively violent behavior.
- Fact:** Any sexual contact between an adult and an adolescent, even if it does not seem overtly violent, is harmful and may affect an adolescent for years to come.
- Myth:** Child sexual abuse is usually committed by a stranger.
- Fact:** Ninety percent of child victims are sexually abused by someone they know.
- Myth:** Victims are usually sexually provocative adolescents who do not appear upset by the abuse.
- Fact:** Being "sexually provocative" does not give an adult the right to sexually abuse a young person. The way adolescents look, act or dress is a part of growing up and discovering their sexuality. Often adolescents will behave as if they are not upset at all for various reasons. This does not mean that they have not been emotionally harmed.
- Myth:** Sexual offenders look violent or frightening.
- Fact:** Sexual offenders look like any normal person. They can come from every profession and socioeconomic group.

The Facts Are . . .

Some statistics reveal that one out of three girls and one out of six boys will experience some form of sexual abuse by the age of eighteen.

Sexual abuse within families usually begins when a child is very young and may last for several years, even into older adolescence.





My child told me about the sexual abuse. What now?

Your child has trusted you with a very confusing and painful part of her/his life. This tells you that there is a special relationship between the two of you. Whether you are a father, a mother, a grandparent or a guardian, you are in a position to become a very important part of your child's healing process.

First of all . . .

Stay calm and ask your child gentle questions about what happened.

In a gentle and caring manner, ask what happened, when and where it happened and by whom. Remember to stay calm and ask simple and direct questions. Guilt, confusion, anger and shame about the abuse can create fear for your child.

The next step is . . .

To listen compassionately to what your child tells you.

Listen to what your child says to you and listen to what your child *does not say*. Statements such as "I'm afraid to go to that party" or "I don't want to stay alone with my friends" should alert you to ask more questions. Take care that your questions do not pressure the child to give you names or places. Be patient and do not suggest specific places, names or dates.

Be sure that you . . .

Reassure your child that you believe her and will support her.

Tell your child that you believe him or her and that you will do whatever you can to help. Do not make any promises that you can't keep, such as that you will not tell anyone what happened. Your child may not tell you anything at first. When your child does tell you what happened, tell him/her that it took courage to tell you know what was going on and that you are glad she/he felt like she/he could talk with you.

Finally . . .

Seek help for your child and for yourself.

It is important to get help and support. Report what happened to your local law enforcement agency or to the **ARKANSAS CHILD ABUSE HOTLINE at 1-800-482-5964**. You may also wish to contact a victim advocate at **Safe Places** by calling 501-374-SAFE (7233)

What kind of help do we need?

It is very important that you get help for your child. Experts and parents agree that it is helpful to both young person and to the parents to get outside help, even if your instincts are to "keep it within the family."

If your child is a victim of sexual abuse, be sure to get your child to a safe place and seek specialized treatment for your child. Although there may not be any signs of physical harm, research studies show that a child needs specialized help and attention to heal from this abuse, otherwise he or she might be at risk for further abuse and/or sexual acting out.

We can't always know the right words to say in difficult situations. The sexual abuse of your child is such a painful violation of your child *and* you, but these simple points may give you some help in talking with your child:

- ◆ Talk to your child honestly and openly.
- ◆ Be open to your child's questions.
- ◆ Take your cues from your child and you will sense when he or she feels like talking.
- ◆ Let your child know that she or he can tell you anything or ask you any question.
- ◆ Don't be afraid to say, "I don't know, but I'll try to find out."
- ◆ Make sure **you** are comfortable before you try to talk to your child about the abuse.
- ◆ Set aside time when you can focus on your child without being interrupted.
- ◆ Ask one question at a time and listen carefully to your child's answers.
- ◆ Ask your child to explain anything that is unclear to you.
- ◆ Let your child know that an abuser could be someone they know, someone older or close to their age, someone who makes them feel special.
- ◆ Acknowledge that it must be difficult for your child to talk to you, and praise your child's courage to tell you what happened.
- ◆ If your child is reluctant to talk, be patient and keep trying. You may need to wait awhile and open the conversation at another time.
- ◆ Try not to suggest answers to your child.
- ◆ Avoid criticizing your child for his or her choice of words.
- ◆ Try to stay calm and reassuring by not showing shock, horror or anger at what your child tells you.



Everyone, including your child, wants to be asked questions about what is going on in his or her life. When sexual abuse has occurred, your child needs your reassurance and your love.

It will be hard to know what to say and when to say it. It's not possible to know just the right thing to say to your child. But when you do talk with your child, even if you don't always know what to say, your child will know that you are there to be loving and supportive.

Even though you are feeling despair yourself, try to be reassuring to your child.

Be honest; you do not have to mask your emotions, but try to monitor them.

Cry if you need to, but try to also smile at times so that your child knows there is hope.

Say something like: "I am so sad right now because you have been hurt, but I know that we'll have good times again. I want you to know that, too."



What if my child is not telling the truth about the abuse?

It is important that you believe your child and let her/him know that you will be there. Believing your child is also important in beginning your own healing process.

Think about these questions:

- ◆ Even if your child does lie about some things, does lying about coming home late compare with telling about something as serious as sexual abuse?
- ◆ Can you understand how difficult and embarrassing it is for your child to tell you what happened?
- ◆ What does your child have to gain from accusing someone of sexual abuse?
- ◆ The last thing an adolescent usually wants is to turn her own world upside down. So why would she risk telling a lie about something that could potentially cause everything in her world to change?

Most children are sexually abused by someone they know. They tell because they want the abuse to stop, not because they want to hurt the abuser or get them in trouble. If you do not believe your child, he/she may believe that you will not be supportive or protective. Your disbelief will also decrease your child's confidence about telling someone else.

The truth is that children rarely lie about being sexually abused. Most adolescents do not lie about being sexually abused.

It is not unusual for a child to tell what happened in bits and pieces. One of the ways adolescents cope with abuse is to push the memory of the abuse away and pretend it never happened. After they have told someone and feel safe, they may remember more about what happened.

Believing a child shows your love for them, and your love is very important in their healing process.

Even if your child does tell you about the abuse, your child may later say that the abuse did not happen. Sixty percent of victims recant because of their fear of having to see the abuser. Others feel guilty for making "trouble" in the family and just want life to get back to normal.

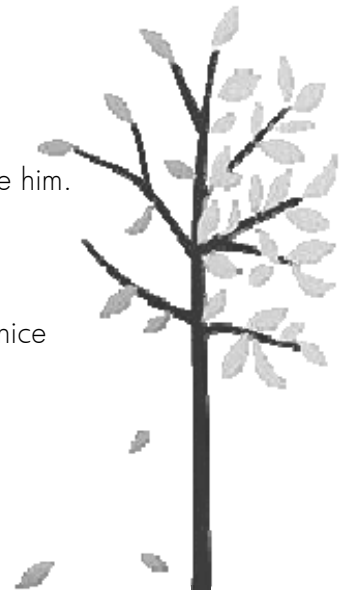
Why didn't my child tell me sooner?

Adolescents often try to protect their parents from being hurt or angry, especially if the abuser is a friend or family member. If your child knows that you have a very close relationship with the abuser, she may well avoid telling you because she knows the relationship will be strained or broken. Sometimes children know that someone outside the family will be less likely to be emotionally upset by the disclosure. Sometimes

children tell other adults like teachers or family friends.

Some of the reasons children give about why they didn't tell sooner include:

- ◆ I was embarrassed to talk about it.
- ◆ He told me I would get in trouble.
- ◆ I was scared he might hurt me if I told.
- ◆ He said he would have to go to jail, and I didn't want that.
- ◆ He told me that he would say I wanted to do it and you would believe him.
- ◆ He said he would kill himself if I told anyone.
- ◆ He told me that my Mom already knew about it
- ◆ I was afraid nobody would believe me.
- ◆ Everybody really liked the person who did this to me. He always did nice things for our family.



Why did my child go along with the abuse?

Adolescents often feel a great deal of trust and affection for people they know. This can actually set up young people to be abused by persons who knows how to manipulate and trick them. A favorite teacher, a coach, a family friend – your teen may admire many adults in his or her life. The fact that the young person cares about or admires the offender adds to the confusion. Remember that we often teach our children from very young ages to be “nice” and to never say “no” to adults.

People who abuse children usually have the ability to create trusting relationships with children before they sexually abuse them. This is called the “grooming process.” The abusers initially engage in appropriate and affectionate touching, and then move gradually to sexual touching. The change often happens so gradually that the young person is confused. Often an abuser can make a young person feel “special” and talk about being “in love.”

Eventually, young people become aware that what is happening is abuse, not affection. At some point, they will realize that the abuser is not “in love.” When they realize this, they are often confused by the fact that they complied with the abuser, even enjoyed his company. This is a particular problem with adolescents who may not be getting as much attention as they need and therefore, are vulnerable to the attention from someone who makes them feel loved and attractive.

They may now believe that they “let it happen.” Abusers use the resulting guilt to convince the young person that she/he was somehow responsible. This guilt is one of the most difficult issues the adolescent will deal with in healing from the abuse.

Another factor in why young people appear “to go along” with sexual abuse is the presence of a power imbalance. An adolescent can feel quite powerless in the presence of an adult who has status or power. Adolescents want to feel accepted and loved by adults. They want to be in a relationship, and sometimes mistake an abusive relationship for a healthy one. Remember that adolescents are still children and do not often have the level of maturity that helps them assess relationships. Even mature

Adolescents do not comply with being abused; they feel as if they have no choice. If a cheerleader, for instance, desperately needs to feel accepted by the football coach – for whatever reason – then that coach is in a position of power over her. That opens up the door for an abuser to manipulate a situation and sexually abuse a young girl. Sometimes young people who have been sexually abused are convinced by offenders or other adults that they did go along with the abuse, but in reality they were forced, tricked, confused and/or manipulated. This is definitely not compliance or consent.

It is very important for the child's healing that significant family members (parents, aunts, uncles and grandparents) tell the child: "*What happened was not your fault.*"

It helps a child to hear that it is never a child's fault when an adult abuses the child, even if the child did not actually say "no." It may take your child a long time to believe that the abuse was not his/her fault. Be patient and supportive as your child works through this difficult issue.

Did I fail to keep my child safe? Was it my fault that this happened?

Even though the abuse was not your fault, it is a good idea to take a look at what you have learned from the abuse and ways to make a safer environment for your child. You may decide to change the way you supervise your child and his/her friends. You may become more aware of the level of adult supervision at the homes of your child's friends.

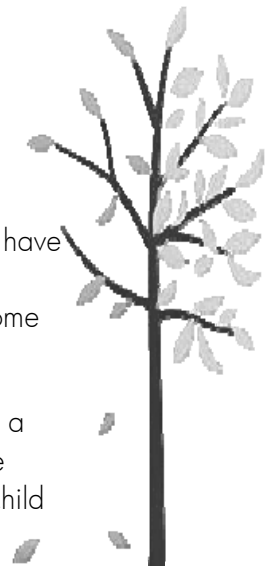
If you are a single parent, you need to be aware that children who live in a home with a stepparent or mom's boyfriend are at higher risk of being sexually abused. If you abuse drugs or alcohol, you need to look at the ways in which your intoxication leaves your child less protected.

Also, you can take responsibility for how you responded to your child's disclosure of sexual abuse. If you were unbelieving, or angry, or confused about what to do, you can now go back and talk with your child, apologize or explain why you behaved the way you did.

However you handled the disclosure and whatever mistakes you feel you may have made in parenting, remember that the sexual abuse is not your fault. It is the fault of the offender. Your job now is to seek support for your child and for yourself so that both of you can begin to heal.

You must remind yourself that, although this terrible crime against your child has rearranged your lives, there is hope for healing and living a full life again. Children have an amazing resilience, and have within them a special strength that helps them survive. Place your trust in your child's inner strength and resilience and help her/him move toward healing.

If there was no way for you to know about the abuse of your child, then it is not your fault that someone else sexually abused your child. No matter what you did or did not do, only the person who actually did the molesting is the one to blame for the abuse. No parent can fully protect a child from everything that could happen, and blaming yourself for what has happened will not help you or your child.



What do we say when people ask about the abuse?



During this difficult time, you and your child will need to make many decisions. One of those is deciding whom you will tell about the abuse. Your child will likely find ways to comfort him/herself. Some of the ways children do this is by forming closer relationships with grandparents, other relatives, friends, even pets. Be sensitive to your child's needs during this time and follow his/her lead.

It is also important to follow your child's lead in who to tell about the sexual abuse, when to tell, and how to tell others. If your child is experiencing fear or behaviors that need special attention, it may be important to tell responsible persons, such as teachers, school counselors or a regular sitter. You will probably feel a need for support from people you trust, and this can be an important part of your healing. At the same time, you need to protect your child from feelings of exposure and embarrassment. You and your child have a right to privacy. Part of the healing process is having control over your own lives. This means that it is your choice, and your child's choice, who to tell. Determining what your responses will be can be difficult, but it's worth the effort to decide and to talk it over with your child.

The following conversation may help you sensitively explain to your child why you want to tell a teacher what has happened:

I want to tell your teacher you have had an experience with an adult who has a touching problem. I don't need to tell her the details, but I want you to have someone at school you can talk to if you need help. Mrs. Brown will understand that children sometimes must deal with these types of problems. How do you feel about that?"

A response that might help you with the questions of other people is:

Thank you for your concern. We are getting the help that we need.

So what do I do about my own feelings?

You will have strong feelings about the sexual abuse of your child. Parents and other family members are often as affected by the abuse as the child. When people hurt our children we have many confusing and troubling feelings, which may include: anger, disbelief, sadness, guilt, shock and depression. When the offender is someone we also love, we may have the added problem of feeling that we must "choose" between the offender and the child.

All of these feelings are common to parents. However, the intensity of your feelings may be too much for your child to handle. Your child may try to protect you from these strong feelings by shutting down and not working on her own feelings. Not talking about the abuse may make the child feel that you are being protected from hurt. You can help your child by getting help with your feelings with another adult — a friend or relative or counselor. This does not mean that you should not express any feelings to your child. It is perfectly appropriate to be honest in saying that this abuse is hurting you too. Just take care to limit the intensity of the emotion you let your child see.

It is very hard to be there for your child when you are feeling overwhelmed. You may even have feelings you don't understand, such as anger toward your child. It is important to keep your own feelings separate from those of your child. Do not expect your child to feel exactly the way you feel. For example, if your husband abused your daughter, you may be filled with rage. You feel so furious at your husband that your daughter

feels uncomfortable expressing how much she misses him. Let her know that her feelings are okay. This may be especially difficult if you were abused as a child. Your child's abuse may bring up old feelings about your own abuse.

This is a good time for you to get counseling for yourself. Parent Support Groups may also be available in your community. The more you can take care of yourself the better you will be able to help your child.

It is important to realize that you are not alone and that your feelings are normal. As you give yourself permission to deal with your feelings, your pain will lessen. It will take time, but you can survive this difficult time if you pay attention to your own feelings and seek the support you need.

Will my child need counseling?

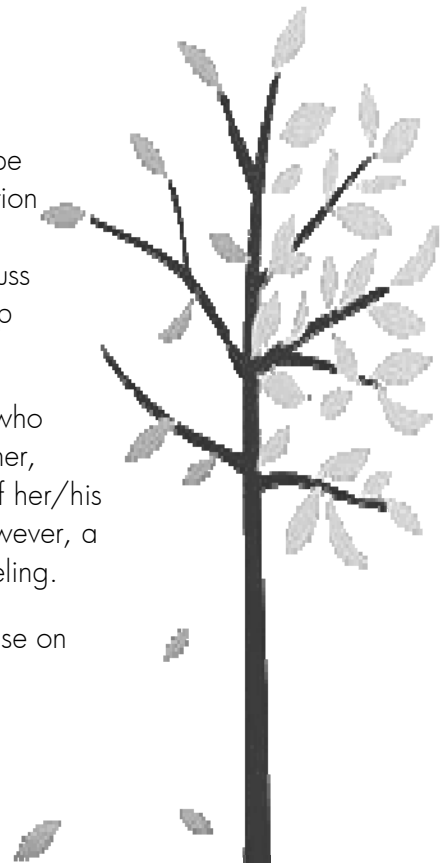
Any child who has experienced significant sexual abuse needs to be evaluated. We encourage you to contact a local violence intervention program like Safe Places or a professional counselor who is experienced in working with adolescents and sexual abuse to discuss your child's abuse and the symptoms you are seeing. They can help you decide if your child will need counseling.

For example, a child who was touched once on his/her genitals, who told right away, and whose parents believed and supported him/her, may not be severely affected. This child may not need counseling if her/his parents are comfortable with talking about the abuse at home. However, a child that has experienced long-term sexual abuse will need counseling.

These are some of the factors that influence the effect of sexual abuse on your child:

- ◆ The extent of the abuse.
- ◆ The duration of the abuse.
- ◆ The child's stage of development.
- ◆ How responsible the child feels for the abuse.
- ◆ The child's relationship with the offender.
- ◆ The level of support the child feels from his or her family.
- ◆ How significant persons responded to the child at the time of disclosure.
- ◆ How well the child was doing before the abuse began.
- ◆ The level of fear the child experienced at the time of abuse.

Some of the things the offender said or did can make your child feel responsible for the abuse. This feeling of responsibility is an issue that requires evaluation and treatment. It is important that a child who has been sexually abused have a clear understanding that the sexual touching was abusive and that it was not his/her fault. The child may have had positive feelings toward the offender and needs to separate what was okay about the relationship from what was abusive. Even a one-time incident can cause confusion and guilt if not handled properly.



A child who was molested by her father over a five year period, whose abuse progressed to intercourse, and who when she told, was not believed, will most likely suffer immediate and long-term effects. This child will definitely need therapeutic support.

Sometimes a young person will show few symptoms at the time of the abuse but develop problems at a later time. For example, as an adolescent matures, the memories of previous abuse may interfere with the development of a healthy sexual identity, as well as the ability to form close relationships. This child may have a new set of questions that may need to be worked through with a counselor.

Child sexual abuse has been covered extensively in the press and people have read that some victims of incest become prostitutes, drug addicts or abusers. While it is true that untreated child sexual abuse can cause negative effects lasting into adulthood, do not assume this will happen to your child or give your child the message that she is now "ruined" for life.

Parents are sometimes tempted to sweep the abuse under the rug and pretend it is "no big deal." Perhaps you were abused as a child and feel it has had no negative effects on you. This attitude will not help your child deal with her/his own feelings about the abuse. Your child needs to know you will take the problem seriously without overreacting. Being willing to seek counseling for your child at any stage that difficulties arise will be an important factor in your child's healing. Call your local children's hospital, an adolescent clinic, Safe Places, or the Children's Justice and Protection Center for names of professionals experienced in treating sexually abused children and their families. A skilled counselor will appreciate the fact that you ask questions about her/his qualifications, and will realize how important it is for you to have confidence in her/him.



How do we choose a counselor?

Think of choosing a counselor for your adolescent as a part of the many things you will do *together* to get through this difficult time. Your relationship with one another is a critical part of the healing process for both of you. Begin your search for a counselor by telling your child why you want to find a counselor. Explain to your child that a counselor can be a support for both of you. Tell your child that you have confidence in the counseling process and try to explain the process in a way that will alleviate your child's fears about it. Talk about therapy or counseling as your child *having a friendly conversation* with another adult who knows how to help.

Ask the therapist you are considering the following questions:

- ◆ What kind of training has the therapist had in the area of child sexual abuse?
(What workshops, classes and books has she/he participated in or read?)
- ◆ How many survivors of sexual violence has she/he treated?
- ◆ How long has the therapist worked in sexual assault treatment?
- ◆ Does your child's therapist have a plan for giving you progress reports and an opportunity to ask questions?
(This is different from telling you what your child says in therapy.)
- ◆ Is your child's therapist willing to see the abuse as a primary problem rather than minimizing the abuse?
- ◆ Does she/he see you as a partner in your child's healing?
- ◆ Does the therapist place the responsibility for the abuse solely on the offender, not on you or your child?

What is a Victim Advocate or a Victim Assistance Professional?

Treating child sexual abuse requires specialized training. A general counseling background is not enough. There are many licensed counselors who have had no additional training or experience in child sexual abuse.

A victim assistance professional is a person who has been specifically trained to work with victims of violence. This is an important resource for you and your child. While many counselors and therapists may not be trained to work with victims of sexual abuse, the victim assistance professional will have this unique experience and will know about the physical and emotional consequences of victimization. This professional will also have a thorough knowledge of issues that need to be addressed by therapy or counseling. The victim assistance professional may be the very best person to provide support for you through this difficult time. If she/he is not equipped to provide counseling, she will be able to refer you to a mental health counselor or social worker. It is critical for the mental health professional or social worker who provides counseling to your child to work collaboratively with the victim assistance professional.



What will happen in counseling?

The format of your child's counseling will depend upon the following factors:

- ◆ The extent of the sexual abuse and its effect on your child.
- ◆ Your child's age and emotional needs.
- ◆ Your feelings, positive or negative, about having your child in counseling.
- ◆ Your choice of a therapist, social worker, or victim advocate to provide counseling.
- ◆ The skill and experience of the counselor, social worker, or victim advocate in treating young people who have been sexually abused.
- ◆ The personality of the counselor, social worker or victim advocate.
- ◆ The practitioner's philosophy of counseling.

This is where your role in the counseling process becomes so important. Make certain that the counselor holds a philosophy of counseling that includes positive outcomes as a result of counseling. Believe that your child will heal and make sure that the counselor also believes that your child will get beyond this difficult time.

Your child's counselor may suggest individual, group or family counseling. Be open to whatever participation the counselor feels is appropriate. Often you're the counselor will suggest a combination of individual, group and/or family counseling because different types of counseling can get to the issues through different doors.

You will discover soon after your child's counseling begins that there will be several common issues that all abused children need to explore during their counseling. These issues include:

- ◆ Guilt and shame
- ◆ Sadness and loss
- ◆ Feelings of being "different" from other children
- ◆ Feelings of betrayal and loss of trust

- ◆ Body image (concerns about being “damaged goods”)
- ◆ Premature sexualization
- ◆ Feelings of powerlessness
- ◆ Premature adult behavior

Your child needs to feel that her/his time with the counselor is private. This will help your child have the freedom to express any feelings or worries. The counselor should explain confidentiality to both you and your child. It is understandable that you will want to know what your child is doing in the counseling sessions, but pressuring your child to talk about sessions will not be helpful.

The positive aspect of counseling for your child is that most children actually enjoy it. The activities the counselor uses should be fun for the child. Your child may have the chance to share what happened in groups with other children. It is positive when children find out that they are not the only ones who have been abused.

Remember that children are usually relieved to talk about what happened with someone who is not directly involved. Many children, out of concern for their parents, don't want to tell them things that will worry them or make them sad. The counseling session provides a safe place for children to deal with their feelings without the fear of hurting a parent.

Still, young people sometimes are reluctant to go to counseling. This is a normal reaction, because the things they are dealing with are painful. Because feelings like anger or sadness may come to the surface for your child during counseling sessions, your child's behavior after the sessions may reflect that. Be gentle and understanding with negative behaviors and remember that this is a stage in your child's healing process.

If your child does experience discomfort following counseling sessions, this does not usually mean that the therapist is not effective. Before you consider changing therapists, discuss your concerns openly with your child's therapist, and with your child. Future counseling sessions and trust building will be more difficult for your child if you suddenly switch her to another therapist. Remember that your child is an adolescent, and has strong feelings and valid opinions about his/her own therapy. Honor your child's autonomy.

It is natural for you to be concerned about your child during the counseling process. Parents typically have many concerns about their child's counseling experience. The following concerns are common among parents:

- ◆ Will this counseling really help?
- ◆ Will the counselor be able to connect with my child?
- ◆ What do they say about our family during counseling?
- ◆ Wouldn't it be better if we just moved on and forgot about the abuse?
- ◆ How will I deal with the cost of the sessions?
- ◆ Having to go to counseling disrupts her schedule and makes her remember what happened
- ◆ She seems worse sometimes after her sessions.

You may discuss these issues with the counselor, but mostly with your child. Remember that your child's sessions need to be *her* sessions, and she needs to feel that she is safe talking confidentially to a counselor. However, it is important for you to have confidence in the counselor, so ask whatever questions are of

concern to you. Your child's relationship with the counselor is important because it will help your child learn to trust again after being betrayed.

The child needs to feel protected and safe enough to sort out the confusion and pain of being abused with the counselor. Remember that counseling is a process, sometimes a lengthy process. Your confidence in the process will make a difference for your child. Remember that no matter what kind of counseling your child receives, your relationship with your child will be an important part in his/her recovery.



What's the difference between what is normal sexual exploration and what is abuse?

Sexual play and exploration can be a normal part of a child growing up. There are certain sexual behaviors that are appropriate to each age group. However, some behaviors are not normal sexual exploration. Sexual play is abusive when a child engages in sex play with a much younger child, or when a child coerces or forces other children to engage in sexual behaviors. If a child is being used in any way to meet the sexual needs of another, then it is sexual abuse.

Pay attention to whether any sexual "exploration" is appropriate for the child's age and normal sexual development. Important questions are: Does the sexual exploration occur between children of the same age and size? Does the play occur between children within similar social circles? Is there an imbalance of power in the relationship, such as a baby sitter playing "show me yours and I'll show you mine" with a younger child? These situations are NOT merely developmental sexual exploration

What sexually abusive behaviors should I look for?

It is not always easy to tell if sexual abuse is happening especially when adolescents are involved. It will help to remember that you do not have to decide on your own; you can determine that it would be helpful to have someone else take a look at what's going on.

The following are danger signals that might alert you to abusive behavior among children:

Does the child /adolescent tell you he or she does not want to be left alone with another child?

Does the child/adolescent take younger children to secret places like hideouts, playhouses, forts, etc?

Does the child/adolescent play "secret" games with younger children, like doctor/patient or pants-down games, etc?

Does a child insist on hugging or kissing a child when the other child does not want to be hugged or kissed?

Does the child show sexual material to younger children?

Does the child/adolescent play games with a child that the adolescent would not otherwise enjoy, such as an adolescent playing

"house" with a much younger child?

Do you notice sudden changes in a child's moods or habits, such as outbursts of anger or fear of leaving the house?

Does the child become anxious when he or she is told about a particular person coming to visit?

Does the child force sex on another child?

Does the child expose his/her genitals to other children?

Does the child make obscene phone calls?

Does the child/adolescent use sexualized language?

Does the child/adolescent focus intense attention is overly interested in the physical maturing or developing body of another child?

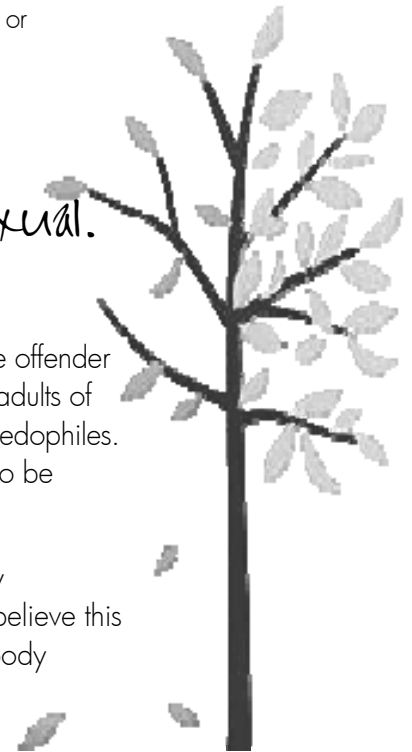
My son was abused by a man.
Someone told me he could become a homosexual.
Is this true?

You may assume that because your son was molested by a male, it means that the offender is homosexual. This is a myth. Homosexuals are adults who are attracted to other adults of the same sex. Adults who are sexually attracted to children or young people are pedophiles. The vast majority of offenders are heterosexual, not homosexual. Your son may also be confused about this issue and be embarrassed to talk with you about it.

An adolescent's body may respond to sexual stimulation, and if your son's body responded to some of the sexual stimulation with arousal or enjoyment, he may believe this means he is a homosexual. You can explain that this arousal merely means his body responds in a healthy and normal way.

In addition to worries about being homosexual, boys may feel especially humiliated and embarrassed that they were not "strong enough" or "man enough" to physically resist their offender. These feelings can lead to under-reporting by male victims and require special counseling needs.

Allowing your adolescent to talk about the abuse on his own terms gives you a chance to support your child and to see how he is dealing with it. It gives you a chance to correct any misinformation he may have about why the abuse happened. Even though you may be feeling very sad and sorry about what has happened, it is best not to give your child special treatment. When children are upset, we tend to give them more nurturing and bend the rules a little. More nurturing is always appropriate, especially when your child is hurting. When your child first discloses the abuse, it may be necessary to make some special consideration for negative behaviors because of the intense stress your child is under.





However, try to follow your regular routine – including chores, curfews, limits, and rules – as quickly as possible. Otherwise your child may get the message that something is very wrong and that everyone “different” since the abuse. Your child may feel that he or she is different than before and will never be the same again. This can be troubling to a child.

Remember, the abuse cannot be used as an excuse for inappropriate behavior. You will certainly be understanding about why your child may act out as a result of the abuse and disclosure, but your child still needs the security of consistent and appropriate limits.

Will our lives ever be normal again?

Will my child ever want to go to a ballgame or a movie again?

Everything has changed in your lives, but your adolescent *will* enjoy life again. Try to be patient; it will take some time for healing to occur. Adolescents can respond to difficult times with brooding and sometimes move into depression. But you can be confident in the fact that, with the right help and support, your child will get through this dark time and move to a brighter day. And so will you.

You and your child will benefit from developing a picture of your child as a strong, capable individual. With this image in mind, try to find ways to encourage, compliment and praise your child for being a special part of your life. Give these messages to yourself as well! You both need to be affirmed and nurtured.

How can I best help my child recover?

It's important to remember what was enjoyable in the family prior to the abuse.

The abuse has caused your adolescent to face a life event that significantly impacts development and maturation. So try to be patient with your young person's maturation process during these days. There may be a slight regression, or at least a sense that your son or daughter has lost some self-confidence and independence. Let your child be where he or she is without showing a high level of concern. It's normal for a young person to have to re-group after so traumatic an event. Remember that your child's "inner self" has been violated and recovery may take some time.

Make plenty of time for your family to enjoy one another in ways that have been comfortable in the past – card games, board games, movie and popcorn night, whatever the family has done together.

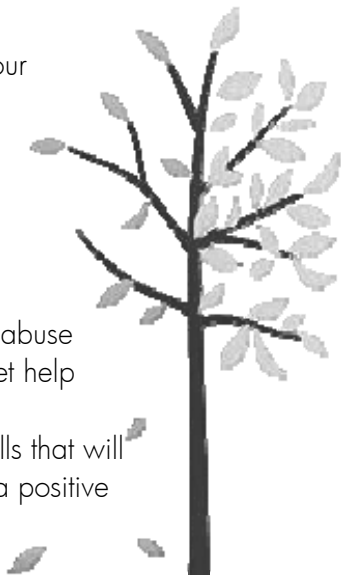
And by all means, let your adolescent work through this trauma in his/her own time. Let him relax without the pressures of trying to make adult decisions.

What do I do with all of my emotions?

Just let your own emotions take their course. Concentrate on one moment, one hour at a time, and try not to borrow problems that have not appeared. It may feel tempting for you to try to distract yourself with drugs or alcohol, food, shopping, even television, but this may only delay the healing for you and your family. Do things you enjoy, but try to avoid any activity that would provide a false sense of well being for you.

As painful as sexual abuse is for a family, it can also be a time of healing. If the abuse of your child has triggered painful memories from your past, now is the time to get help and be an example of healing for your child.

Know that there are many ways you can help give your child knowledge and skills that will keep them safe in the future. The following concepts will guide you in providing a positive atmosphere for your child.



An Adolescent's Developing Boundaries

Adolescents who have been sexually abused have had their personal boundaries violated. You can help them rebuild appropriate boundaries by encouraging a certain amount of autonomy and privacy.

For example:

- ◆ Giving children the right to say "no" to anyone (you included) about any physically affectionate behavior.
- ◆ The right to shut the door to their bedrooms
- ◆ The right to not talk about things if they don't want to
- ◆ The right to talk to their friends

Give your children permission to be assertive with adults and practice refusal skills with them:

"No, leave me alone."

"I don't like what you're doing."

Young People Have Rights

Teens need to know they have certain rights, such as the right to feel and express their own emotions, to have their own opinions, their own likes and dislikes, and the right to say who can touch their bodies.

Teaching them that they do have these rights, along with encouraging the building of healthy self-esteem, will allow your child to trust his or her own inner world and sense of self. Above all things, this kind of trust and sense of self will help your child sort out inappropriate intimate experiences.

Open Communication

If an adolescent is experiencing confusion about sexuality and trust, he or she needs to have relationships with adults that can be trusted. A child needs to feel free to ask trusted adults hard questions. Children need to have parents who take the time to listen to them.

Adolescents have a full range of feelings that can be very intense. No feeling should be off-limits. Give your young man or young woman the permission and the freedom to show all feelings to you. Ask yourself if your

child has been taught appropriate ways to show anger, despair, fear, sadness, etc. It is better for children to express these feelings than for them to keep them hidden inside.

Children need to know that they can count on their parents, and that their parents are strong enough to handle strong feelings and tough problems. This does not mean a parent must be perfect, but that the child can trust that the parent will not fall apart and that the parent will be available to listen and understand.

Develop clear, consistent family rules about safety. These may include rules about going to and from school, how to answer the phone and door, how to safely use the internet, and what to do if they are home alone.

Discuss an action plan. Talk to your child about what he or she could do if a stranger approaches him/her in an uncomfortable way. Also discuss what your child could do if someone he/she DOES know makes him/her uncomfortable.

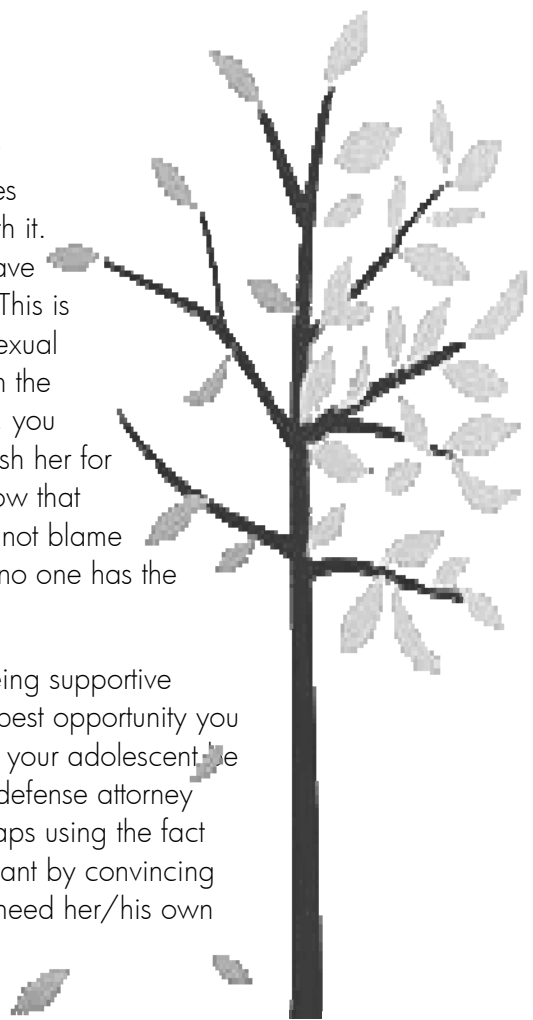
Identify a wide support system that you and your children can turn to for help in decision-making, including close neighbors, extended family, friends, etc. List names and numbers in a place visible to your children and include local community resources.

Encourage your children to share their concerns with you by telling them you will listen to them, believe them and support them.

Most important of all . . .

Understand that a teen that is sexually active can still be sexually abused. Just because an adolescent has had consensual sex does not mean that anyone can have sex with them and get away with it. Through the experience of your child's sexual abuse, you may have learned for the first time that he or she has been sexually active. This is NOT the time to punish them or make them feel as if their own sexual behavior led to their assault or abuse. Although sexual activity on the part of your adolescent may be a behavior you do not condone, you must understand that this is not the time to ground a child or punish her for behavior you do not tolerate. Certainly, you may let her/him know that you do not condone sexual activity for your child, but please do not blame your child for being victimized. Even if a teen is sexually active, no one has the right to have sex with them without their consent.

Refraining from applying swift punishment in this situation and being supportive because your child has been hurt and violated may provide the best opportunity you will have to *later* discuss sexual behavior with your child. Should your adolescent be involved in court proceedings regarding this assault/abuse, the defense attorney will likely attack your child because of prior sexual activity, perhaps using the fact that she/he was already sexually active to exonerate the defendant by convincing the jury that the abuse was consensual sex. Your child does not need her/his own parents to also take this position of blaming the victim.



Can I really help my child stay safe, and feel safe?

Yes, you *can* help your child learn safety skills, and that will be an important part of re-building your child's confidence, self-esteem, and the ability to trust relationships.

This will be one of the most important things you can do for your child in these days of trying to heal and getting back to normal life. Start by finding some of the excellent reading materials available, and encourage your child to read them and talk about them with you.

Encourage your child to talk about the abuse when he/she feels like talking, but do not force the subject. Give your child the personal space she needs to work through what happened on her own timetable.

If your son or daughter is not comfortable talking about this with you, and instead is talking to another trusted individual, try to accept that. Understand that talking to one's own parents about such things are sometimes very difficult for young people. If there is an aunt or uncle, grandparent, family friend that your child feels safe talking with, allow that to happen without nursing your own feelings of being rejected or left out.

Your teen needs space and time. That may be the best support you can give.

How can I help calm some of my child's fears about court?

Your child's anxiety and fear of the judicial process is a normal reaction. Knowing all you can about the process will help you calm your child and alleviate at least some of the anxiety. The Arkansas Crime Information Center has a guide for victims of crime that gives a wealth of information. Publishing parts of that informational guide here may help you get a better understanding of the details of the judicial process.

Crime Victims Rights

The Arkansas Crime Victim Rights Law mandates certain basic rights for people victimized by crime. The law does not apply to all crimes, but only certain crimes and certain victims, including:

- ◆ A victim who is a minor
- ◆ A victim of a sex offense
- ◆ A victim of any felony resulting in physical injury to the victim
- ◆ A victim of any felony involving the use of a deadly weapon
- ◆ A victim of terroristic threatening in the first degree
- ◆ A victim of stalking

If the victim is a minor, incapacitated, or deceased, a member of the victim's family may exercise the rights of the victim.



Important Note about the Arkansas Juvenile Justice System

It is important to note that, if your child's offender is a juvenile, the rights may differ. Juvenile delinquency proceedings usually are more private than adult criminal trials. Juvenile court records are not public records and are not subject to release under the Freedom of Information Act. The court proceedings and filings may also be closed and confidential. A crime victim and persons providing victim support, or a victim's representative, may be present unless the judge decides that that person's exclusion is necessary to preserve the confidentiality or fairness of a juvenile proceeding.

Juvenile Crime victims do not have the right to present victim impact statements, but some judges may allow them.

Also, information regarding juveniles is not available through the Arkansas VINE Program unless the juvenile is charged as an adult.

The following rights are mandated by the Arkansas Crime Victim Rights Law:

(Please note that some of these rights may not apply if the offender is a juvenile. See Juvenile Justice System below.)

- 1) **Victim Information** - The Crime Victim Rights Law protects information about victims. A court cannot compel a victim to give his or her address or place of employment in open court, except when the court decides it is essential to the case. Law enforcement agencies cannot disclose information to the public about the identity of the victim of a sex crime except under limited circumstances. The address and telephone number of the Victim is also protected from release under the Freedom of Information Act.

When property of the victim is seized and used as evidence, the agency holding the property must take reasonable care of the property and promptly return it to the victim when it is no longer needed as evidence.

Employers cannot discharge or discipline a victim of crime for assisting the prosecutor in preparing the case or for attending court if it reasonably protects the victim's interest.

- 2) **Information from Law Enforcement** - Law enforcement agencies responding to crime incidents are required to inform victims in writing of their rights under this law. Officers must inform victims of the availability of services such as medical, housing, counseling, financial, social, legal, and emergency services. In addition, officers must inform victims about how to obtain orders of protection, how to access public records related to the case, and about the Arkansas Crime Victims Reparations Board (including the address and phone number). As soon as it becomes practical, law enforcement officials must inform the victim of the suspect's identity and if he or she is in custody, unless this information compromises the investigation. Victims also have the right to know the case file number, the investigating officer's name and telephone number, and the prosecuting attorney's name and telephone number.
- 3) **Pre-sentence Report** – A pre-sentence report is a detailed account of a convicted defendant's educational, criminal, family, and social background conducted as an aid to the court in determining the sentence. The person preparing the pre-sentence report for the court shall make a reasonable effort to meet with the victim.
- 4) **Presence in Court** - Victims of crime have the right to be present in court whenever the defendant

appears, other than at a grand jury proceeding. If the victim requests, the court shall also allow the presence of a person to provide support for the victim in the courtroom. However, if the court decides that the victim's presence or the presence of the support person may jeopardize the defendant's right to a fair trial, the court can exclude either or both of them.

- 5) **Information from Prosecuting Attorney** - If requested by a victim, prosecuting attorneys are responsible for notifying crime victims of critical events occurring in their cases. This notification can be given orally, in writing, or automatically through the Arkansas VINE system. Victims are responsible for giving the prosecutor's office their address and phone number, and for updating this information if it changes.

Upon request of a victim or the victim's family, prosecutors are to notify victims of the following events and rights:

- ◆ Motions or hearings to establish bail or authorize pre-trial release from custody
- ◆ Proceedings on plea agreements
- ◆ Date, time, and place of defendant's trial
- ◆ Motions that may substantially delay prosecution
- ◆ Cancellation of court proceedings
- ◆ Pre-sentence report preparation
- ◆ Victim impact statement information
- ◆ All sentencing proceedings
- ◆ Information from custody institutions

Prosecuting attorneys must confer with the victim of the crime before amending or dismissing a charge or agreeing to a negotiated plea. However, failure of the prosecuting attorney to confer with the victim does not affect the validity of an agreement.

Prosecuting Attorneys or Victim Assistance Coordinators must provide the following services to victims:

- ◆ Assistance in obtaining protection from harm and threats of harm arising out of their cooperation with law enforcement and prosecution efforts
 - ◆ Assistance in applying for financial aid and other social services
 - ◆ Assistance in applying for witness fees
 - ◆ When possible, a secure waiting area during court proceedings that does not require victims to be in close proximity to the defendant and family and friends of the defendant
 - ◆ Involvement with the victims' employers to ensure that they cooperate with the criminal justice process in order to minimize loss of pay and other benefits resulting from court appearances
- 6) **Information Concerning Appeal** - If the defendant appeals, the Attorney General will inform the victim of that fact, of the date, time, and place of any hearing, and of the decision. These notifications may be accomplished through the Arkansas VINE system.
- 7) **Information Concerning Confinement** - In order to receive information from custody institutions, victims must request that they be notified. The Crime Victim Rights Law requires the Arkansas Department of Correction, the Arkansas State Hospital, and any other facility to which the defendant is committed to

notify victims of the following:

- ◆ Estimated date of the defendant's release
- ◆ Date of Release of the defendant on furlough or to a work-release, half-way house, or other community program at least 30 days in advance of the release
- ◆ Escape
- ◆ **Recapture from escape**
- ◆ Decision of the Governor to commute the sentence or to pardon the defendant
- ◆ Release of defendant and any conditions attached to the release of the defendant
- ◆ Death of the defendant during confinement

8) **Information from the Post Prison Transfer Board** - At least 30 days before a hearing, if requested by the victim, the Board shall inform the victim of the hearing and of the victim's right to submit a Victim Impact Statement. The Board shall also inform the victim of their decision concerning the defendant. The law requires the Board to consider the Victim Impact Statement before determining whether to release the defendant on parole.

The victim can choose to present the statement orally at the parole hearing or in writing. Because defendants may become eligible for parole every year, under certain circumstances victims may offer impact testimony via videotape. The Board is required by law to provide the defendant with copies of the victim's written impact statement.



It is the responsibility of the victim, or his or her next of kin, to notify the Board of any change in regard to the desire to be notified of any future parole hearings, or change in address or telephone number.

Victim Impact Statements

Crime victims of juvenile offenders may have the right to present victim impact statements depending on the judge's ruling. The Arkansas Crime Victim Rights Law guarantees the right for victims of crime (if the crime was committed by an adult) to prepare and present a Victim Impact Statement. The law also requires the court to *consider* the victim's statement. Impact statements are presented in the sentencing phase of trials and in Post Prison Transfer Board hearings.

We provide Victim Impact Statement forms for both adult and child victims, as well as for the parents of child victims. Victims may wish to use them as an example for drafting their own, but are in no way required to use these forms. If a parent chooses to allow their child to participate, the impact statement allows the child to tell the court in his or her own words, or by drawing a picture, how this crime has changed his or her life.

The Victim Impact Statement allows a victim to provide information on the following:

- ◆ Emotional and psychological impact of the crime
- ◆ Physical effects of the crime

- ◆ Effect of the crime on his or her ability to work or do any of the things he or she would normally do, such as going to work or school, running a household, or any other activities he or she would normally perform
- ◆ Financial impact experienced as a result of the crime

When describing the financial impact of the crime, it is important to be as clear, complete, and accurate as possible. The prosecutor, the probation officer, and the judge will rely on the information provided. Information regarding the financial impact may prove useful in the judge's decision to order payment of restitution. Restitution is the possibility of monetary payments made by the defendant to the victim in order to compensate the victim for financial losses resulting from the crime. If restitution is ordered, there is no guarantee the defendant will pay the entire amount.

Victims may also be eligible for financial assistance from the Crime Victim Reparations Board. This program reimburses victims for certain types of out-of-pocket expenses related to physical or emotional trauma as a direct result of a criminal act (See the Crime Victims Reparation Board section below).

Oral statements may be presented with agreement of the prosecuting attorney. This statement can be very useful to the judge in determining the proper sentence to impose. A victim may NOT, however, include his or her opinion of the defendant, or of the sentence that should be imposed. Submission of a Victim Impact Statement is voluntary.

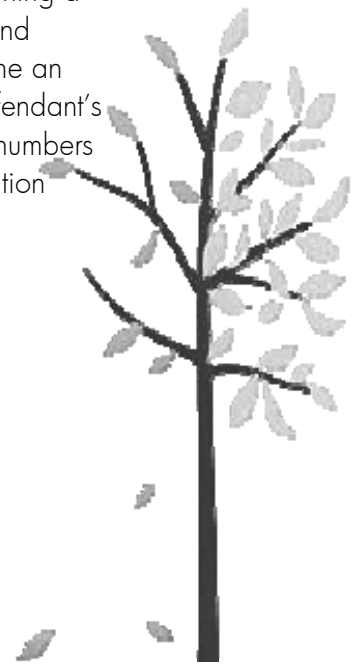
A written Victim Impact Statement may be useful if a plea is taken and/or the victim is unable to appear in court. The statement may also assist the prosecutor and victim witness coordinator in the preparation of actual victim testimony for trial. Only evidence or argument concerning a victim's personal characteristics or the impact of the crime on the victim's family and community are allowed. The Victim Impact Statement, once submitted, will become an official court document and part of the permanent file. The defendant and the defendant's attorney have access to the victim's statement. Victims' addresses and telephone numbers do NOT appear on these documents and are protected from Freedom of Information Act requests.

Victim Impact Statements for Adolescents

What is a Victim Impact Statement and how is it used?

Only you and your child can tell the court the effect this crime has had on you, your family, and those close to you. One way to do that is to fill out a victim impact statement. If the defendant pleads or is found guilty, your statement will help the judge understand what the impact of this crime has been on your child, you, and those close to you. While you have the right to fill out a statement, you do not have to fill out a statement if it will make you feel uncomfortable in any way. Filling out the victim impact statement is voluntary.

In some jurisdictions, you may also have the right to speak to the judge at the time of sentencing or to present an audio or video tape describing the impact of this crime. If you would like to explore this option, contact your Victim Assistance Coordinator in the Prosecuting Attorney's office.



It may be hard for you and your child to put into words the impact this crime has had on you and those close to you. However, your impact statement may help the judge in your case decide what punishment the defendant should receive and/or if the defendant will be ordered to pay you any money you have paid or owe because of this crime. When the judge makes the defendant pay the victim, it is called "restitution." If the judge orders the defendant to pay you restitution, there is no guarantee that the defendant will be able to pay you the entire amount.

Your statement will become an official court document after it is given to the court, and will become part of the defendant's permanent file. The judge, prosecutor and probation officer will read your statement. In addition, prison and parole officials may read it if the defendant is sentenced to a prison term. The defendant and the defendant's attorney will be able to read what you have written. They may even be able to ask you questions about your statement in court. However, the defendant will not be able to see your address or telephone number because you are not asked to put them on your statement.

Where do I get a victim impact statement and how do I complete it?

Safe Places works with children, young people and their parents in completing victim impact statements. We have age-appropriate forms that can be used, as well as a parent's form for giving you a chance to tell the judge about any changes that may have happened to your child or to your family; any physical injuries or physical problems your child may have suffered; and, any money you have spent or may owe as a result of this crime.

Our process for working with children and adolescents in completing victim impact statements includes therapeutic initiatives as a part of the task of completing the statement. For very young children, we may need several sessions with your child to effectively accomplish the work of recording the impact of the crime. Each child or young person has very individualized needs, so our victim impact process is different for each.

Be assured that the process will be empowering and positive for your child, and no child will be forced to complete an impact statement if her/she does not want to. The process is completely individualized to make the child comfortable.

If your child wants to fill out the statement, he or she will be able to tell the judge how this crime may have changed their life. The process may include drawing a picture, telling a story; writing a poem – whatever is most appropriate for your child.

Suggestions for Parents in Completing the Victim Impact Statement

Many parents find it helpful to arrange the impact statement by the emotional, physical or financial effects of the crime. It may be helpful to write about the emotional impact of this crime on yourself and your child.

You may want to think about:

- Has this crime affected your life, your child's life or the lives of those close to you?
- Has anything changed between your child and his or her friends, both at school or in your neighborhood?
- Has anything changed with your child's behavior or schoolwork?

If your child was physically injured, you may wish to write about the physical impact of this crime. You may want to:

- Write about the physical injuries your child received.
- Tell how long these injuries lasted or how long the injuries are expected to last.
- Write about the medical treatment or emotional counseling your child or your family has received or expects to receive in the future.

If you have paid or owe any money for bills because of this crime, please fill out the financial impact section of the statement. It is important to be as accurate and complete as you can be when listing your costs because this information will be used by the prosecutor, probation officer and the judge to help them determine what restitution the defendant must pay to you, the victim.

In addition to medical or counseling bills, you may want to include any time off from work that you were not paid for as a result of this crime. For example, if you took time off from work to take your child to the doctor, therapy, or to the courthouse and your employer did not pay you for this time, you may want to ask the judge to think about these expenses when he or she decides if the defendant will owe you any restitution.

Helping Your Child Complete the Victim Impact Statement

Your child will find it helpful to know that by filling out a statement, he or she can tell the judge how they “feel” about what happened. If your child is nervous or scared and does not want to complete the form, let your child know that it is okay to feel this way and let them take some time to think about what you are asking them to do and what they would like to say or draw. Your child can always fill out the form another day.

Tell your child that they are not being asked to “tell” what the defendant did, but rather how they are “feeling” about what has happened. Let your child know if they make a mistake on the statement, they can start over. Your child can write or draw as much or as little as they wish. Some children may feel that the statement must be perfect from spelling everything just right to using “big” words. Let your child know that what they are feeling is more important than spelling everything right or using big words. **This is not a test.** Let your child know there are no right or wrong answers.

If at anytime your child feels that he or she cannot fill out the form, or if you can see that your child is becoming too upset, stop and tell your child that you are proud they tried to fill out the statement, and that you understand how they feel. Let your child know that they do not have to fill out the statement unless they want to.



Various Services for Victims

After your assault, you or someone else may have called the police. Perhaps the hospital called the police after you arrived there for treatment. The police are responsible for investigating a reported incident and gathering evidence to present to the prosecuting attorney. A police officer or detective will need to ask you the details of what happened.

If you report the assault to the police, your medical examination will be paid for by the Arkansas Crime Victims Reparations Program and the Sexual Assault Reimbursement Program. The following information will give you some of the guidelines of these programs.

What is the Arkansas Crime Victims Reparations Program?

The Arkansas Legislature created the "Arkansas Crime Victims Reparations Act" when they passed Act 817 in 1987. The legislation provides a method of compensating and assisting victims and their dependents that have suffered personal injury or death as the result of a violent crime, including DWI and hit and run incidents that are a violation of A.C.A 27-53-10.

Where does the money come from?

The Crime Victims Revolving Fund. One of the most positive aspects of the Arkansas Crime Victims Reparations Program is that a portion of the funding comes from individuals who commit crimes. A major source of revenue for the program is the assessment of court costs and fees. The program also receives money through the federal Victims of Crime Act as well as the court-ordered restitution collected from criminals.

When did Arkansas begin assisting victims of violent crimes?

The operation date for the program is July 1, 1988.

Who qualifies as a claimant?

- A victim
- A dependent of a homicide victim
- An authorized person acting on behalf of one of the above

Is there anyone excluded from acting as a claimant?

Yes. A service provider cannot act as a claimant for the purpose of filing for compensation.

Who qualifies as a victim?

- A person suffering personal injury or death as the result of a criminal act
- Any Arkansas resident suffering personal injury or death as an act of terrorism committed outside the United States
- A minor child of an eligible victim
- An immediate family member of a deceased victim, a sexual assault victim, or a child victim
- A person who resided, at the time of the crime, in the same permanent household as a deceased victim
- A person who discovers the body of a homicide victim



Who is an immediate family member?

- Parents
- Siblings
- Grandparents
- Spouse
- Children of the person suffering personal injury or death as the result of a criminal act

What are the eligibility criteria?

- Victimization must have occurred in Arkansas on or after July 1, 1988
- Claim must be filed within one (1) year of incident (and may be waived for good cause)
- Victimization was reported to the proper authorities within 72 hours (minors excluded, may be waived for good cause)
- Victim must have suffered personal injury or death due to criminal act of another person
- Victim/claimant must be cooperating with the investigation and/or prosecution
- Victim must not have been covered by a collateral source
- Victim/claimant must not have been convicted of a criminally injurious felony
- Victim's conduct must not have contributed to the victimization
- Victim must not have been involved in illegal activity at the time of the incident
- Victim must not have been incarcerated at the time of the incident
- The injury cannot be the result of a motor vehicle accident unless the act was
 1. In violation of Omnibus DWI, A.C.A. §5-65-101 et. seq., Intent
 2. In violation of A.C.A. §27-53-101 – leaving the scene of an accident involving serious injury or death
 3. Intentional
- Compensation must not unjustly benefit the offender or accomplice

What types of assistance are available to eligible victims?

- Medical, including rehabilitation and dental
- Repair and/or replacement, such as eyeglasses, dentures or hearing aids
- Mental health
- Work loss
- Funeral
- Loss of support for dependents of a homicide victim
- Crime scene clean-up

What does crime scene clean-up involve?

This expense is available to survivors or dependents of homicide victims only. There is a maximum limit of \$3,000 to cover reasonable expenses involved with removing, or attempting to remove, from the crime scene, blood, dirt, stains, or other debris caused by the crime or the processing of the crime scene. Reasonable expenses include, but are not limited to, cleaning supplies, equipment rental, labor, and hazardous waste removal. The location of a crime scene may include a structure or automobile; however, a distinction exists between cleaning and property replacement. Property replacement is prohibited. Additionally, the approval of assistance with this type expense is contingent upon all other eligibility criteria having been met.

What expenses are not covered by the program?

- Pain and suffering
- Property damage or loss
- Attorney fees

What are the maximum limits?

- Overall maximum is \$10,000 per victim, but this can be raised to \$25,000 if the victim suffered catastrophic injury that resulted in total and permanent disability;
- Medical expenses are paid at 65% of balance submitted, but if the provider accepts payment they are agreeing to accept as payment in full;
- Mental health expenses are paid up to \$3,500 for out-patient treatment and \$3,500 for in-patient treatment
- Funeral expenses are paid up to \$7,500;
- Crime scene clean-up expenses are paid up to \$3,000.
- Up to one week of work loss directly related to participation in criminal justice activities
- Mileage directly related to participation in criminal justice activities can be paid up to \$300
- Lodging directly related to participation in criminal justice activities can be paid up to \$300 (reimbursement basis only)
- Lodging that is medically necessary for the victim who suffered personal injury can be paid up to \$300 (reimbursement basis only)
- Up to \$500 can be paid for installation of locks and windows for victims of sexual assault and domestic violence who are victimized in their primary residence (reimbursement basis only)

Who makes the decisions?

The administrative staff is responsible for conducting an investigation on all claims submitted. This involves gathering information regarding the victimization and reviewing all aspects of the case to determine whether the eligibility criteria have been met. The administrative staff will then prepare a synopsis of each claim submitted and forward it to the Board for review during one of its meetings or conference calls. A staff recommendation will accompany the synopsis; however, the Board will make the final decision on each claim.

Can a victim whose claim is awarded file additional expenses?

Yes. These additional expenses are considered supplemental expenses, regardless of whether they are for treatment rendered at the time of the incident or for ongoing treatment related to the victimization. It should be noted that the expenses for any treatment rendered after the decision date of the claim must be submitted in compliance with ACVRB Rule No. 24. This rule stipulates that all supplemental expenses be submitted within one year of treatment or payment by a collateral source in order for them to be considered for compensation.

What recourse do victims have if a claim is denied or diminished?

A victim or claimant can appeal the decision within forty-five (45) days of receipt of the certified notice. The claim will be scheduled for the next available board meeting. The victim or claimant or a representative is required to be present at the appeal hearing.

How often does the Board meet to review the claims or appeals?

The Board holds six annual meetings at the Attorney General's Office to hear appeals. These meetings take place on the third Thursday of January, March, May, July, September and November. In addition, the Board meets via conference call during the months of February, April, June, August, October and December.

What is the recourse for the victims who are denied or diminished by the Board after an appeal hearing?

The victim or claimant may file an appeal in Circuit Court within thirty (30) days of receipt of the Board's decision. The petition may be filed in the Circuit Court in Pulaski County or the county in which the victim or claimant resides.

Do I need an attorney to file a claim?

No. Assistance in filing a claim is available from the Arkansas Crime Victims Reparations Program. In addition, the law does not provide for attorney's fees to be paid by the program.

Do I have to prove financial need in order to be eligible for compensation?

No.

Does there have to be an arrest or conviction of the assailant before compensation will be paid?

No.

How do I file a claim?

A claim form may be obtained from your nearest prosecuting attorney's office, law enforcement agency or the Arkansas Crime Victims Reparations Program. It is necessary for the claim form to be completed in its entirety and accompanied by the following:

- Documentation verifying that the incident was reported to the proper authorities within 72 hours (minors excluded); and
- At least one itemized statement

Where can I find more information?

You can contact the Program at the following address:

Arkansas Crime Victims Reparations Program
Office of the Attorney General
323 Center Street, Suite 200
Little Rock, Arkansas 72201

Phone: 501-682-1020 or 1-800-448-3014

Another Helpful Resource: Arkansas Crime Information Center.

The ACIC addresses your need for safety and peace of mind by providing a service called the Arkansas VINE[®] Program – Victim Information and Notification Everyday. Arkansas was the first state in the nation to implement an automated information and notification system (VINE) that includes data from all county jails, all prosecuting attorneys, and the state prison system.

(Note: Information regarding juveniles is not available through the Arkansas VINE Program unless the juvenile is charged as an adult.)

The Arkansas Crime Victim Information and Notification System allows anyone to check the location and status of offenders, and to register for notification of events related to a particular offender. The program is often referred to as the VINE system. VINE is an acronym for "Victim Information and Notification Everyday," however; you do not have to be a victim of a crime to use this system.

First in the Nation

Arkansas was the first state in the nation to implement an automated information and notification system that includes data from all county jails, some prosecuting attorneys, the Arkansas Department of Community Correction, and the Arkansas Department of Correction.

How the Arkansas VINE System Works

The Arkansas VINE system consists of a network of computers gathering information from each county jail, participating prosecuting attorney's offices, the Department of Correction, the Department of Community Correction, and the Attorney General's Office. The system captures information on an offender's custody status and parole/probation status. The system also provides court event information on criminal cases handled by Prosecuting Attorneys. Victims, or interested persons, may register with the VINE system by using a touch-tone telephone or visiting the VINELink website at www.vinelink.com. Once registered, a victim will be notified of custody, parole/probation, and/or court case status changes on an offender. Victims may also use the VINE system to check on the status of an offender or case 24 hours a day, 7 days a week by calling 1-800-510-0415 or visiting the website at www.vinelink.com.

General Features

- * Use of the Arkansas VINE System is free to everyone.
- * The Arkansas VINE System will automatically call or email you if there is a change in the offender's custody status, parole/probation status, and of upcoming court events or case status changes.
- * All telephone registrations through the Arkansas VINE System are anonymous. You will be asked to choose a special PIN (Personal Identification Number) to acknowledge notifications from the system.
- * You may register more than one telephone number. Each registered phone number must have a related PIN for that number.
- * You can register against an Arkansas offender regardless of where you live in the country, but to register against other state offenders you would have to refer to that state's VINE program.
- * The VINE system calls every 30 minutes for a 24 hour period. If you are not at home when the VINE system calls with a notification, the service will leave a message and call back every two hours for a 24 hour period. If your email address is registered you will only receive one email containing the status change information of the offender you are registered against.
- * You may call the VINE System as often as you want from any touch-tone telephone to check on an offender's custody and court status, 24 hours per day, seven days per week.

Legislative Authority

In 1997 the Arkansas Legislature passed Act 1250 which authorized the development of an automated victim information and notification system. This responsibility was placed on the Arkansas Crime Information Center (ACIC). The legislature also passed the "Arkansas Crime Victims Rights Law" which mandated that victims of crime be notified of certain events pertaining to an offender.

Background on the VINE System

In December of 1993, Louisville, Kentucky was faced with a tragic event. A twenty-one year old woman

named Mary Byron was murdered as she left her place of employment. The killer was her ex-boyfriend who had been released on bail from the county detention center where he had been held on charges of rape and kidnapping. The young woman did not get notified of his release on bond, as previously promised, and he shot and killed her 3 days after his release.

The violent murder prompted the leaders in Louisville to look for a method of notifying victims of crime when their attackers are released from custody. The goal was to prevent another tragedy from occurring similar to the death of Mary Byron. The search went nationwide, but found that no other community had a fast, effective way of providing this type of notification. Based on these findings, Jefferson County Kentucky selected Interactive Systems of Louisville, Kentucky to develop an automated process to inform and notify victims. The acronym, VINE, was coined for this project, representing the words Victim Information and Notification Everyday. From the beginning, the critical nature of this system was paramount. Once on-line, the system would be responsible for warning individuals when their very lives might be in danger.

More Information About the VINE System

For information about the Arkansas VINE system, including brochures and posters, or to schedule public awareness trainings, please call ACIC at (501) 682-2222.

Information about VINELink

Arkansas was the first state in the nation to implement an automated information and notification system (VINE) that includes data from all county jails, all prosecuting attorneys, and the state prison system.

The Arkansas VINE system consists of a network of computers placed in each county jail, prosecuting attorney's office, the Department of Correction, the Attorney General's Office, and the Parole Board. The system captures information on an offender's custody status. The system also provides court event information on criminal cases handled by Prosecuting Attorneys.

In May, 2004, Arkansas implemented an additional method of accessing offender information and registering against those offenders found in VINE. This new method, known as VINELink, is the web-based version of VINE and allows crime victims and concerned citizens to search a website for offender information.

Individuals are now able to search for offenders in custody in their community, and in 38 other participating states throughout the country, through www.vinelink.com. The state in which an individual wishes to search for an offender would then be selected. If Arkansas is selected, the opportunity is given to search for that offender throughout the entire state, in the Department of Correction, or in county jails by filling in the first and last name of the offender. If the offender is located, more detail about his/her location and biographical information will be presented. It is also an option at this point to register for notification by telephone or e-mail and for the message to be delivered in Spanish or English. Once you have registered for notification, an email or telephone call will be immediately sent about any custody and/or court events that occur with the offender.

Individuals can still register with the VINE system by using a touch-tone telephone and calling 1-800-510-0415 or by contacting the Arkansas Crime Information Center. For information about the Arkansas VINE system, please call ACIC at (501) 682-2222.

Community Based Victim Assistance Professionals

Your community may have victim assistance professionals who have unique training in providing sexual abuse counseling. These professionals are available to you if you have experienced any type of victimization, regardless of whether the crime is prosecuted. Services are available to victims of past victimizations as well, even if those crimes were never reported. Community-based victim assistance professionals, sometimes called victim advocates, can support you throughout the criminal justice process and beyond, and can provide a variety of specialized services. Often these services are grant funded and are provided at no cost. If not grant funded, services may be available at very minimal fees. Always ask about the qualifications of any victim assistance professional and ask him/her to provide you with biographical information about his/her training and experience.

For more information, contact:

Safe Places

1609 Broadway
Little Rock, AR 72206
501-374-7233

Safe Places Sexual Violence Support Center

1609 Broadway
Little Rock, AR 72206
Crisis Line: 501-801-2700 *(In Pulaski County)*
Statewide Toll-free: 1-877-432-5368



Now we need to understand what will happen – in order.
Can you give us an overview of the court process?

It really does help to have a basic understanding of the criminal justice system and to know what is likely to happen and when. You can help alleviate your child's anxiety about the process if you understand it yourself and feel comfortable with your level of knowledge. Law enforcement will likely be your first point of contact in the process.

Basic Law Enforcement Information

When a crime occurs, law enforcement officers are normally the first to respond. Depending on the size of the law enforcement agency, the first officer on the scene may *not* be the individual who completes the investigation. After the initial report is taken, a detective, or another officer with specialized skills, may be assigned to the case. Jurisdiction regarding law enforcement agencies' responsibilities, as they relate to a particular crime, can vary. Officers first arriving at the scene of a crime may need to provide protection and assistance to persons with physical injuries and/or emotional trauma. Emergency services, such as ambulances and fire department response teams, may be required.

Once the emergency needs of persons at the scene are met, officers then begin collecting evidence. From the beginning, it is critically important to preserve and safeguard evidence, so police officers may be required to prohibit public access. Sometimes property must be removed from the crime scene and taken to the crime lab for processing. *Families of crime victims may be kept away from the scene until evidence is secured.*

In order to collect and document evidence of the crime, officers may ask many questions of the victim, family members, neighbors, witnesses, and potential witnesses. These conversations are often audio taped or video taped. This seemingly intrusive technique can prevent unnecessary, repetitive interviews of the witnesses. Follow-up investigations can be conducted days, weeks, months, and even years after the initial investigation. Officers may need to revisit the crime scene and talk to victims and witnesses previously interviewed.

When a law enforcement agency makes an arrest, the arrested person may or may not be immediately jailed. In less serious crimes, an offender may only be issued a citation ordering that they appear in court on a certain date. In cases involving more serious crimes, a court hearing is necessary to decide whether the offender should be released pending trial, resulting in a bond or bail being posted and a release from custody, perhaps hours after the arrest.

Law enforcement's role does not end with the arrest of the alleged offender. Working closely with prosecuting attorneys, law enforcement officers frequently testify at trials. Officers testify on the contents of the police report, evidence collected at the scene, and how the evidence was preserved for presentation in court.

Some law enforcement agencies in Arkansas operate victim assistance programs within their departments. Specialized victim assistance coordinators provide a wide range of services to victims of crime.

Basic Prosecution Information

In Arkansas, the prosecuting attorney is responsible for making the decision to charge a person with committing a crime based on the investigative information provided by law enforcement. All crimes in Arkansas are defined by the Arkansas Criminal Code. It is vital to understand that criminal cases are brought by the *State*, not the victim of the crime. The prosecutor has the sole authority to bring charges and they can be brought contrary to the victim's wishes. If the prosecutor decides to pursue the case, a document called an "information" is filed with the court. The first appearance by a defendant in court is often referred to as "plea and arraignment."

At the hearing, the defendant is asked whether he or she will enter a plea of guilty, not guilty, or *nolo contendere* (no contest). If the defendant pleads guilty or no contest, he or she will then be sentenced by the judge. A no contest plea has the same effect as a plea of guilty as far as the criminal sentence is concerned.

If the defendant pleads not guilty, a trial date is set. The court also considers the amount of bail, and other conditions of release, which permit the defendant to be out of jail until the trial. In Arkansas, every defendant is eligible for bail. Judges, however, are not required to set bail for defendants charged with capital murder where specific circumstances exist.

The trial may be avoided if the defendant and the prosecutor agree to a negotiated plea. Agreements such as these save time, stress, and money. Also, taking a case to trial is always uncertain; there is no guarantee of a conviction at trial. It is important to recognize that a guilty plea *is* a conviction.

Information About the Juvenile Justice System

The Juvenile Justice System is quite different from the Adult Criminal Justice System. The Juvenile Justice System's primary objective is to rehabilitate the juvenile while the Adult Criminal Justice System's objectives are to deter crime and punish the offender. In addition, the terminology used in the juvenile justice system is different from the adult criminal justice process. The following is a listing of commonly used terms in juvenile court and how they correlate to the adult criminal justice system:

Juvenile Justice System	Adult Criminal Justice System
Delinquent Act	Crime
Adjudication Hearing	Trial
Found Delinquent	Convicted/Found Guilty
Disposition	Sentencing
Detention	Jail

Arkansas Juvenile Justice System

Arkansas has a separate court division for children who commit criminal acts. In the juvenile justice system, focus is placed on rehabilitation of the juvenile offender and victim restitution. The commission of some crimes, however, can expose a person age 14 or older to prosecution as an adult in circuit court. If a person under the age of 18 is tried in circuit court, he or she is considered as an adult, and juvenile court procedures do not apply.

When a prosecutor believes a juvenile has committed a crime, he or she may choose to file a "delinquency petition". The delinquency petition summons the juvenile to an "adjudication hearing". If the allegations in a petition are found to be true, a juvenile is "adjudicated delinquent". If he or she is to be incarcerated before or after the hearing, the child is placed in "juvenile detention" or "transferred into the Division of Youth Services' custody". These children who commit acts that would be criminal if committed by an adult are referred to as juvenile delinquents. Under Arkansas' juvenile code, a delinquent juvenile is defined as a person age 10 through age 17.

If a juvenile is an adjudicated delinquent, there are several disposition alternatives available to the judge. The judge may require the juvenile to undergo counseling, place the juvenile on probation, or require him or her to perform community service. Other available options are the C-Step Program, detention, and transfer into the custody of the Division of Youth Services. The judge will decide the appropriate alternative.

It is also important to note that juvenile delinquency proceedings usually are more private than adult criminal trials. Juvenile court records are not public records and are not subject to release under the Freedom of Information Act. The court proceedings and filings may also be closed and confidential. A crime victim and persons providing victim support, or a victim's representative, may be present unless the judge decides that that person's exclusion is necessary to preserve the confidentiality or fairness of a juvenile proceeding. Crime victims do not have the *right* to present victim impact statements, but some judges may *allow* them.

Information regarding juveniles is not available through the Arkansas VINE Program unless the juvenile is charged as an adult.

Even if your child's offender is a juvenile, your child has certain rights that can be explained by the victim witness coordinator in the prosecuting attorney's office or by a community-based victim advocate from The Center for Healing and Hope or another victim service organization. Make sure to ask all the questions you need to ask about your child's rights and the resources available to you.

How do I help my child deal with the fear about what might happen in court?

Children who have been abused tend to have a low self-esteem, feeling that they must be of little worth to have been treated as they have. They are also likely to have difficulty trusting new people in their lives, this often being the result of broken promises by offenders for example 'I won't do this to you again'.

All of these factors complicate the task of preparing the child for the judicial process. It is extremely important for the child to have a trusted adult who will be sensitive to all of these feelings, particularly if the child is a prospective witness in the judicial process. As a parent/guardian, you must contact the victim assistance coordinator in the prosecuting attorney's office. This individual will be an advocate for your child and help to prepare your child for the court process. The important thing for you to remember is that the intense emotions your child is experiencing can actually be used to great advantage in achieving the result of a strong, credible and fully prepared child witness.

A child who is the victim of a personal assault by an adult perpetrator is usually the principal witness in the criminal court process. A child who has experienced sexual abuse may already be feeling fearful and anxious, and the idea of going into a courtroom just adds to that anxiety.

As we have already discussed, an almost universal response in the child victim of sexual assault is guilt. The guilt arises from the child's own feelings of responsibility for the sexual activity, the disclosure of the 'secret' and the disruption to the lives of those involved and their families. This is an even stronger factor when the abuse occurred within the family unit. Victims of abuse frequently fear further abuse and retribution from offenders or their families if they testify in court. They are often depressed and sad that a trusted person hurt them and that other trusted people, for example a non-offending parent, failed to protect them from harm.

How do I help prepare my child for court?

What if the experience is a difficult one?

Minimizing the number of people to whom a child must tell their story may reduce trauma to the child. However, it is important to help your child understand that there may be five or six key people who each have a different role in helping them, and that each of them want to hear the child's story so that they can best help. Make sure that the professionals explain their role in the helping process to you and to your child. The police officer should explain the investigative role. The counselor or advocate should explain their informative and supportive role. If a doctor or nurse is involved, they should explain their role in issues of the child's medical status. And, of course, the prosecuting attorney's victim assistance coordinator should explain the steps and stages of the prosecution and their role in preparing the child for court. The victim assistance coordinator who will help prepare your child, and you, for court. He or she should concentrate on three key areas:

- ♦ Informing your child about what will happen;
- ♦ Instilling trust and confidence;
- ♦ Giving the child a friend in court.

Knowing what's about to happen is important.

How You Can Help

You can help by being sure that your child is informed of the roles of all the professionals involved in the judicial process. Many child victims and their families have the impression that the people to whom they have previously related their story, perhaps police, social workers and/or doctors have failed them by not conveying details of the complaint to the other people who need to know. They feel they should be spared the trauma of repeating their story to yet another stranger.

A child who has been victimized needs a sense of normalcy and predictability. Try to avoid sudden changes in plans for your child as much as possible. The judicial process can be somewhat unpredictable, so it is important to keep your child informed of what stage in the process has been reached and what other helpers will be involved at a later time.

The Court Process

The court process is mystifying to many non-legal professionals and is much more so for the victims of crime, particularly where they are children. Children need to be as prepared as possible when they will be subjected to cross-examination in courts.

Make sure your child understands that the criminal case is against the *accused person*, and not about anything the child may or may not have done. The prosecution's victim witness coordinator can help with this. You may also contact a community-based victim advocate to provide support. The victim witness coordinator should keep you and your child informed of the various aspects of the process, including:

- ◆ How many times evidence could be heard and by which court(s)
- ◆ Who will decide whether there is enough evidence to go further
- ◆ Who will decide whether or not the accused is guilty
- ◆ How, when and how many times your child may be asked to give testimony and to whom

(The child should be told from the outset if they are likely to be required to give evidence twice. If the child is not made aware that he/she may have to give testimony more than once, the child may feel tricked, lose faith in the people who should have advised them and be reluctant to give evidence at trial for fear that will not be the last time they have to give evidence.)

Before trial the child should be told that, if there is a verdict of not guilty this does not mean that people did not believe them, but only that the evidence was not enough to pass the very hard test that courts impose before they find someone guilty of a crime.

Giving Evidence

The child should be told that there will be three people in court who will ask questions. The first will be the judge who will ask the child a series of questions designed to ascertain whether they are of sufficient maturity and intelligence to understand the duty to tell the truth. Depending on the age and background of the child, the presiding judicial officer may also wish to discover whether the child has the capacity to swear an oath. It is sometimes useful, particularly for a prosecutor, to have a discussion with the child about these things and to prepare the child to answer simple questions about the difference between the truth and a lie.

The second person who will ask the child questions in court will be the prosecutor who, ideally, will be known to the child before the hearing and who will have taken at least some part in the child's court preparation. This part of the evidence is where the child gives their story, prompted (where necessary) by non-leading questions (for example 'What happened then?' 'How long did this continue?'). The child should also be prepared to have to identify the accused (if the circumstances of the case require it) and be reassured that a casual hand gesture in the direction of the accused, without eye contact, should be all that is required.

The child should then be told that the final person to ask them questions will be the defense attorney who is being paid to do a job for the accused person. The child should be frankly informed that the defense will probably suggest to them that they are lying, making up the story, or imagining it. A child witness will often be asked whether they have ever told a lie, and it is wise to prepare the child that a truthful answer to this question will not harm the case and that an explanation of why this is a different matter (for example because it is very serious or because I have promised to tell the truth) is quite appropriate.

The Court Layout and Personnel

Your child may have never seen a courtroom before. The victim witness coordinator should make arrangements for the child to see the court in which the proceedings will take place. The victim witness coordinator should talk to the child about all the trial personnel, their roles, and where they will likely be seated in the courtroom.

Instilling Confidence in Your Child

Any witness of whatever age is likely to be extremely apprehensive about the prospect of giving evidence in court. The younger the witness the more frightening the ordeal. Children frequently lack confidence when facing the ordeal of verbal confrontation with adults. The child victim has the added stress of being at least the principal, and in most cases the only, witness. They are mindful of the fact that if they fail to come up to proof the prosecution will not succeed. Do all that you can – working with the victim witness coordinator, the prosecutor, a community-based victim advocate, etc – to make sure that your child is as prepared as possible for the experience of giving evidence.

The child victim is the most important person in court.

In the majority of cases of assault upon children there is no corroborative eyewitness. This means that there may be only two people in the courtroom who know what really happened during the incident in question. It also means that your child may be the only one who will relate the events truthfully. The court wants and needs to know what this vital witness has to say. Let your child know that she/he is the most important person in court.

The child victim is the boss.

The most important person in court also has the privilege of being 'the boss'. They can, during their testimony, ask for questions to be repeated, unfamiliar words or expressions to be explained or for counsel to slow down. They can ask to be excused if upset or in need of the toilet. They can pause to take a drink of water. They can write down any word or phrase they do not wish to verbalize.



Giving Your Teenager a Friend in Court

If the prosecuting attorney took some time to participate in your child's court preparation, he or she has likely built some rapport with your child. Help your child view the prosecuting attorney as their "friend in court."

The child may also benefit from viewing the judge and the jury as "friends" as well in that these people want to know the truth of what happened to the child. It may be helpful for your child to be encouraged to look only at their friend(s) in court and not to make eye contact with the accused.

Answering Questions in Court

Be honest with your child and let her/him know that she/he may be asked hard and perhaps confusing questions in court. They should pause and think carefully about the questions and, if their meanings are clear, answer clearly and honestly. Boost your child's confidence by letting reminding her/him that the court really wants to know what they as 'most important witness' have to say. The child should be reminded that they are there to tell the truth about what happened because they were there. The defense counsel was not. The judge and jury were not.



Will testifying in court traumatize my child?

Help your child view the testimony as a way to from break down the secrecy involved in the assault and publicly stating how the accused person has hurt them. Even if the accused person is found *not guilty*, let your child know that this does not mean that the accused did not hurt them. Explain that a *not guilty* verdict may be the result of insufficient evidence and many other factors, but that she/he did everything she/he could do in the interests of justice. Your child might actually find the experience of giving evidence in court a positive step in regaining her/his control and self-esteem.

The Therapeutic Value of Giving Testimony

A child witness cannot be expected to be confident or self-assured if they do not have sufficient knowledge of the court process and the skills to employ while under cross-examination. But be assured that it *is* possible to create a high level of assurance and confidence in your teenager. It is important for you to help make sure that a professional involved in court preparation is available to you and your child. It is normal for you to feel fearful for your child and to want to spare your child from going through a traumatic court process. But also remember that if your child is well prepared and confident, there may well be therapeutic value for her/him by going through the investigative process and through testifying in court.

And finally . . .

Don't forget that there are people who can help you and your child get through this difficult time.

Please contact your victim assistance professional at Safe Places if you have any questions.

501-374-SAFE (7233)

Sexual Violence Crisis Line: 501-801-2700 *(in Pulaski County)*

Statewide Toll-free: 1-877-432-5368

We can help connect you with other services you might need for your child, and even for yourself and other family members. Our job is to help you find qualified victim advocates, therapists, counselors, health care professionals, pastoral counselors, etc., and to help with your needs for support groups, criminal justice and court advocacy, the Crime Victim Reparations Program, the VINE program, and/or other resources.

Please help protect all children.

Place these Child Abuse Hotline numbers near your phone.

In Arkansas, call
1-800-482-5964

OR CALL THE

Childhelp® USA National Child Abuse Hotline

1-800-4-A-CHILD®
(1-800-422-4453)

Safe Places
and
Safe Places Sexual Violence Support Center

1609 Broadway
Little Rock, Arkansas 72206

501.374.7233
Sexual Violence Crisis Line *(In Pulaski County):*
501.801.2700
Statewide Toll-Free: 1.877.432.5368

www.SafePlacesLR.org

My teen has been sexually abused.

How will we survive this?

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