



Law Enforcement Response to Survivors Survey 2020

CONDUCTED BY WOMEN'S JUSTICE NOW & NOW-NYC | RELEASED AUGUST 2021

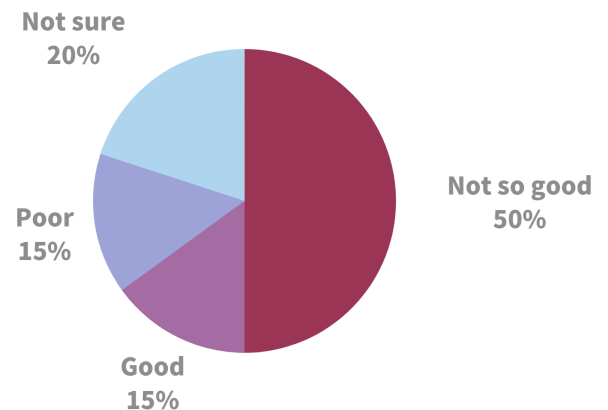
Twenty anti-violence organizations and rape crisis programs that work directly with an estimated 5,000 diverse survivors of sexual assault and rape annually across all five boroughs responded to this survey for the 2020 calendar year. Organizations were told that all questions on police response were specifically referring to the NYPD's Special Victims Division (SVD).

Overall Quality of SVD Response

When asked how providers would rate the job SVD is doing in responding to survivors of sexual assault or rape, 13 out of 20 organizations (65%) said "Not so good" or "Poor."

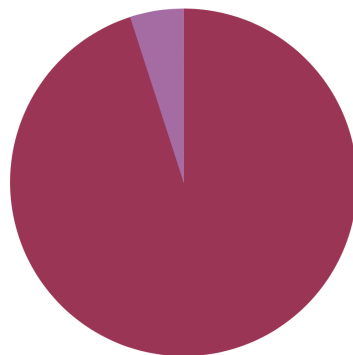
Only 3 out of 20 organizations (15%) said "Good," and 0 organizations said "Excellent."

How would you rate the job SVD is doing in responding to survivors of sexual assault and/or rape?



SVD handles these cases poorly most of the time
5%

How consistently does SVD handle cases of sexual assault and/or rape?



The quality of the SVD varies widely
95%

Consistency of SVD Response

All 20 organizations responded that the quality of SVD investigations varies widely (19) or that SVD handles these cases poorly most of the time (1).

Not one organization said that SVD handles cases of sexual assault or rape well most of the time.

These results are worse than those from a prior survey. A similar question asked in 2019 found 14 out of 17 organizations said the “quality of police response varies widely” or that “most reports were not treated seriously or investigated vigorously.” Three out of 17 organizations said that “most reports were treated seriously and investigated vigorously.”

KEY FEEDBACK

Why did you give SVD the rating you did?

"Survivors are often talked down to, not believed, questioned rudely about any delay in report, and reports are not taken in a trauma-informed way."

"Of my therapy clients who choose to report to the police, not one of them has had a positive experience doing so."

"There have been too many times that I and my colleagues have witnessed insensitive and sometimes aggressive interview techniques, which have been re-traumatizing for survivors. It seems that investigative practices lack a degree of standardization that would ensure all cases are equitably assessed, resulting in too many survivors who do not have the opportunity to seek justice."

"...many of my clients have reported feeling rushed, misunderstood, belittled, or not taken seriously by the law enforcement officers with whom they [interact]."

"While the care and efforts of some individual detectives have been positive, generally I hear more negative experiences and stories of re-traumatization from survivors as a whole in their experience with reporting to law enforcement and going through the criminal justice process."

"Our interactions with SVD detectives on behalf of survivors has been overall effective and productive. Specifically for the cases in which we are involved, the majority of the time detectives are diligent and do their best to investigate and treat the survivor fairly and well. There are enough instances where this is not the case or that I have heard about anecdotally in the community that I am not comfortable giving them any rating above Good - there is always more work and training to be done."

What’s the first word or phrase that comes to mind when you think about the SVD’s record on sexual assault and/or rape?

Lack of empathy	Needs improvement	Inadequate	Mixed	Inconsistent investigative practices
Concern	Atrocious	Not always trauma informed	Under-resourced	Disgraceful
Under-resourced	Uninformed	Judgemental	Partnership	So-so

Treatment of Survivors by SVD

Here’s how organizations responded* when asked to report how survivors feel about their interactions with the police:

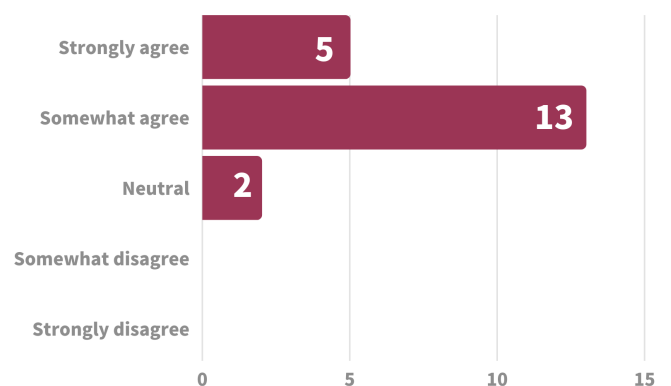
Survivors feel ignored by the police

(they are never contacted or only given brief, dismissive interviews)

18 out of 20 organizations strongly or somewhat agree that “survivors feel ignored by the police,” and not one organization disagreed with this statement.

This is **worse** than results from a prior survey. In 2019, 12 out of 17 organizations agreed that “survivors felt disrespected, ignored, or not taken seriously by the police.”

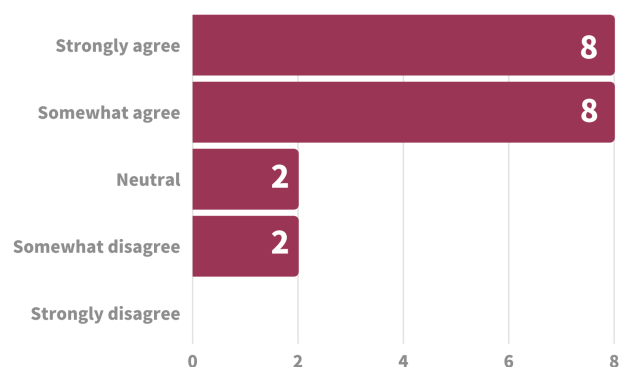
Survivors feel ignored by the police



Survivors feel disrespected or judged by the police (interview tone is hostile, questions focus on victim’s behavior, the police try to discourage victim from filing a report or proceeding with an investigation, threats of false reporting charges are mentioned)

16 out of 20 organizations strongly or somewhat agree that “survivors feel disrespected or judged by the police.”

Survivors feel disrespected or judged by the police

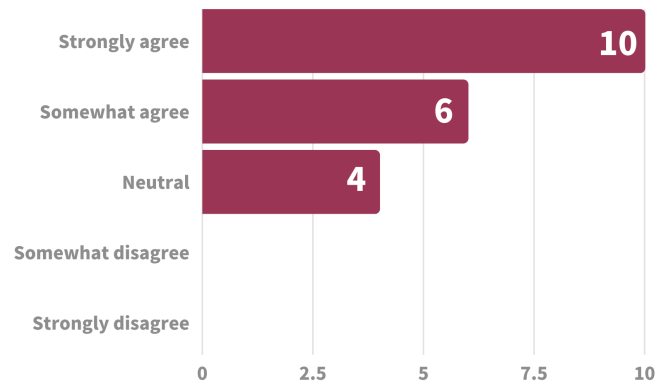


Survivors say it is difficult to get updates about their case (calls or emails are unreturned)

16 out of 20 organizations strongly or somewhat agree that “survivors indicate that it is difficult to get updates about their case” and not one organization disagreed with this statement.

This is **worse** than results from a prior survey. In 2019, 9 out of 17 organizations agreed “survivors indicated that it was difficult to get updates about their case.”

Survivors say It is difficult to get updates about their case

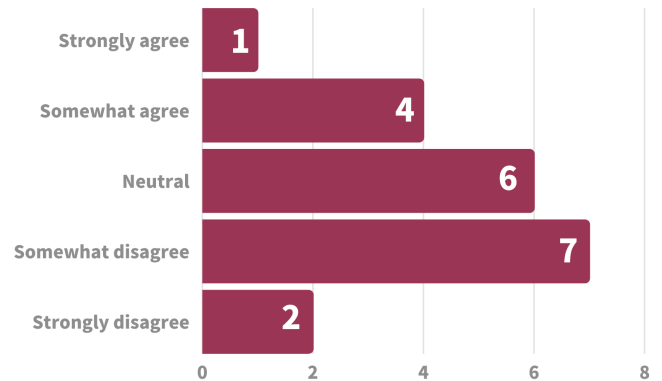


Survivors believe police handle cases to the best of their ability

5 out of 20 organizations strongly or somewhat agree “survivors believe the police handle cases to the best of their ability,” and 9 organizations disagreed with this statement.

This is **similar** to results from a prior survey. In 2019, 4 out of 17 organizations agreed, “survivors believed their case was handled to the best ability of the officers.”

Survivors believe police handle cases to the best of their ability



**The survey question asked for this series of questions: “The following are some statements about how survivors feel about their interactions with the police. For each one, please say if you strongly agree, somewhat agree, are neutral, somewhat disagree, or strongly disagree, based on your work with survivors at your organization.”*

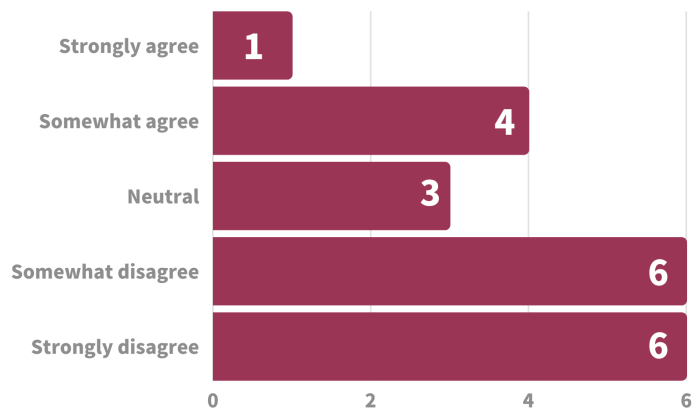
Survivor Support from SVD

Over the course of the past three years, a coalition of organizations serving survivors has worked in open communication with the NYPD’s Special Victims Division to co-create key improvements to protocols and written resources to better support and inform survivors who have reported a sexual assault to SVD. Despite these shared efforts, it’s clear that there is much room for improvement in the delivery of these resources.

Survivors are informed about their right to an advocate and provided one if requested.

Only 5 out of 20 organizations strongly or somewhat agree that “survivors are informed about their right to an advocate and provided one if requested,” and 12 organizations disagreed with this statement.

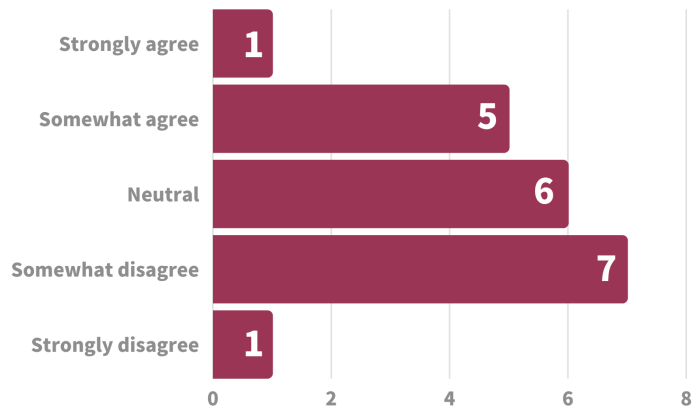
Survivors are informed about their right to an advocate



Survivors are provided or directed to the appropriate resources by the police (medical, transportation, housing, counseling, translators, victim’s compensation fund, etc.)

6 out of 20 organizations strongly or somewhat agree that “survivors are provided or directed to the appropriate resources by the police.” Eight organizations disagreed.

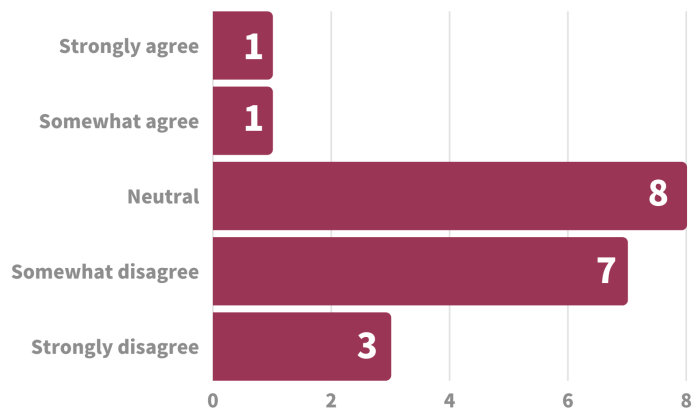
Survivors are provided or directed to the appropriate resources by the police



Survivors are provided with a “Survivor’s Bill of Rights,” documentation on “What to Expect” in an investigation, and a clear point of contact for their case

Only 2 out of 20 organizations strongly or somewhat agree that “survivors are provided with a Survivor’s Bill of Rights, documentation on ‘what to expect’ in an investigation, and a clear point of contact for their case. Ten organizations disagreed with this statement.

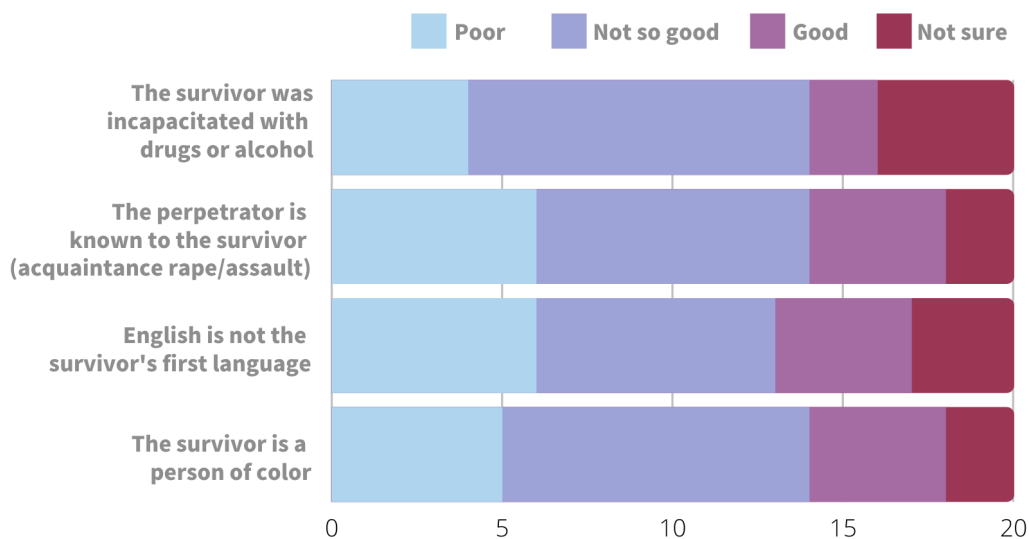
Survivors get a point of contact and the “Survivor’s Bill of Rights”



SVD Response to Specific Survivor Groups

14 out of 20 organizations believed that SVD was doing a “poor” or “not so good” job when responding** to: survivors who were incapacitated with drugs or alcohol; in cases of acquaintance rape; or when a survivor was a person of color. 13 out of 20 organizations said SVD was doing a “poor” or “not so good” job when working with survivors for whom English is a second language.

Quality of SVD Response When Considering Survivor Identity or Characteristics

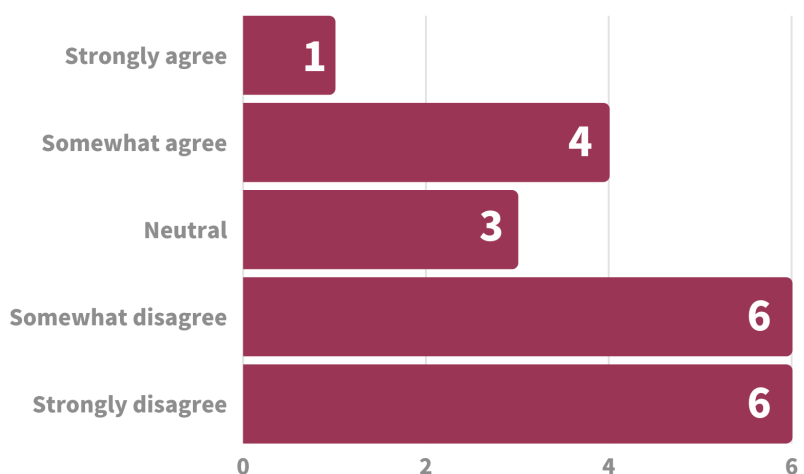


**The full survey question: The following are a list of characteristics that may apply to the perpetrator or survivor in sexual assault and/or rape cases. For each one, please say how you think SVD is doing when responding to a case with that characteristic. Are they doing an excellent job, a good job, a not so good job, or a poor job? If you don't deal with these kinds of cases enough, just say so.

The Takeaway on SVD

Only a quarter of organizations reported that survivors feel the police are essentially doing what is the crux of their job: investigating cases in a timely and thorough manner. Five out of 20 organizations somewhat or strongly agree that “survivors feel like their cases are investigated quickly and thoroughly.”

Survivors believe their cases are investigated thoroughly

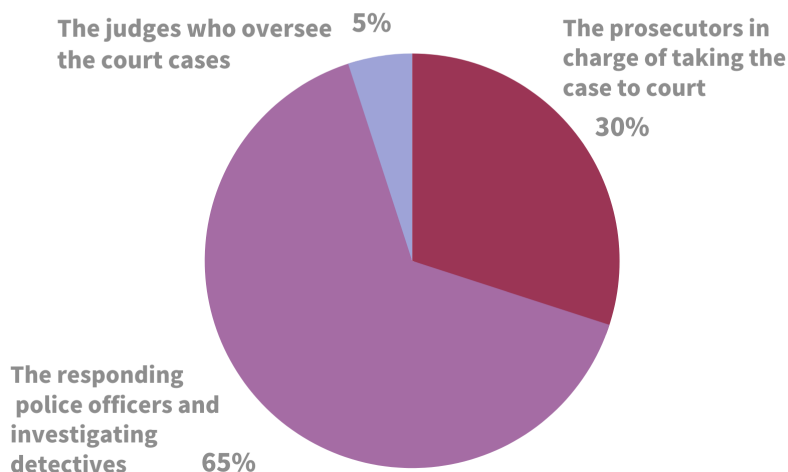


Obstacles for Survivors When Reporting

Police can play a critical role as first responders and have a tremendous opportunity to change outcomes for every survivor who chooses to report to them.

When considering the impact of police, prosecutors, and judges on outcomes for survivors in the criminal justice system, a majority of organizations (13 out of 20) believe that the “responding police officers and investigating detectives” pose the bigger obstacle for survivors. Six organizations believed that the bigger obstacle was “prosecutors in charge of taking the case to court.”

In general, who do you think poses the bigger obstacle for survivors seeking justice in the criminal justice system?



KEY TAKEAWAY

On Obstacles for Survivors

“The criminal justice process is not set up with healing in mind. It does not take into consideration what ‘justice’ might mean for individual survivors and can very often hinder or add to the trauma of the survivor. The process inherently takes a sense of power and choice away from survivors, when that is very often the very thing they are trying to get back after being assaulted.”

A Roadmap for Reform: Recommendations for SVD

The major takeaway is that SVD’s response to survivors is inadequate and inconsistent. The treatment of survivors varies widely, and survivors who report are at the mercy of getting the “right” detective assigned to their case. These collective results*** show **four** main areas in which SVD can take immediate action to improve and systematize an effective response to survivors.

*** Two open-ended survey questions were evaluated in coordination with all the prior survey responses to inform these recommendations. These include the following two questions: “What do you think is the biggest obstacle for survivors in getting justice and healing?” and “If you could improve one thing about law enforcement response to sexual assault and/or rape what would it be?”

SVD should take further action to improve its approach by:

1. Centering survivors and ensuring a trauma-informed response at every stage of the process.

10 out of 20 organizations ranked “more victim-centered, trauma-informed training for the police,” as number one in a list of the most important reforms they would like to see.

Organizations responded that trauma-informed care was lacking throughout the process:

“Non trauma-informed care in so many parts of the process which just creates more trauma. And our systems focus on the survivor, instead of focusing on the perpetrator.”

“Lack of involvement and/or communication through the process, start to finish. The process does not feel trauma-informed to most survivors.”

“Getting justice takes a long time, and it is a retraumatizing experience having to retell their stories multiple times without having an advocate or a support either in the court or when being interviewed. Justice is not something they feel when they are being repeatedly interviewed, judged for the delay in reporting, or not being a ‘perfect victim.’”

“The initial process is weak and healing/supportive services are lacking on the front [end].”

2. Increasing the experience and training required for SVD officers and build-in accountability measures.

11 out of 20 organizations ranked “Holding detectives accountable not just for clearance rates but for thorough investigations and treatment of survivors” as number one or number two in a list of the most important reforms they would like to see.

When asked to name the one thing that could be improved about law enforcement’s response to sexual assault or rape, training and experience were two of the three key areas cited (culture was 3rd):

“Training”

“Law enforcement should get trauma and cultural sensitivity training”

“Better and frequent training is VERY needed”

“Additional education and resources being devoted to law enforcement”

“Have all survivors who report a sexual assault working with an SVD officer from the get go and never work with a uniform/precinct cop with no training or experience in sex crimes.”

“Involve social workers/advocates in the initial phase”

“Better investigations, including better interviews of witnesses and better collection of evidence.”

3. Establishing and championing a culture that respects and supports survivors, without bias.

When asked to name the one thing that could be improved about law enforcement's response to sexual assault or rape, culture change was one of the three main areas cited for improvement.

Organizations said that “building a culture of trust and support,” survivors “being believed,” and providing “resources and social support,” are essential to serving survivors on a path to healing and justice. One respondent said, “Sexual assault cases are not a high enough priority for police agencies or prosecutors’ offices.”

Here’s how organizations responded when asked what one thing they believed could be improved in how law enforcement responds to survivors:

“To start with, changing the culture of NYPD, to be more trauma-informed and victim-centered in their approach to investigations.”

“Officers taking reports from victims without giving impressions of doubt or disbelief.”

“Integrating trauma-informed care!”

“Spending more time and slowing down to match the pace of the survivor when interacting with them, but speeding up and shortening the time in between updates and follow-up communications with survivors regarding their case or any questions they may have had come up.”

“Believe survivors and take their reports...many survivors I work with state that their reports were not even taken at a precinct.”

“That victims feel more empowered and heard. It would be meaningful for victim’s to hear from law enforcement why cases are not going to be pursued in a way that is not victim blaming.”

“Increased empathy and validation toward survivors on the part of police officers. Knowing that just because a rape kit doesn’t turn up with evidence doesn’t mean the survivor wasn’t sexually assaulted, it just means there wasn’t evidence on the survivor’s body.”

“I would improve how they interact with survivors. They treat all parties as suspect....and this approach provides a barrier to trust anyone involved in the client’s case. Law enforcement does not provide any relief or resources when they first interact with a client.

4. Improving coordination and communication with prosecutors to build the strongest cases possible.

This is one of three key areas noted by organizations when asked to consider the biggest obstacle for survivors in getting justice and healing.

It's clear that there is still a need to dismantle the misconceptions about survivors that persist and change the approach to how and which cases the criminal justice system will pursue. Organizations said:

"The resistance to taking cases to trial is a primary obstacle. The police investigate cases to the extent they feel it will end up being accepted by the DA's Office."

"Getting SVD to pass cases onto the DA's office for review. The ADA taking on only cases that have a good chance of successful prosecution, not giving enough weight to the survivors' wishes."

"NYPD's frustration that potentially no matter how well they investigate, the likelihood a case is going to be prosecuted is very narrow."

"That the justice system may not know how sexual abuse can actually hurt a person in so many ways. They always need expert witnesses to help inform."

Conclusion

The organizations surveyed in this report constitute the major rape and sexual assault response providers and first responders to thousands of survivors across our city. They represent diverse communities and serve survivors in every borough, and they collectively have decades of trauma-informed experience and knowledge. Their feedback and on-the-ground experiences with survivors must be taken into serious consideration.

These survey results only bolster what advocates and survivors have known for years and have learned time and again through first-hand experience. The data goes hand-in-hand with the findings of a Department of Investigations [report](#) from over three years ago, which found a persistent lack of investment in SVD and in the training and experience levels of its investigators. As a result, SVD as a whole is not:

- adequately and consistently meeting the needs of survivors;
- following-through on best practices to stop perpetrators in all cases; and
- fully and effectively implementing the clear and consistent input that advocates, survivors, and anti-violence experts have been advising them to adopt.

The changes the NYPD has initiated are a starting point, but the data demonstrate that more work is necessary to achieve systemic and measurable improvement.