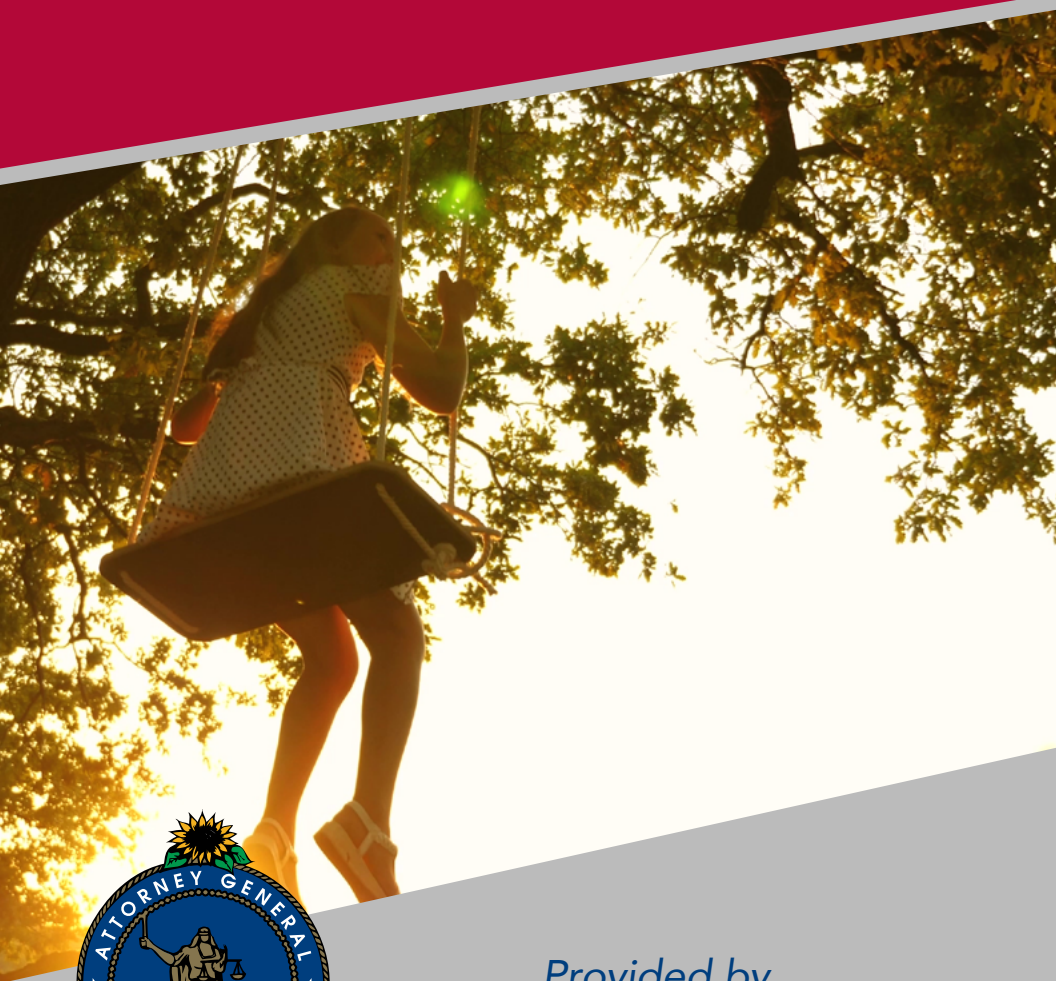


# A Guide for Caregivers of Abused Children



*Provided by*  
**OFFICE OF THE KANSAS  
ATTORNEY GENERAL**



# CONTACT NAMES AND NUMBERS YOU MAY NEED

**Child Advocacy Center** \_\_\_\_\_

Advocate Name \_\_\_\_\_

Advocate Phone \_\_\_\_\_

**Law Enforcement** \_\_\_\_\_

Case Number/ID \_\_\_\_\_

Detective Name \_\_\_\_\_

Detective Phone \_\_\_\_\_

Advocate Name \_\_\_\_\_

Advocate Phone \_\_\_\_\_

**Department for Children and Families (DCF)**

Case Worker \_\_\_\_\_

Case Worker Phone \_\_\_\_\_

**Prosecutor's Office** \_\_\_\_\_

Prosecutor Name \_\_\_\_\_

Victim Witness Coordinator \_\_\_\_\_

Phone \_\_\_\_\_

**Juvenile/Family Court Prosecutor's Office** \_\_\_\_\_

Prosecutor Name \_\_\_\_\_

**Other** \_\_\_\_\_

\_\_\_\_\_

# INTRODUCTION

When a child is abused, it can create significant stress for the entire family. You are not alone in navigating the steps following a report of abuse. This handbook will provide a brief introduction to the systems and professionals you may encounter through the process, as well as information about trauma and abuse.

You and your child may feel a range of emotions as you navigate what comes next. Children can and do recover from traumatic experiences, and as part of the support system for your child, you play a critical role in their recovery.

There are resources and community supports available to assist you and your child. You will find some contact numbers below, and several others throughout the handbook.

## Contact Numbers

### **Kansas Attorney General's Office**

Victim Services Hotline..... 1-800-828-9745

Crime Victim's Compensation ..... 785-296-2359

### **Kansas Coalition Against Sexual and Domestic Violence**

Statewide Hotline ..... 1-888-END-ABUSE

### **Kansas Protection Report Center**

To report child or adult abuse or neglect 1-800-922-5330

### **Parent Helpline**

Free, anonymous, 24 hr. referral service 1-800-CHILDREN

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# WHAT IS TRAUMA?

Trauma is a dangerous, scary, violent, or life threatening event that an individual or group experiences, witnesses, or is impacted by. Traumatic experiences can happen to anyone at any time or age. Everyone perceives experiences uniquely. What may be a traumatic experience for one individual may not be traumatic for another. Traumatic stress affects our bodies; not just our emotions and can affect brain development.

Everyone will respond to trauma in different ways, and may respond differently at different times. There is a wide range of behaviors people may express because of experiencing trauma. Those who have experienced abuse may react differently based on factors such as their age, the extent of the abuse, support they receive from others and their relationship with the offender. Often these reactions are automatic, when the individual's ability to cope is overwhelmed as they attempt to manage difficult emotions. Reactions can also change over time, and may disappear and then come up again later. Certain people, situations, or locations may trigger memories of the traumatic event. Those who have experienced trauma may or may not be aware of their triggers.

Signs of trauma are different in everyone, but some things to watch for include:

- Changes in behavior
- Changes in eating or sleeping habits
- Feeling fearful, depressed, or anxious
- Difficulty concentrating or poor performance in school/ work
- Risky or dangerous behaviors
- Self-injurious behavior

# TYPES OF ABUSE

*As described in Kansas Law*

## Physical, Mental and Emotional Abuse

[T]he infliction of physical, mental or emotional harm or the causing of a deterioration of a child and may include, but shall not be limited to, maltreatment or exploiting a child to the extent that the child's health or emotional well-being is endangered. (K.S.A. 38-2202)

The term "abuse" may include the following:

- (1) Terrorizing a child, by creating a climate of fear or engaging in violent or threatening behavior toward the child or toward others in the child's presence that demonstrates a flagrant disregard for the child;
- (2) emotionally abandoning a child, by being psychologically unavailable to the child, demonstrating no attachment to the child, or failing to provide adequate nurturance of the child; and
- (3) corrupting a child, by teaching or rewarding the child for unlawful, antisocial, or sexually mature behavior. (K.A.R. 30-46-10)

## Neglect

[A]cts or omissions by a parent, guardian, or person responsible for the care of a child resulting in harm to a child, or presenting a likelihood of harm, and the acts or omissions are not due solely to the lack of financial means of the child's parents or other custodian... (K.S.A. 38-2202)

Neglect may include physical neglect, medical neglect, lack of supervision, and/or abandonment.

# Sexual Abuse

Sexual Abuse is any contact or interaction with a child in which the child is being used for the sexual stimulation of the perpetrator, the child or another person...(K.S.A. 38-2202)

Sexual Abuse occurs when a person forces a child to have any form of sexual contact or makes a child perform sexual acts. Sexual abuse may involve contact abuse (touching private parts – clothed or unclothed, penetration, forced sexual acts with others), and/or non-contact abuse (making the child view, read or participate in pornography, suggestive behaviors or comments, exposure to sexual activity).

Some behaviors of children who have been sexually abused may include:

- Advanced sexual knowledge for child's age/maturity level
- Expressing fear of a particular person or place or of physical contact
- Excessive masturbation or excessive curiosity or play related to sex
- Self-injurious behaviors or suicide attempts

An offender engaging in child sexual abuse may be unlikely to use physical violence and may even avoid its use, as visible injury may lead to discovery. The sexual abuser is more likely to use power and authority to coerce the child victim through bribes, threats and the child's fear of the unknown. Children are taught to obey without question or resistance. The abuser's most powerful weapons are authority and secrecy.

## Risk for Victimization

Any youth may be impacted by this type of abuse, including children of any ethnicity, race, or religion; any socioeconomic class; any gender and sexual orientation; and youth of all ages, including teenagers.



# THE GROOMING PROCESS

## Steps the Offender Takes to Set up Children

Some caregivers wonder how it is possible for their children to be sexually abused. Offenders use many tactics to gain access to children, including:

**Seeking out an approachable child:** Offenders usually pick children who are easy to get to (relatives, friends, and neighbors). They may also seek children who have emotional needs for friendship and attention. Most offenders are not strangers.

**Establishing relationship with the child:** Offenders often seek ways to build trust and friendship with children. They may spend time playing with them, volunteering for childcare, becoming their “buddy,” or buying them candy or presents.

**Breaking down the child’s resistance to touch:** Offenders find ways to touch children regularly. As a result, children are often confused when the touch becomes sexual. The abusers may play games with a lot of physical contact, like wrestling, and they may tickle children and sneak sexual touches.

**Finding ways to isolate a child:** Offenders find excuses to be alone with children so they can molest them. For example, they may babysit, invite them to sleep over, or take them camping.

**Blaming the child and keeping the secret:** Offenders try to make children feel responsible for the abuse so they will not tell. They may use threats or statements like these:

- “If you tell, people will think you are bad.”
- “If you tell our ‘special secret,’ I will go to jail.”
- “If you tell, you will be taken away from your family.”

# THE IMPORTANCE OF RESILIENCE

As a parent or caregiver, you play a critical role in helping your child build resilience. Resilience is a person's ability to adapt and heal from trauma, and cope in a positive way with difficult experiences.

While trauma may affect brain development, the brain is capable of repair and recovery, and there are services (from trained mental health professionals) that may be helpful for healing.

Speaking with your child about trauma can be difficult and overwhelming. You do not have to be an expert in trauma to support your child. Give your child important messages about their safety and well-being, and let them know you are a stable and secure support. Reinforce with your child that they are a good person, and that the trauma is not their fault. Know that there is no right or wrong way for you or your child to feel after a traumatic event. Some things you can say to your child are:

- “You were and are a good kid, who had a bad thing happen.”
- “I care about you.”
- “I believe you.”
- “I will listen to you.”
- “You are strong.”
- “What happened is not your fault.”
- “I will do everything I can to keep you safe.”

# HOW CAREGIVERS SOMETIMES FEEL WHEN ABUSE HAS BEEN REPORTED

When abuse is reported, parents or caregivers sometimes feel as if they are on a roller coaster of emotions. This is normal. The report can affect your life in many ways, and it takes time to adjust. The following are some of the common thoughts and feelings of caregivers. You may feel one or more of these, or you may move from one to another.

**Denial.** Your first reaction may be to not want to believe or accept the possibility that the abuse really happened. Alternatively, you may believe it happened, but that no real harm was done. Caregivers often experience denial because it is overwhelming to accept that the abuse occurred. For some people, it takes time to overcome denial.

**Anger.** At times, you may feel angry at yourself for not being able to protect your child. You may feel angry at the offender for what they did. You may even feel angry at your child. Be honest about your feelings and share them with a trusted person or support group.

**Helplessness.** You may not know what to expect or feel, or things may seem out of your control. Some parents/caregivers may fear that their children will be taken away. Advocates are available to help you stay informed about these processes.

**Hopelessness.** You may feel invisible and think there is nothing you can do to help the situation get better. Advocates are available to help you learn what you can do to be an advocate for your child and yourself.

**Shock, numbness, repulsion.** You may experience feelings of shock, numbness, and repulsion for the situation. It is important to seek help for these emotions.

**Guilt, self-blame.** You may feel the abuse is your fault. But, remember, the offender is responsible for the abuse, not you. The best thing you can do is support your child and learn all you can about how to help your child. Reading this handbook is a good first step.

**Hurt and betrayal.** It is normal to feel hurt from the loss of your child's innocence. You also may feel betrayed if your partner was the offender. You may have lost friends or family. It is very important to take time to grieve these losses and not make your child feel responsible for them.

**Concern about money.** You may be worried about finances because of lost income. For resources in your area, you can call the United Way 211 information line or ask your advocate for referrals to community resources.

**Fear of violence.** In homes where violence is common, you may fear the offender will try to harm you or your children. If so, you can call the Kansas Coalition Against Sexual and Domestic Violence Statewide Crisis Hotline at 1-888-363-2287.

**Drug or Alcohol Use.** You may find yourself wanting to use drugs or alcohol to cope with the stress. If you need help, call the Alcohol and Drug use hotline at 1-866-645-8216.

**Triggering memories of abuse.** If you were a victim of child abuse, it is common for those memories and feelings to resurface and become overwhelming right now. Seek counseling or support for yourself.

# SUPPORTING YOUR CHILD

It is important to provide safety, love, and stability. Let your child know it is okay to cry or to be mad. Make sure your child understands it is not their fault. Do not coach or pressure your child to talk about things. Let them talk to you about it when they are ready.

**Process your own feelings.** It is important to recognize and address your personal feelings about what happened with professionals or other adults who can help you. This may be especially important if you experienced similar trauma when you were a child.

**Model open discussion.** If your child chooses to share their feelings or thoughts, show them that you are willing to listen and talk, instead of avoiding discussing their experience. Let them set the pace, and do not force conversation if they do not want to talk.

**Use Active Listening.** Notice your body language and eye contact. Listen quietly, and provide simple, encouraging words. Be prepared for questions you may not be able to answer right away. “I don’t know” is an acceptable response.

**Respond in a calm, clear tone of voice.** Be supportive, but do not make unrealistic promises. Provide constructive feedback if your child shares a misconception. It may be important for you to tell your child it is not their fault, and that you believe them.

**Talk to a professional.** Therapy can provide a safe place for you and your child to process feelings and thoughts. It is important to seek help if you or your child need it.

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Adapted from “Talking with your child about trauma” by Esther Deblinger, Ph.D.; University of Medicine and Dentistry of New Jersey & Shannon Dorsey, Ph.D., University of Washington, School of Medicine

Many community agencies offer services to help your child overcome the effects of trauma. Children react differently depending on age, extent of abuse, support from others, and their relationship with the offender. The single most important factor affecting the child's recovery is the level of support from the caregiver. It is this simple. If you do everything you can to support your child, the chances of recovery are much greater. Some ways you can support your child include:

- Return to a normal routine as soon as possible. Children often find comfort in the predictability that a routine offers.
- Ensure that your child is assessed and receives appropriate counseling services.
- Establish family guidelines for safety and privacy.
- Be careful not to question your child about the abuse. If you do, you can jeopardize the case in court against the offender. If your child wants to talk about it, listen supportively, but do not push them to talk about it. Never coach or advise your child on how to act or what to say to professionals or investigators.
- Keep your child away from the person suspected of the abuse. This is to protect you and the child.
- Avoid discussing the case with other victims or their families.
- If you have other children, be attentive to their needs and questions.

# TAKING CARE OF YOURSELF

This can be a very difficult time, and you may feel pressured from many directions. Although you are trying to take care of a lot of other people, you also need to take care of yourself. Your well-being is very important, so you need to find time to do something just for you and plan to do it regularly. This may be difficult to do, but it is in the best interest of you and your child.

The following is a list of self-care strategies. You can use these ideas to help identify some strategies that may work for you:

- Practice relaxation or grounding techniques
- Pay extra attention to your health and nutrition
- Keep a journal
- Maintain boundaries, say no if you are feeling overwhelmed or overloaded
- Spend time with family and friends
- Find positive activities that you enjoy
- Pace yourself
- Take time to consider how you are feeling, and how your thoughts and feelings are impacting your behavior
- To the extent possible, seek balance in the different areas of your life
- Build healthy connections within your community and support system

A good resource for support groups and other organizations that can provide help for you and your family is the United Way 211 information line. From any phone, dial 211 and you will be connected to the information line or you can visit their website at [www.211Kansas.org](http://www.211Kansas.org).

# WHAT TO EXPECT FROM MENTAL HEALTH SERVICES

## **What is therapy?**

Therapy is a unique opportunity for a child to meet with a trained professional who is willing and able to work together to establish goals for treatment and a pathway toward achieving those goals.

## **How will therapy help my child?**

The therapeutic relationship is a safe place for your child to express feelings and thoughts related to the abuse, such as anger, fear, and sadness. Your child will also be assisted in reestablishing personal boundaries and a sense of self-worth taken away by the abuser. Your child will learn that the abuse was not their fault.

## **How long will my child need to be in mental health services?**

Length of time in therapy varies. Your child's mental health professional will help set goals to be reached in therapy sessions. An individual treatment plan will be made and reviewed periodically. Your child may need to seek counseling in the future when leaving home, getting married, or having a child.



# THE INVESTIGATION

These are the basic steps to an investigation of child abuse:

1. Someone reports suspicion of abuse to authorities, either law enforcement and/or the DCF Kansas Protection Report Center.
2. Interviews are usually conducted by law enforcement, a DCF Social Worker, or a trained forensic interviewer.
3. Medical exams can be recommended.
4. If not already connected during the interview process, the child may be referred to the local (or closest) child advocacy center for additional support, services, and resources.
5. Law Enforcement and/or DCF will continue the investigation, which will include an interview with the alleged offender and possibly other witnesses as appropriate.
6. A team of professionals will meet to discuss the case and decide next steps. The team consists of medical professionals, prosecutors, law enforcement officers, social workers, advocates, and mental health professionals.
7. The case may be referred to Criminal or District Court, or some other plan may be made for handling the case.

## The Interview Process

Once a report of child abuse or neglect has been made, your child will be interviewed. Caregivers are not present during the interview to make sure that the child's statements are unbiased and will later stand up in court. Being left out of the interview process can make you feel as if you are not important to the process or to your child. Please be assured that you are very important. In fact, you may be the key to understanding what has happened.

Interviewers will take the time to make sure your child is comfortable without you in the room. It will be made clear to your child that you are available if necessary.

# AFTER THE INVESTIGATION

## Criminal Court

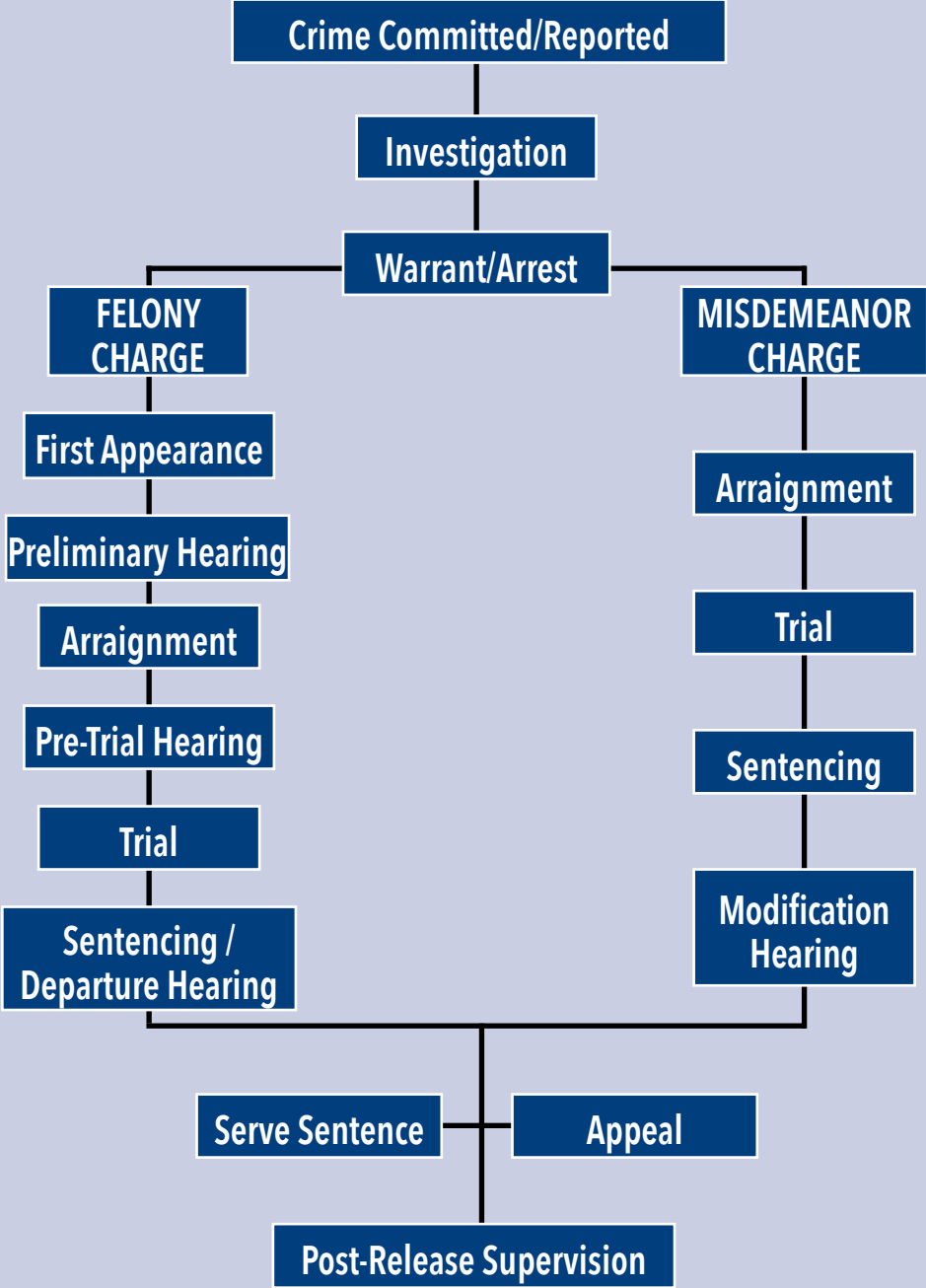
When law enforcement has obtained sufficient information from the investigative process, they will provide this information (usually via a document called an affidavit) to the prosecutor's office (District or County Attorney). The prosecutor will then determine if there is enough information available to formally charge the offender. When an offender has been charged (usually via a document called a criminal complaint/information), this begins the court process.

## Juvenile/Family Court

If DCF determines the case meets criteria, they may file a petition with the District or County Attorney requesting a child in need of care (CINC) case be filed.

A CINC case is separate from the criminal case against the offender. If there is an open CINC case, you will be provided with information about that case from DCF and/or the regional child welfare contract agency.

# CRIMINAL JUSTICE SYSTEM PROCESS OVERVIEW



# KANSAS VICTIM NOTIFICATION PROGRAM

Kansas Victim Information and Notification Everyday (VINE) is an automated service that lets you track the custody status of offenders in county jails over the phone or internet. You can also register to be notified by phone, text, emails, and/ or TTY if the custody status of an offender changes.

To access offender custody information:

- Call 1-866-574-8463
- Visit [www.vinelink.com](http://www.vinelink.com)
- Download the VINELink app
- TTY users, call 1-866-847-1298

## Registration

If the offender is in custody, you can register to receive VINE notifications.

If you register a phone number, you must create a four-digit personal identification number (PIN) that you will need when you receive notifications. Make sure your PIN is easy to remember. Write it down and keep it in a safe place.

Email registrations do not require a PIN.

## Notifications

Once registered, you will be notified about offender custody status in county jail changes such as release, transfer, or escape.

When VINE calls, listen to the message, then enter your PIN followed by the pound (#) key when asked. Entering the PIN lets VINE know that you received the call and will stop the service from calling you again.

No PIN is required to register for email notifications. You will receive one email when there is a change in custody status.

# NAVIGATING THE LEGAL SYSTEM

The legal system is complex, and the system's response to abuse can be confusing and frustrating to children and families. Part of this confusion stems from the fact that two different "legal systems" can be working on the same case at the same time. These two systems are the "criminal" system and the "civil" system. One branch of the civil legal system is juvenile or family court.

You/your child may be involved in both the Criminal Court System and Juvenile/Family Court System simultaneously. Both courts may work on the same case at the same time, but they have different purposes.

The Criminal Court is concerned primarily with guilt or innocence of the accused and may use a trial to decide on the suspect's guilt or innocence. The criminal trial focuses on issues such as:

- Is there evidence to prove the child was abused?
- What illegal acts occurred?
- Was there a confession?
- If proven guilty, what punishment should the offender receive?

The Juvenile/Family Court is concerned primarily with the safety of the child and focuses on issues like custody, supervised visitation, and counseling. A number of different court hearings can be held to decide these issues. The decisions in the civil system do not depend on whether or not the criminal system finds guilt.

It is very difficult to predict what will happen for you and your child after the report has been made and the case is in the legal system. The legal process often moves at its own pace, different from your and your child's need to heal. The court date may be delayed repeatedly. It is best to try to remember that people are working

to gain the best outcome for you and your child and this may take time.

You can make the process easier for your child by working with the authorities. The legal system may be able to protect your child from future contact with the offender. Working through the legal system is also a way to keep other children safe.

Sometimes the chance to speak up about what happened can be a good thing for the child—whether or not the offender is convicted. Many children are relieved to think that someone more powerful will help protect them and tell the offender that they were wrong. For other children, however, the events following the report can be upsetting. It is very important to seek support and keep your child in therapy during this process.

To help guide you through the legal process, the District/County Attorney's office may assign a Victim Witness Coordinator to you and your case. This person will help you through this difficult period and will be available to answer questions, explain the types of victim services for which you may be eligible, and generally help you through this process. Also, the Victim Witness Coordinator will serve as your connection to the District/County Attorney's office and the attorney assigned to the case. If you need help to get connected to the Victim Witness Coordinator, please contact the Attorney General's Office – Victim Services Division at: 1-800-828-9745.

# WORKING WITH THE SYSTEM

The legal and social service systems are responsible for protecting children and holding offenders accountable. The more information and cooperation you give to the team of professionals working in the system, the better job they can do on the case.

Here are some basic tips for working with professionals in the system:

- Be calm and reassuring to your child. Please do not coach your child on what to say. It is important for the details to be told in your child's words and in your child's own time.
- Try to provide as many facts as you can when you are asked for information. Cases are built on the four W's: who, what, when, and where. Avoid guessing if you don't know the answer to a question. Always be honest, even if the truth may not seem favorable to yourself or others.
- Tell how you feel and why you feel that way. Your feelings are valuable in giving investigators insight. Although only facts are allowed in court, feelings can help give investigators ideas for how to proceed.
- Try to remain centered/grounded. It is a difficult time and emotions are probably running high. Losing control can hurt the case and overshadow the needs of your child.
- Provide safety and security for your child. If the alleged offender is a significant person to you, balancing your feelings for the offender and your child can be very difficult. Seek help from a professional if needed.

# KANSAS VICTIMS' BILL OF RIGHTS

K.S.A. 74-7333. Bill of rights for victims of crime. (a) In order to ensure the fair and compassionate treatment of victims of crime and to increase the effectiveness of the criminal justice system by affording victims of crime certain basic rights and considerations, victims of crime shall have the following rights:

1. Victims should be treated with courtesy, compassion and with respect for their dignity and privacy and should suffer the minimum of necessary inconvenience from their involvement with the criminal justice system.
2. Victims should receive, through formal and informal procedures, prompt and fair redress for the harm which they have suffered.
3. Information regarding the availability of criminal restitution, recovery of damages in a civil cause of action, the crime victims compensation fund and other remedies and the mechanisms to obtain such remedies should be made available to victims.
4. Information should be made available to victims about their participation in criminal proceedings and the scheduling, progress and ultimate disposition of the proceedings.
5. The views and concerns of victims should be ascertained and the appropriate assistance provided throughout the criminal process.
6. When the personal interests of victims are affected, the views or concerns of the victim should, when appropriate and consistent with criminal law and procedure, be brought to the attention of the court.
7. Measures may be taken when necessary to provide for the safety of victims and their families and to protect them from intimidation and retaliation.



8. Enhanced training should be made available to sensitize criminal justice personnel to the needs and concerns of victims and guidelines should be developed for this purpose.
9. Victims should be informed of the availability of health and social services and other relevant assistance that they might continue to receive the necessary medical, psychological and social assistance through existing programs and services.
10. Victims should report the crime and cooperate with law enforcement authorities.

## GETTING READY FOR COURT

There will be several court dates related to the case. It may not be necessary for you and/or your child to attend every court date. It will be important to remain in contact with the victim witness coordinator or prosecutor to know when you/your child need to be present. Court appearances by the offender may end in a continuation (a new court date for the next step in the process), the case being dismissed, or the case being resolved.

If there is a trial, the victim witness coordinator may be able to provide you with information regarding what to expect. Preparing your child on what to expect may help ease fears, which could include:

- Seeing the offender again
- Not wanting to go to court
- Wanting it to be over
- Wondering where you will be

If you are a witness, you will not be allowed in the courtroom when your child is testifying. In some cases, it might be easier on your child not to have you there. If possible, you may consider asking a family friend or relative familiar with the case if they could be a friendly face in the courtroom for your child as a support.

If you or your child feel unsafe due to others in the courthouse, speak with the victim witness coordinator or your advocate. It may be possible to request an escort from a sheriff or courthouse security.

## LIMITS OF THE LEGAL SYSTEM

While the legal system is very important to your child's case, it can be emotionally draining for you and your family. Remember, that this is only one-step in the process and is not essential to your child's recovery. Good support and in many cases, counseling is essential to their healing. Maintaining a focus on your child's well-being will help you to prioritize your emotional energy and hopefully lessen the frustrations of the legal process.

### Criminal vs. Civil Outcomes

A person accused of a felony or misdemeanor crime can be charged in the criminal legal system. It is generally at the discretion of the prosecutor how the **criminal case** is handled. If the defendant is found guilty of a criminal act, the penalty can include fines, supervision, imprisonment, or some combination of these.

While a criminal case is handled by a prosecutor on behalf of the state (or by a federal prosecutor on behalf of the federal government), a **civil case** involves private rights, and begins with an individual or entity filing a claim or suit, often with the help of a private attorney. Results of a civil lawsuit may include financial compensation for the victim, or an order to change behavior (e.g. Protection From Abuse/Protection From Stalking).

In some cases, there may be both criminal charges, and civil claims for the same incident. Even if the offender was found not guilty of the criminal charges, you or your child may have a valid civil claim against the offender. You may wish to seek the counsel of a private attorney to determine whether or not to pursue a civil claim. If you need assistance finding an attorney, the Kansas Bar Association offers a Lawyer Referral Hotline at 1-800-928-3111.

# HOW TO TALK TO YOUR CHILD ABOUT THE LEGAL OUTCOME

It is best to be honest and direct with your child. However, how much you explain depends on your child's age and level of understanding about the case.

When the case is completed, you may feel let down or have a period of depression. This happens to many caregivers, even if the legal proceedings have a positive outcome. If your child hears you express disappointment in the outcome, your child may think you are disappointed in them. Instead, find a supportive friend with whom you can share your feelings and frustration.

Remember you have done your best in trying to prevent further abuse and hold the offender responsible for what they did. Even if the case was dropped, ensuring your child's safety is a major accomplishment.

## **Some things you can say to your child if the offender is not held legally accountable:**

- “Just because the court did not find the offender guilty, that does not mean they did not believe you. It is just that they have to follow the court's rules, and sometimes it's hard for other people to prove that it happened.”
- “You may be wondering how someone can do something wrong or against the law and not be punished. It does not make sense to me either.”
- “It doesn't matter what the court process did. What matters is that you did what you needed to do—you told.”

# PROFESSIONALS WHO MAY BE INVOLVED IN YOUR CASE

## Law Enforcement Investigator

Law enforcement agencies have the duty to receive and investigate reports of child abuse or neglect for the purpose of determining whether the report is valid and whether action is required to protect the child from further abuse or neglect. Law enforcement may interview children, non-offending caregivers, suspects, and other witnesses, and gather evidence from the scene of the reported event. A joint investigation by DCF and law enforcement is required in cases of reported sexual abuse of a child.

## DCF Social Worker/Investigator

The role of the Department of Children and Families (formerly SRS) is to help protect your child. Social Workers are responsible for gathering information pertaining to the safety of the child and to complete a family based assessment and an investigative finding. They may refer you and/or your child to additional resources in the community. It is always the goal of DCF to maintain children with their families when this can be done safely.

## Child/Family Advocate

At the Child Advocacy Center (CAC), forensic interviews take place with children about their experience. Interviews are completed by a trained interviewer and take place in a neutral, child-friendly setting. Victim Advocates at the CAC educate families about the dynamics of abuse, connect children with specialized mental health and medical care (sometimes provided onsite), and identify other helpful community resources.

## **Forensic Nurse/Pediatric Physician**

When abuse and/or neglect has occurred, a medical evaluation is recommended and offered by the investigative team. Caregivers may also request a medical evaluation. Depending on the type of abuse and when it last occurred, the team will determine the best type of referral. Medical evaluations are completed by a forensic nurse or pediatric physician to assess for and treat sexually transmitted infections and injuries, evaluate for pregnancy, and to document trauma.

## **Prosecutor**

The prosecutor determines whether there is enough evidence to file charges. Many factors affecting the likelihood of success in court are considered. Some of the factors include age and maturity of the child, the child's ability to testify, whether or not the suspect has admitted to the allegations, presence of evidence, and whether or not there are other witnesses. Most prosecutors' offices have Victim Witness Coordinators who work with prosecutors and can provide information on the court case and proceedings.

## **Mental Health Professionals**

Mental health professionals (therapists, social workers, counselors) provide counseling services for the child and/or family to help everyone cope with the trauma from the abuse and assist in healing from the experience. Some affordable options may be available in your community or costs may be covered in qualifying cases by Crime Victim Compensation.

## **Multidisciplinary Child Protection Team**

Multidisciplinary teams may be appointed by the court at the recommendation of DCF or the District or County Attorney to assist DCF with the investigation of suspected child abuse and neglect. Teams may be comprised of a standing group of community experts from a variety of disciplines or may be specific to a case. Your community may or may not utilize a multidisciplinary team approach.

# WHAT TO SAY TO OTHERS

One challenge your family may face will be what to say to others about the abuse. Your child may feel embarrassed and/or responsible. If there is no publicity or public awareness, you can decide whom you will tell. Let your child know which relatives or friends you will be talking to about the abuse, why you are telling them, and let your child have some choice about who is told.

Sometimes an extended family member is the first person to learn of the abuse. You may feel hurt that someone knew before you. However, understand that your child may have been trying to protect your feelings by telling someone else. Your child may have felt that this person could tell you in a less upsetting way than they could.

If you are especially close to your family, you will probably want to talk with them about the abuse and how it has affected the family. It is important to keep in mind how these relatives usually react to stressful situations. Their reactions may include hysteria, horror, distress, sincere concern, embarrassment, disgust, disinterest, or unnecessary questioning for intimate details. If you know they will react in a negative way, you may not want to share the information with them unless it becomes necessary. It is important to maintain your child's sense of privacy, self-control, and dignity. On the other hand, be careful not to make it seem like a "dirty secret", as this could cause more shame in your child.

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Reference: *When Your Child Has Been Molested*, by Kathryn B. Hagans & Joyce Case

# CRIME VICTIMS COMPENSATION

The Kansas Crime Victims Compensation Board provides victims with financial assistance for loss of earnings and out-of-pocket loss for injuries sustained as a direct result of violent crime. This includes reasonable medical care, mental health counseling or other services necessary as a result of the injury. Mental health counseling for children under the age of 16 who witness a violent crime may also be available. In the event of the death of the victim, reasonable medical expenses, crime scene clean-up and the partial cost of funeral, burial or cremation may be reimbursable. Personal property loss is not covered, with the exception of clothing and bedding seized as evidence.

## Eligibility Requirements

1. Applications must be filed within two years of the incident with certain exceptions for sexual assault cases and children who witness a violent crime. Compensation for mental health counseling may be awarded to victims of sexual assault if a claim is filed within two years of notification of the results of DNA testing. Cases of child sexual assault are based on the date the crime was reported to law enforcement. It is the claimant's responsibility to establish proof that the claim was filed timely pursuant to K.S.A. 74-7305(b).
2. Victim suffered bodily injury (including mental disorder or death) as a victim of a violent crime.
3. The incident occurred in Kansas or outside the United States to a Kansas resident.
4. The incident was reported to law enforcement officials within 72 hours, or would have been reported within that time except for a valid reason.
5. The claimant (and/or victim) fully cooperated with law

enforcement officials during their investigation and prosecution.

6. The victim was not an accomplice to and did not commit a crime in connection with this incident (e.g. gang activity, drug dealing.) Victim must not have provoked or caused the injury or death.

NOTE: Requirements 4, 5 and 6 do not apply to a victim of human trafficking who was 18 years or younger at the time of the crime.

Kansas Statute authorizes the Board to reduce or deny claims that involve the victim's contributory misconduct or participation in unlawful activities.

## **Award Maximums**

- Overall maximum award of \$25,000.
- Funeral expense maximum of \$7,500.
- Grief therapy for family members of homicide victims is available. Call for separate grief therapy application. (Maximum award is \$1,500.)
- Outpatient mental health counseling maximum of \$5,000.
- Inpatient mental health care maximum of \$10,000.
- Lost wages/loss of support maximum of \$400 per week.
- Crime scene clean-up maximum of \$2,500.

## **How to Apply for Crime Victim Compensation?**

To apply for compensation benefits, a homicide victim survivor must file an application for Crime Victim Compensation. Application forms and other essential information about crime victims compensation can be found on the Kansas Attorney General's website at <https://ag.ks.gov/cvcb>. Applications can be submitted by way of email, fax or mail. Contact the program at (785) 296-2359 or toll-free at (800) 828-9745 for more information.



## How Long Will the Application Process Take?

The complete application/investigation process may take approximately three (3) months. Your claim will be assigned to an investigator for processing. Once your completed application is received and all requests for additional documents and information have been received and reviewed, you will be notified in writing of the Board's decision. You will be sent a copy of the decision in writing setting forth the reasons why your claim was approved or denied. You should receive a letter within ten (10) days of the Board's decision.

If you have any questions while completing the application, please call Crime Victims Compensation at (785) 296-2359.

## CRIME VICTIM RESTITUTION

No amount of money can compensate for the traumatic experiences suffered by crime victims. However, expenses are incurred as a result of the crime and restitution is one way to be reimbursed for such expenses. Restitution means payment of crime-related expenses to a victim by an offender.

Victims have the right to request restitution for all crime related expenses which have not been covered by insurance or the Crime Victim Compensation Program.

Inmates in Kansas who gain employment during their incarceration are required to pay a portion of their wages towards either restitution or to the Crime Victim Compensation Fund. Offenders who have been released and who are on community supervision have, as a requirement of their community supervision, the obligation to make payments towards any restitution. If you have questions

about restitution, please call the Kansas Department of Corrections Victim Services Unit at 1-(866) 404-6732.

Once restitution is ordered, the offender should begin making restitution payments within the first six months of incarceration. Payments will be sent to you through the Clerk of Court's Office in the county where the offender was convicted of the crime. Keep the Clerk of Court aware of your current address so restitution can be sent to you.

## **What is the difference between restitution and compensation?**

Restitution is only available if the offender is convicted of a crime and ordered by the court to pay. Restitution can be ordered for all of your expenses related to the crime, including property losses. Restitution is paid by the offender. Compensation refers to financial assistance provided by the Crime Victim Compensation Program of the Attorney General's Office. Compensation is paid for with criminal fines, penalties, and restitution. The Crime Victim Compensation Program cannot pay for property losses.

## **RESOURCES**

There are some resources that crime victims and caregivers might call on for support, other than to professionals in the criminal justice system. You can find the contact information for many victim assistance agencies and other support services in the "Helping Crime Victims" resource guide at [www.ag.ks.gov](http://www.ag.ks.gov) which is updated each year with contact information and additional resources.

# READING LIST FOR CAREGIVERS

## **Helping Your Child Recover from Sexual Abuse**

*By Caren Adams & Jennifer Fay*

This book offers practical guidance for parents who courageously face the days and months after a child's abuse. Information for parents appears on the left-hand pages; sample conversations and activities for parent and child together are on the right-hand pages. The book presents the collective wisdom of numerous parents who have been through this experience and have learned how to help their children feel stronger, safer, braver, more lovable, worthwhile, and competent.

## **Healing the Heart- Helping Your Child Thrive after Trauma**

*By Christine Fonseca*

Healing the Heart: provides parents with specific tools to help their trauma-impacted children; combines the research on adverse childhood experiences and other traumatic events, positive psychology, and resilience; is presented in an easy-to-read, conversational style; Uses evidence-based strategies, inspirational stories, and role-playing scenarios; and includes the information and tools needed to heal the negative impact of traumatic events.

## **When Your Child has Been Molested: A Parent's Guide to Healing and Recovery**

*By Kathryn Brohl with Joyce Case Potter*

First published in 1988, the newest edition includes current research and information on the nature and effects of molestation on boys and girls, as well as proven techniques for therapy, healing,

and recovery. Using everyday language, the authors provide information, comfort, and advice on how to put the pieces back together again after a child has been sexually molested.

## **Healing the Harm Done: A Parent's Guide to Helping Your Child Overcome the Effects of Sexual Abuse**

*By Jennifer Levy-Peck*

Dr. Levy-Peck, an experienced psychologist, wrote this book to help parents whose children have been sexually abused. As the parent or caregiver of a child who has suffered abuse, you will find useful information and valuable resources to help your child heal. This book will help you deal with your own reactions and concerns as well. The book gives practical advice on handling your child's behaviors and emotions, and will guide you in seeking professional help if needed. The question-and-answer format makes it easy to find the advice you need.

## **READING LIST FOR CHILDREN**

### **Ages 3-8**

#### **Where Hands Go: An Introduction to Safe and Unsafe Touch**

*By Krystaelynn Sanders Diggs*

This easy-to-read, colorfully illustrated book aims to help children understand the importance of consent and when it is not ok to be touched.

# **A Terrible Thing Happened**

*By Margaret Holmes*

Sherman Smith saw the most terrible thing happen. At first he tried to forget about it, but soon something inside him started to bother him. He felt nervous for no reason. Sometimes his stomach hurt. He had bad dreams. And he started to feel angry and do mean things, which got him in trouble. Then he met Ms. Maple, who helped him talk about the terrible thing that he had tried to forget. Now Sherman is feeling much better.

## **AGES 5-12**

### **Brave Bart: A Story for Traumatized and Grieving Children**

*By Caroline H. Sheppard*

Bart is a little black kitten who has had a “very bad, sad and scary thing” happen to him. It leaves it to the reader’s (or listener’s) imagination to decide what might have happened to him, which gives the child the chance to identify with the character. Soon he meets “Helping Hannah,” a wise cat who has helped other kittens who have been through bad, sad and scary things. She tells him that all his feelings are not weird; they’re okay.

### **I Said No! A Kid-to-Kid Guide to Keeping Your Private Parts Private**

*By Kimberly King*

Uses a simple, direct, as well as an easy-to-use system to help kids rehearse and remember appropriate responses to help keep them safe, such as, when and where to go for help.

## **My Very Own Book About Me**

*By Jo Stowell and Mary Dietzel*

Created by therapists and children in treatment group, their stories tell about different kinds of touches, especially uncomfortable touches, and what to do about them.

## **AGES 13-18**

### **How Long Does It Hurt: A Guide to Recovering from Incest and Sexual Abuse**

*By Cynthia L. Mather*

This step-by-step guide speaks directly to victims of sexual abuse to help them come to grips with what has happened to them and overcome their feelings of isolation, confusion and self-doubt.

### **Kids Helping Kids Break the Silence of Sexual Abuse**

*By Linda Lee Foltz*

In their own words, victimized kids reveal valuable life lessons about living, loving and healing, and how to get safe and stay away from sexual abuse.





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