

DECONSTRUCTING LAW AND ORDER: SVU

WHAT LEGAL ADVOCATES WISH YOU KNEW



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Reminders:

- Not knowing is normal
- Communication is key
- You are not alone if/when a situation arises
- Take care of yourself too

KCSARC Services



Founded in 1976, KCSARC works to serve survivors of sexual assault and their families, as well as to build communities free from sexual violence through prevention and education efforts.



**24-HOUR
RESOURCE LINE**



**LEGAL
ADVOCACY**



**TRAUMA-FOCUSED
THERAPY**



**FAMILY SUPPORT
& EDUCATION**



**PREVENTION
EDUCATION**

ALL SERVICES CAN BE ACCESSED BY CALLING
OUR 24-HOUR RESOURCE LINE 1.888.99.VOICE (86423)

WHAT IS LAW AND ORDER SVU?

LAW & ORDER: SPECIAL VICTIMS UNIT IS A CRIME DRAMA TELEVISION SERIES AIRED ON NBC. IT WAS CREATED AND PRODUCED BY DICK WOLF, THE SERIES PREMIERED ON NBC ON SEPTEMBER 20, 1999, AS THE FIRST SPIN-OFF OF WOLF'S SUCCESSFUL CRIME DRAMA, LAW & ORDER.

THE SPECIAL VICTIMS UNIT IS LOCATED IN THE 16TH PRECINCT OF THE NEW YORK CITY POLICE DEPARTMENT AND FOCUSES ON VICTIMS OF SEXUAL CRIMES, AS WELL AS CASES INVOLVING CHILDREN, THE HANDICAPPED AND ELDERLY VICTIMS OF NON-SEXUAL CRIMES WHO REQUIRE SPECIALIST HANDLING FROM THE UNIT. ITS STORIES ALSO TOUCH ON THE POLITICAL AND SOCIETAL ISSUES ASSOCIATED WITH GENDER IDENTITY, SEXUAL PREFERENCES, AND EQUALITY RIGHTS.



SEASON 6 EPISODE 5: OUTCRY

A 16 year old who had gone missing reveals to Benson and Stabler that she was abducted and raped by three uniformed men. The girls story doesn't pan out and her father becomes a suspect.



TELEVISION

- DNA is vital in svu investigations
- Almost all cases have some sort of "rape kit"



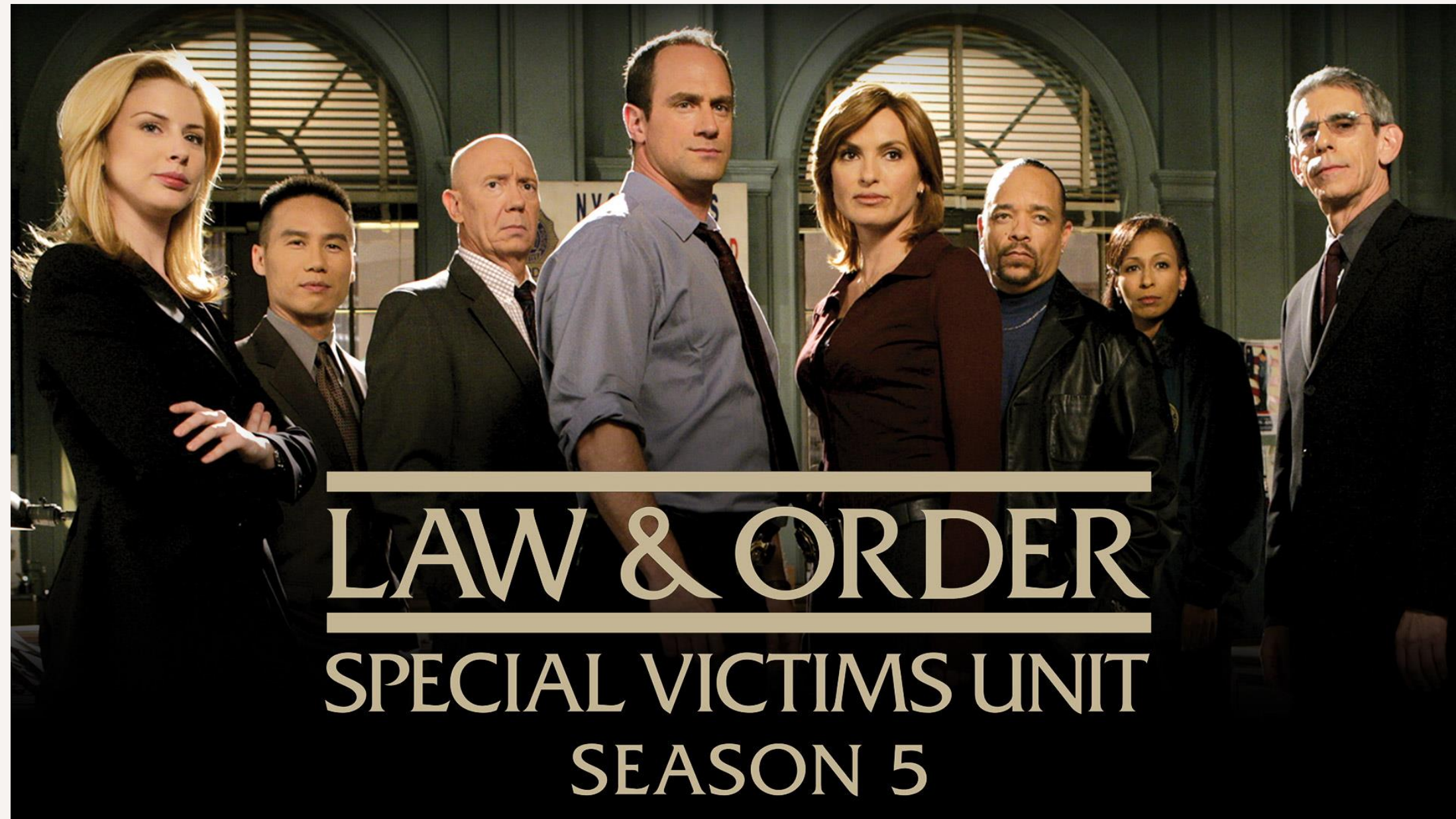
REALITY

- Most cases have a known offender
- Less known about other important/necessary procedures in a sane exam
 - Blood tests for BAC
 - STD/STI testing and treatment
- leads to unrealistic jury expectations
- SANE exams do not necessarily prove assault



TELEVISION

- 4-5 detectives and leadership (lieutenant and captain) all investigating one assault at a time



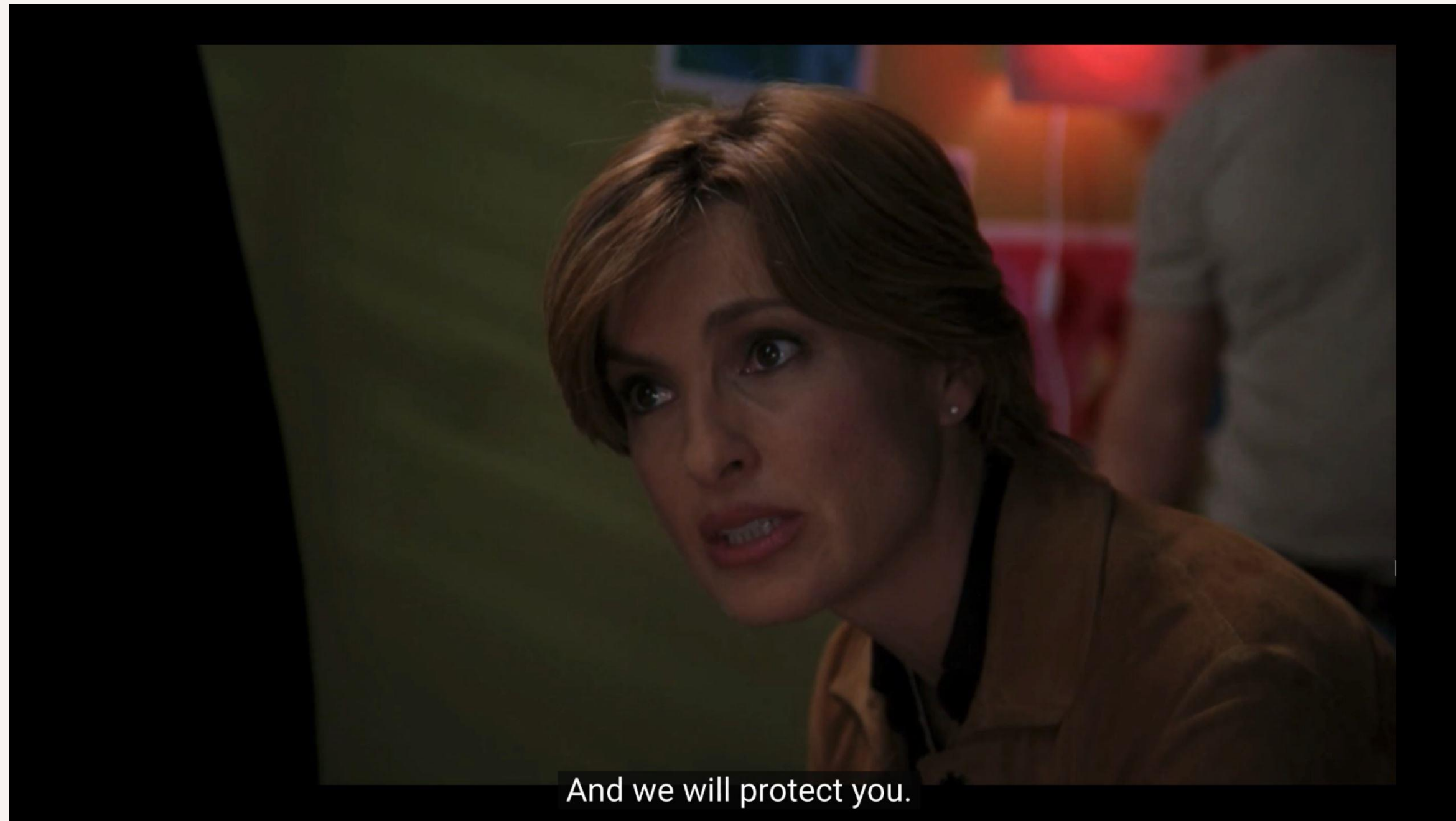
REALITY

- SAU is a small unit within larger precincts
- 2-5 detective per precinct
- 20-30 cases per detective
- Likely also part of other units



TELEVISION

- Protection of the victim is the detective's priority and responsibility.



REALITY

- Detectives not part of protection order process (civil)
- Will not guarantee protection for victims
- Not generally knowledgeable in protection order process and what that entails



TELEVISION

- Multiple portrayals of false reports or victims lying to police



REALITY

- Only approx. 2%-10% of reports to law enforcement are false reports
- No reason for victims to withhold information or lie to detectives
- Sexual Assault investigations look different than other crimes



TELEVISION

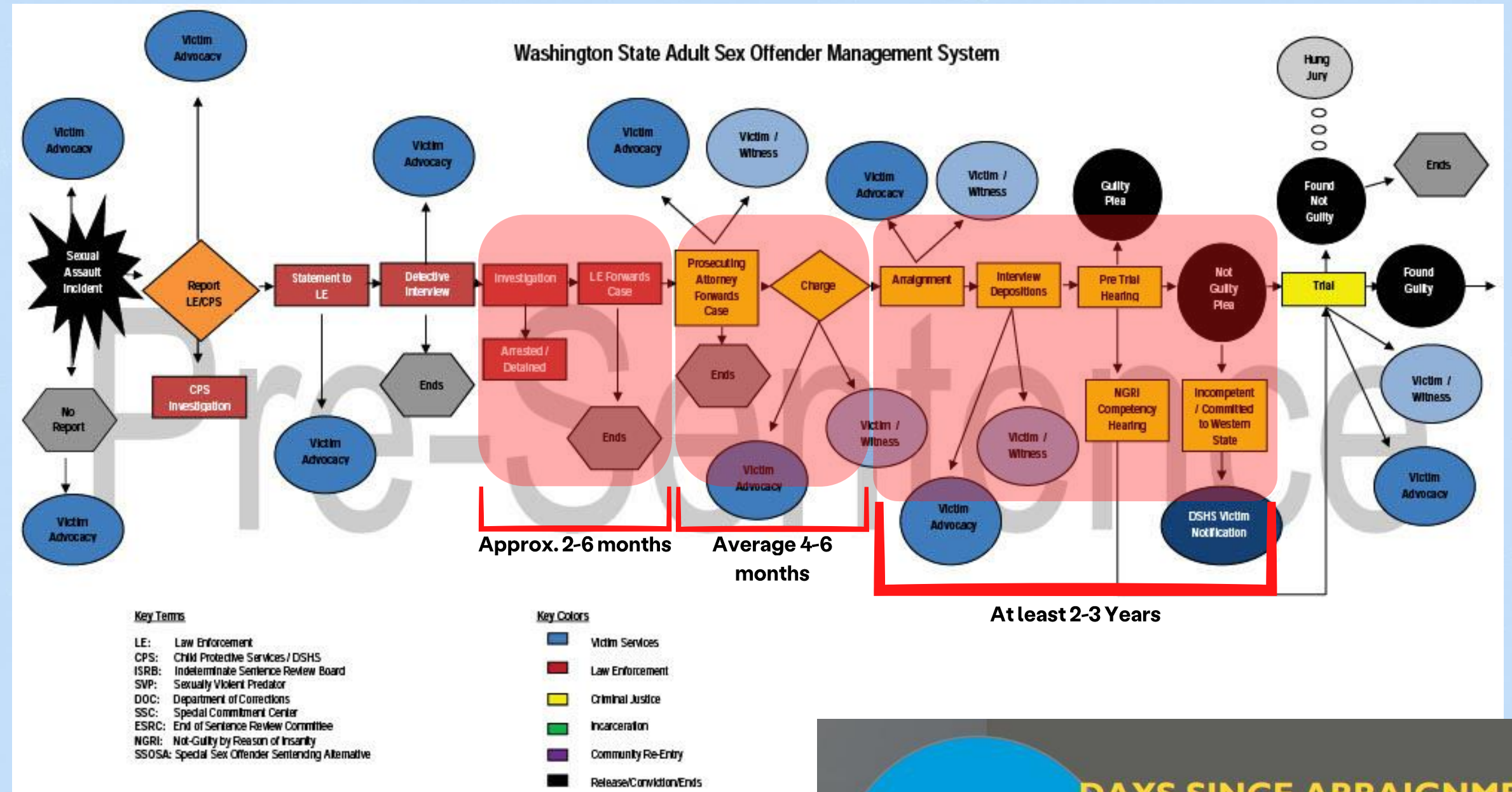
- Quick investigation and trial timeline
- A couple hearings if any depicted before going to trial

McCain Residence
Queens, New York
Monday, August 16

Trial Part 27
Thursday, October 14

REALITY

- Typical timeline from reporting to trial/resolution is 3-4 years
- Multiple hearings on average every month during those 3-4 years
- Victim participation is not required during many of these hearings



563 DAYS SINCE ARRAIGNMENT

KCSARC clients had been waiting on average almost 19 months from the time defendants in their cases were arraigned.

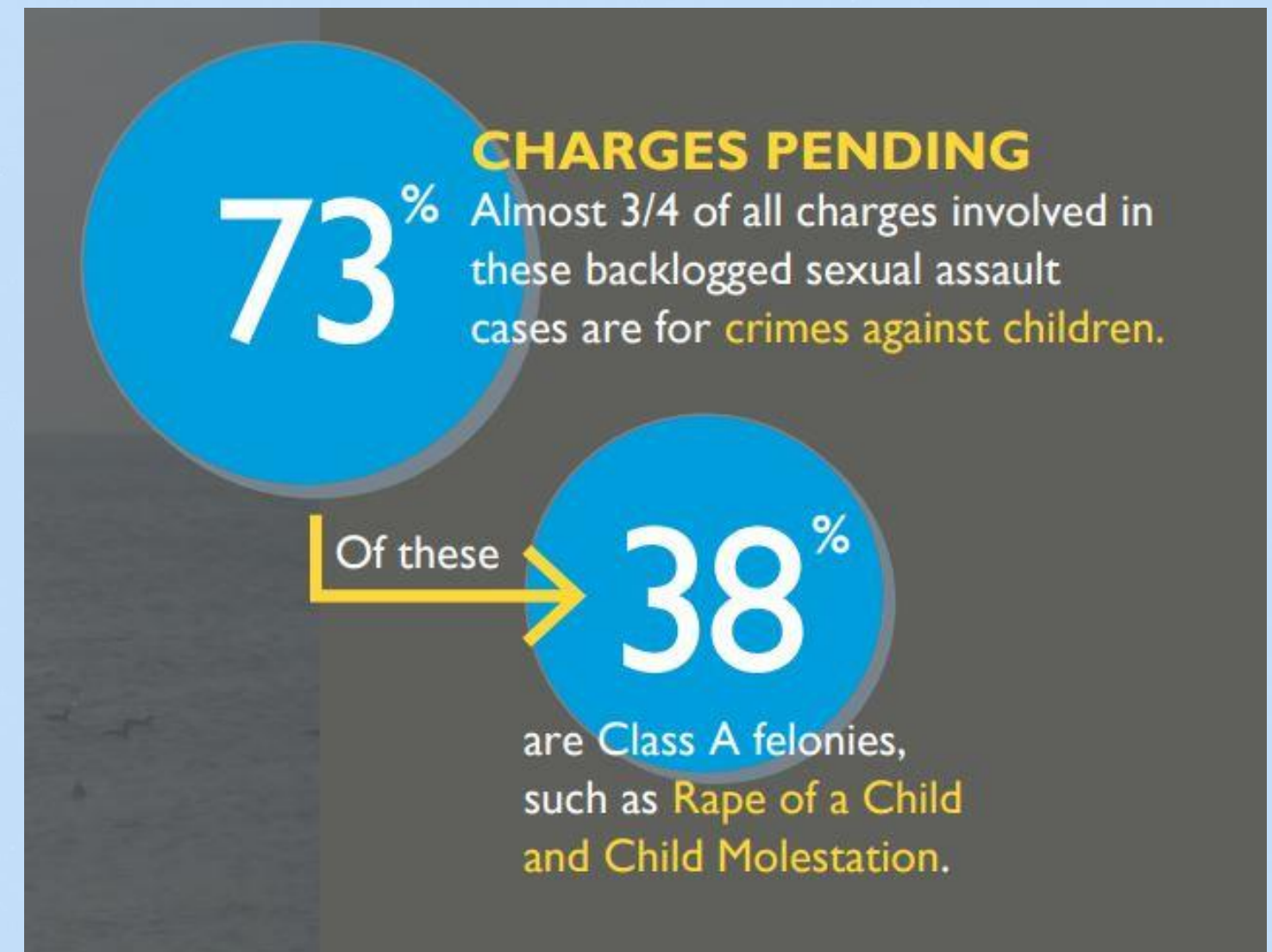
TELEVISION

- Grad Jury is depicted as normal practice for SVU Cases



REALITY

- WA state does not have grand jury
- Only half of the states actually employ them and only twenty-two require their use
- Prosecutors decide what/if any charges get filed
- Usually just 1-2 people making filing decision
- Prosecutors represent the state of WA



TELEVISION

- Most cases shown to go to trial



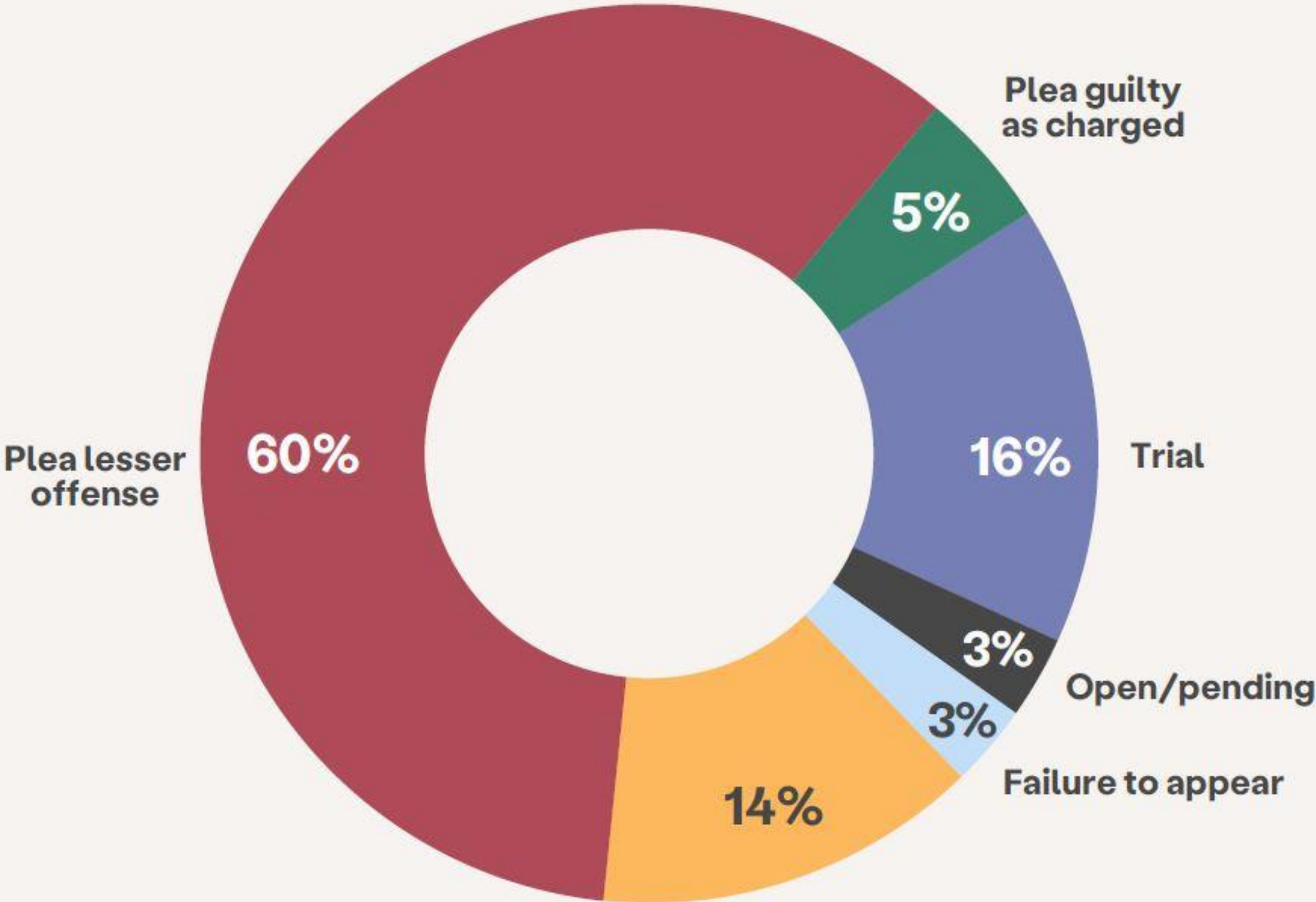
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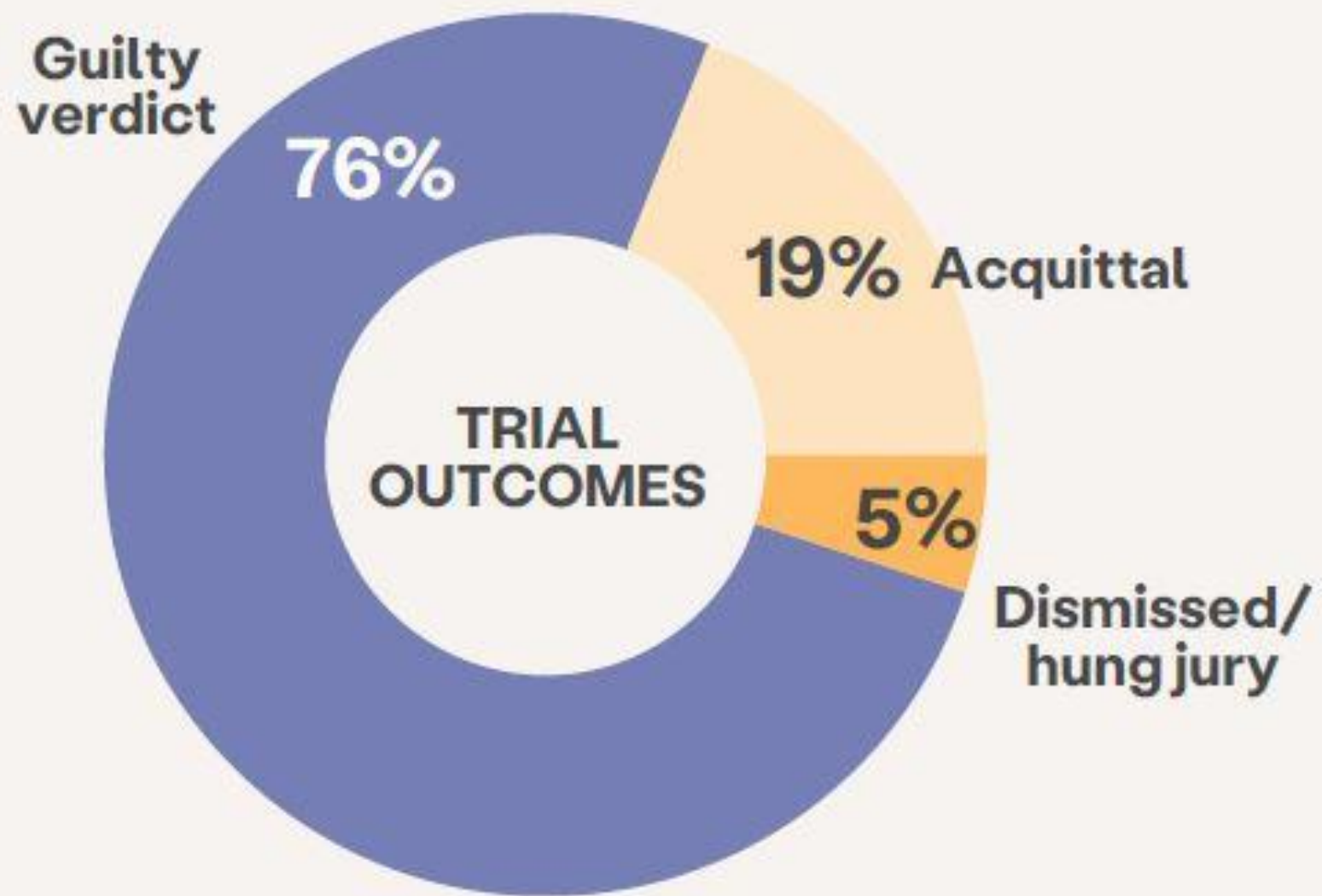
REALITY

- 90% of cases resolve in a plea deal and not trial
- Defense interviews not depicted
- Victims can disagree with plea, and it will still move forward
- Dismissal \neq False Allegation



Outcomes: 408 victims





Dismissals: 14%

Victims waited an average of 807 days before their case was dismissed.

In **60%** of victim cases,
defendants pleaded to lesser charges.
1/3 pleaded to a lesser felony sex offense.

Of the remaining:



THIS
MEANS:



No SAPO or
registration



No reporting or
supervision

TELEVISION

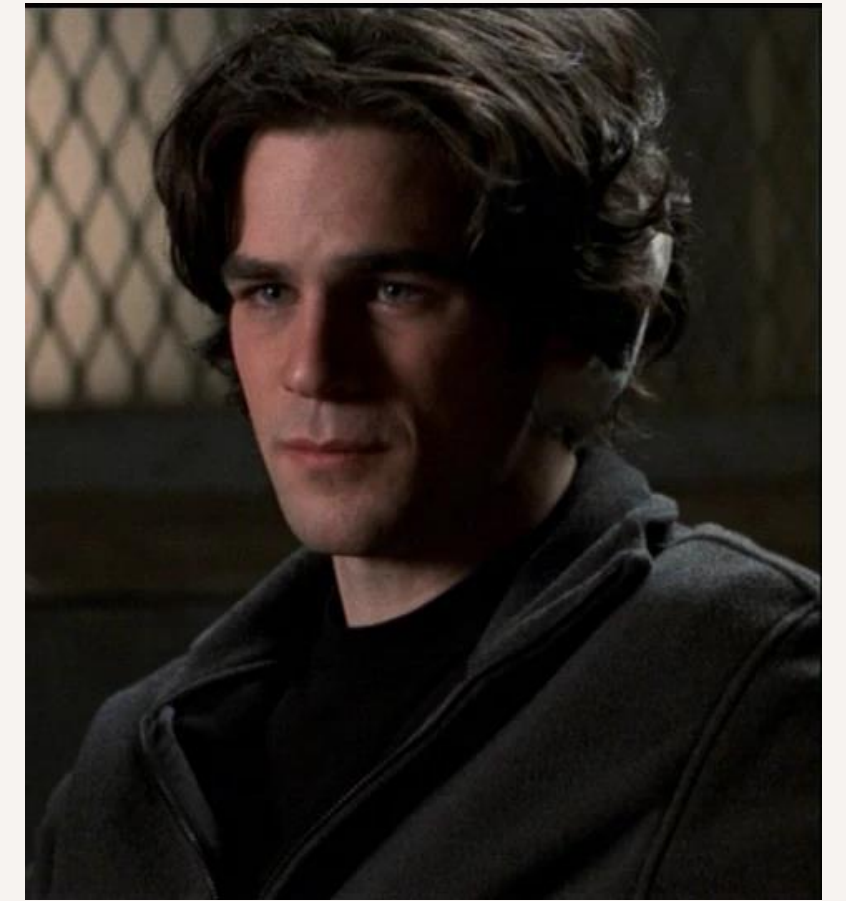
- Most suspects are arrested and stay in custody
- Depictions of many offenders retaliating or harming the victim if out of custody



REALITY

- Majority of SAU perpetrators are not taken into custody and/or do not remain in custody
- Sometimes protection orders are not even granted after charges have been filed
- Most offenders do not retaliate against victims





Who are victims in SVU?

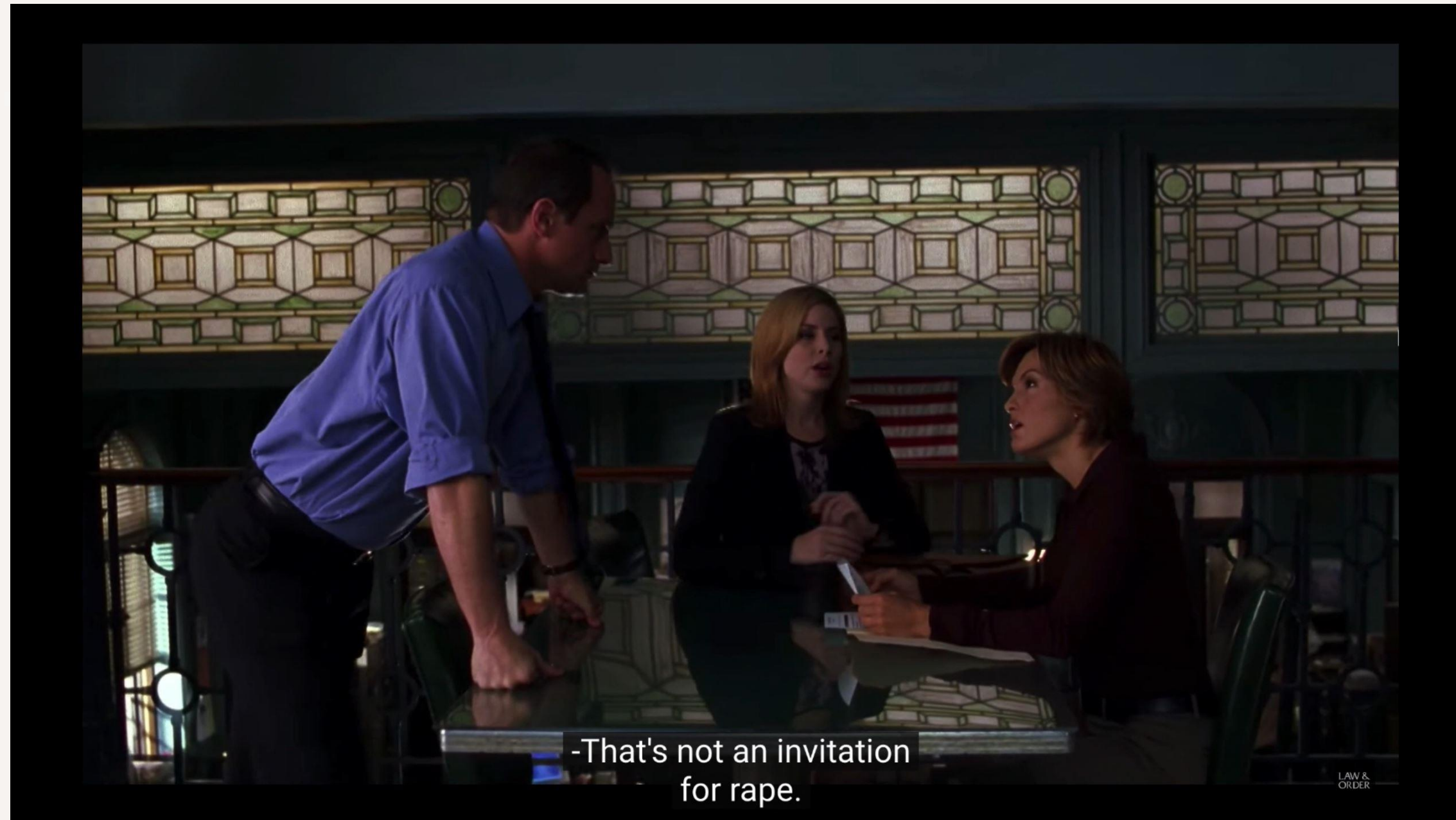
WHAT DO THEY DO WELL?

- Generally good depictions of manipulation by perpetrators and multiple victims
 - Also will sometimes show the strength of victims (when it benefits them)



WHAT DO THEY DO WELL?

- Detective Benson is extremely victim centered
 - She treats victims with compassion and understanding
- She fights for the victims they work with and will do everything she can to get justice for the victim



IN CONCLUSION/TAKEAWAYS

- Media Literacy: The ability to critically analyze the media you're taking in and recognize the influences it has on your thoughts, feelings, and behaviors
 - Law and Order SVU is entertainment and we should not base our understanding of the criminal justice system solely on what we see on tv.
- Offenders are usually known to their victim. Rarely is the offender a stranger.
- The Criminal justice process is slow, and a case can take years to resolve.
 - False reporting of sexual assault to law enforcement is rare event.
 - Legal advocates are available at no cost to help and support victims through the criminal legal process.