



February 2022

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# PLANNING AND IMPLEMENTATION GUIDE

Comprehensive, Coordinated  
Victim Assistance for  
Mass Violence Incident Trials



**NMVVRC**

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We would like to acknowledge the following who contributed to this document:

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- Ryan Holman, Project Manager, National Mass Violence Victimization Resource Center
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From the Cover

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Recommended Citation:

Rheingold, A.A., Whaley, C.W., Seymour, A., Sands Belle, A. (2022). Planning and Implementation Guide for Comprehensive, Coordinated Victim Assistance for Mass Violence Incident Trials. Charleston, SC: The National Mass Violence Victimization Resource Center.

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## **PLANNING AND IMPLEMENTATION GUIDE**

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Mass Violence Incident Trials

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# Foreword

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Dear All:

On behalf of the United States Attorney's Office for the District of South Carolina, it is a great honor to join Dr. Dean Kilpatrick and the staff of the National Mass Violence Victimization Resource Center (NMVVRC) to introduce this very important collaborative work: "Planning and Implementation Guide for Comprehensive, Coordinated Victim Assistance for Mass Violence Incident Trials." Tragically, our district has experienced the horrific and lasting impacts of mass violence incidents in the Mother Emanuel Massacre, and the resulting complexities in investigating and prosecuting such crimes. We are confident that this resource will be a useful tool for federal and state prosecutors in supporting their committed victim services staff in providing for the multi-faceted needs of victims and families of mass violence incidents. There is no better support for prosecutors and law enforcement officers than to know that the victims they are charged to serve are afforded every right and accommodation available throughout a mass violence incident's investigation and prosecution.

As members of our prosecution and victim services team have shared in numerous invites throughout our country on best practices and lessons learned, we understand that the Emanuel AME case has contributed to new foundational ways in serving mass violence crime victims. With that, we accept our obligation within the Department to seek greater ways to share with our colleagues and partners. The culmination of this project through the committed efforts and leadership teams of the NMVVRC and our Victim Assistance Program is part of the obligation and should be recognized as significant in enhancing services and resources to crime victims. This Guide supports the core mission of the Department of Justice in "enforcing the law in the public interest and in providing protection against criminal activity".

Additionally, the success of our work as directed by the Justice Department and guided through the Executive Office for U.S. Attorneys is built upon the development of partnerships with federal, state and local agencies and professionals. For this we are grateful to entities such as the NMVVRC, who are distinguished leaders in the field of victim services.

I look forward to having the expert guidance and resources shared in this Guide be utilized throughout our nation for mass violence cases. Many thanks and sincere appreciation to all who have contributed to the success of this great work.

Sincerely,

A handwritten signature in blue ink that reads "Corey Ellis". The signature is fluid and cursive.

Corey Ellis  
United States Attorney



# Foreword

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Dear Friends,

The National Mass Violence Victimization Resource Center (NMVVRC) is pleased to collaborate with Acting U.S. Attorney for the District of South Carolina, M. Rhett DeHart, and his Victim Witness staff on this useful Guide. The “Planning and Implementation Guide for Comprehensive, Coordinated Victim Assistance for Mass Violence Incident Trials” features helpful tips and strategies for criminal justice, victim/survivor assistance, and allied professionals to help mass violence survivors and their families through the preparation, planning and implementation phases of such high-profile trials.

Established in 2017 with support from the U.S. Department of Justice Office for Victims of Crime, the mission of the NMVVRC is to improve community preparedness and the nation’s capacity to serve victims and communities recovering from mass violence through research, planning, training, technology, and collaboration.

We at the NMVVRC know from experience that every mass violence-related trial is unique. We also know from the many “lessons learned” from previous trials that assessing and addressing the needs of victims, survivors and their family are critical components of any trial plan. We also know that it takes a strong commitment from and ongoing collaboration among justice professionals, victim assistance and mental health professionals to ensure that victim support and services are survivor-centered and trauma-informed. Finally, our first-hand experience working with others to assist survivors and family members throughout the trial following the Mother Emanuel AME Church mass shooting gave us practical knowledge about what to do as well as what not to do.

I am confident that the many recommended strategies and resources included in this Guide will be extremely helpful to any community that experiences a mass violence incident that culminates in a trial. We are grateful to Acting U.S. Attorney DeHart, his team, and all the professionals who contributed to the development of this timely and important Guide.

Sincerely,

A handwritten signature in black ink that reads "Dean G. Kilpatrick Ph.D." The signature is written in a cursive, flowing style.

Dean G. Kilpatrick, Ph.D.  
Director, National Mass Violence Victimization Resource Center  
Distinguished University Professor of Clinical Psychology  
Department of Psychiatry & Behavioral Sciences  
Medical University of South Carolina



# Introduction

The purpose of this Guide is to provide a framework to create and implement a Victim Services Management Plan for professionals who oversee the provision of victim/survivor services and support for mass violence, terrorism, and mass casualty prosecution cases. These professionals include the:

- Federal, state and local prosecutors
- Lead victim services agency or organization staff
- Victim service professionals (system- and community-based)
- Mental and behavioral health providers
- Other allied professionals who are invited to provide services

The Victim Services Management Plan (the Plan) is a working document that provides the victim assistance essentials of what is needed to effectively support the needs of victims during the pre-trial and prosecution stages of a mass casualty incident trial. The Plan utilizes information received during the investigative stage, and builds upon it to provide a seamless transition from investigation to prosecution of the case; and includes the following:

- Identifies the lead investigation agency and prosecution team for the trial.
- Identifies the managing coordination and leadership component for victim services, as well as the allied professionals and disciplines necessary to accomplish victim services.
- Includes a memorandum of understanding or a confidentiality agreement among service providers for the purpose of establishing a trusted and cohesive victim services team.
- Clearly identifies the victim population(s) to be served with assessments completed for each identified population.
- Clearly outlines all pertinent information regarding the court process for team review and understanding. Includes vetting and credentialing protocols for providers and any cautionary guidance shared by the managing coordinator and prosecutors.
- Includes protocols for communication with victims and processes for all court attendance, as well as addressing court procedures and safety guidance.

- Incorporates legal guidance and directives from the prosecution team in support of its role in leading the prosecution.
- Is approved by the prosecution and is made available to court officials (including the Presiding Judge) as information in response to directives received as part of the court's scheduling order for the trial.

*See Appendix A, "Planning and Implementation Team Members and Their Respective Roles."*

The lived experiences of professionals who have assisted with victim/survivor-specific preparations for MVI trials identify several challenges that may impede success, including:

- Lack of a clearly established response plan following the MVI
- Difficulties in building a cohesive team during the initial stages of the MVI response
- Unclear communications among and from law enforcement and other leaders to victim service professionals
- Lack of understanding and effective communication with victims, survivors, and family members
- Shortage of resources (funding, physical space, staffing, volunteers, etc.)
- Prior conflicts among personnel, including different approaches to trial preparations and the range of potential outcomes

*A careful review of and adherence to the strategies featured in this Guide will help victim service professionals and their allied professionals to identify and overcome these challenges.*

This Guide will enhance the ability and capacity of victim service managers, victim service professionals (VSPs), and prosecutors to organize and implement proven strategies and resources that identify and meet the multi-faceted needs of victims, survivors, witnesses, and their loved ones as they participate and exercise their rights as crime victims throughout the criminal justice process.

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# PART I

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## Foundations and Preparedness

This overview of foundational issues provides a comprehensive framework for preparation that can be adapted to various federal, state, Tribal and other jurisdictions in which a mass violence or terrorism incident (MVI) trial occurs. It includes information about the unique aspects of MVI trials; information and resources about different justice processes, and victims' rights and services; and resources related to victim/survivor safety and security.

# Unique Aspects of MVI Criminal Justice Processes

Every trial of a criminal defendant (or defendants) accused of perpetrating mass violence is unique. Generally, there are three factors that contribute to these unique trial aspects to consider in planning and implementing efforts that guide MVI victims through court processes:

## The MVI Victims, Survivors and Witnesses

The scope, number, and types of MVI victims will affect planning and implementation activities, including:

- Number of victims, including deceased victims; physically-injured victims (including those with catastrophic injuries); victims present at the scene of the MVI, and their next-of-kin; and any parents or guardians of minors or incapacitated victims and witnesses
- Number of victims and witnesses who were present at the scene of the MVI, but who were not physically injured, and who may endure significant behavioral or mental health challenges
- Each victim's level of personal and social support
- The severity of injuries and needs for immediate assistance for disabilities
- Demographic diversity of survivors, i.e., age, gender, geography (including many victims who may not live in the community where the MVI occurred), culture, race, ethnicity, religious affiliations and beliefs, language, gender identity, sexual orientation, disability, and immigration status (among other demographics)
- Specific location of the MVI (school, Faith institution, federal/Department of Defense site, public or private workplace, public venue such as a concert, restaurant, or club, etc.)
- Motivation of the perpetrator (hate-based crime, intimate partner violence, targeted victims, etc.)
- Large-scale criminally negligent MVIs (which often have myriad victims/survivors who may have considerable long-term needs)
- Scope, quality, and effectiveness of the initial crisis response to the MVI on the day it occurred and shortly thereafter (which will affect the response of VSPs throughout trial[s])
- Diverse needs, wishes, and opinions of all victims, survivors and witnesses that must be identified and addressed, with a clear focus on the needs of persons with disabilities (hearing, visual, mobility, intellectual, etc.)

## Community in which the MVI Occurred

- Geographic location – urban, suburban, federal, Tribal, rural/remote, frontier, federal/DoD installation/site, or a terrorist attack on an American installation in a foreign country – which affects who will be involved in the initial and ongoing responses
- Whether or not the community had developed and practiced plans to prepare for a MVI, including the allocation of immediately available resources to support the crisis response
- A community's capacity to provide victim/survivor assistance – from the immediate response throughout the criminal justice process and beyond. Increasingly, there is research about and evidence-based practices to address the long-term needs of victims and the impact of MVIs (long-term medical, financial, mental health, etc.) that may be relevant to help victims prepare for court. This requires identifying and documenting victims' needs beyond court processes to help them build resilience post-trial, with longer-term services including survivor support groups; referrals for mental and behavioral health counseling; and sponsoring annual observances, among others.
- Existing intersections and collaborations among systems needed to identify and address survivors' needs, i.e., a multi-disciplinary systems approach of victim/survivor services (including crime victim compensation), mental/behavioral health, public health, federal, Tribal, and state public benefits, spiritual/Faith-based community support, etc. – all of which affect victim services and related services prior to and during the trial, and victims' levels of access to and satisfaction with such services.
- Whether or not a community had a coordinated MVI plan in place, and if it included information and resources about criminal justice processes
- Awareness of federal, Tribal, state, and local support provided for victim assistance and established interagency relationships to activate supportive services, i.e., Victims of Crime Act (VOCA) funding from the state level, Antiterrorism and Emergency Assistance Program (AEAP) funding, state and local funding, and state crime victim compensation
- In many Tribal jurisdictions, awareness of Tribes' emergency funds set aside to assist victims with transportation, medical expenses, or funds to appear and/or participate in court proceedings (in these

instances, applications for support are made directly to the Tribal Council).

### **Case Considerations**

- Oversight jurisdictions involved, i.e., Federal, Tribal, DoD, and/or State
- Whether or not:
  - There are “dual” or “parallel” judicial processes, i.e., federal/state, federal/DoD, Tribal/state, criminal/civil, etc.
  - One (or more) of the alleged perpetrators is deceased
  - The case involves the death penalty (which can be a sensitive or contentious issue among victims/survivors).
  - There is a requested or court-authorized change-of-venue (usually due to a defendant’s concerns about pre-trial publicity). Travel can be difficult and costly for some victims; and planning requires attention to extra staffing and support, preparing for closed-circuit TV venues for those who want to virtually attend the trial, and other change-of-venue considerations.
  - There is a plea bargain being considered
- Level of federal and/or state support for the trial, and for victim assistance services (including system- and community-based services)
- For Tribal cases, VSPs must:
  - Understand the Tribal/Federal/state government relationships in the jurisdiction where the MVI occurs.
  - Be aware that each Tribe has unique cultural practices that must be understood and reflected in the provision of victim services (outreach to and partnerships with Tribal leaders are essential).
  - Recognize that spiritual leaders may be asked to perform healing ceremonies or address specific cultural practices or beliefs of victims/survivors.
- The court site’s capacity to offer closed circuit TV/virtual access to court proceedings and/or an “overflow” site (including satellite access, such as those provided at the trial of the bombing and murders at the federal Murrah Building).
- Preparation of time and resources in support of a lengthy trial process, which includes jury

qualifications and selection and the two phases of trial (guilt and penalty).

### **Victims’ Rights within Criminal Justice Processes**

As noted above, trials in MVI cases may occur within federal, Tribal, or state and local jurisdictions, or a combination of jurisdictions, i.e., there may be more than one trial. Victims whose cases are tried in federal court (including most Tribal MVI cases) have specific rights; and victims’ rights at the state/local levels differ state-to-state. A description of victims’ rights and basic information about justice processes for Federal and state cases follow below.

### **Federal Criminal Justice Processes**

Since many MVIs are federal crimes, the prosecutor in such cases is the U.S. Attorney. There are 93 U.S. Attorneys (USAs) in all 50 states, the District of Columbia, and U.S. Territories. Each U.S. Attorney’s office has a victim-witness assistance unit to help victims of federal crimes throughout justice processes. The range of services they can offer include:

- Providing victims with:
  - Information and notification about the status of their cases
  - Information about court-ordered restitution
  - Referrals to community-based services and support
  - Information about crime victim compensation
  - Referral to mental health services, as needed
- Orientation to the criminal justice system and explaining court procedures
- Court accompaniment
- A wide range of other services unique to MVI cases and victims that are detailed in the Part II: Planning section of this Guide.

**FUNDING:** When charges are filed, the Executive Office of United States Attorneys (EOUSA) manages funding through the USDOJ Office for Victims of Crime for trial services (i.e., transportation, lodging, per diem, parking, various support needs and services) for victims and survivors. Helpful information for victims about how to navigate the federal criminal justice process are located at the Office of the [U.S. Attorneys](#)<sup>3</sup>, [U.S. Courts](#)<sup>4</sup>, [FBI](#)<sup>5</sup>, and [U.S. Department of Justice](#)<sup>6</sup> websites.

<sup>3</sup><https://www.justice.gov/usao/justice-101/steps-federal-criminal-process>

<sup>4</sup><https://www.uscourts.gov/about-federal-courts/types-cases/criminal-cases>

<sup>5</sup><https://www.fbi.gov/resources/victim-services/a-brief-description-of-the-federal-criminal-justice-process>

<sup>6</sup><https://www.justice.gov/enrd/criminal-justice-process>





Lady of Justice Statue  
Crime Victims Memorial  
River Front Park  
Columbia, SC



# Federal Victims' Rights

Every United States Attorney's Office is required to have Victim/Witness Assistance Programs to help victims of federal crimes understand and exercise their rights; provide information about the case; and coordinate victim services and support with allied VSPs.

When a MVI is determined to be a federal crime, victims have several rights under the [Victims' Rights and Restitution Act 34 U.S.C \(VRRRA\)](#)<sup>7</sup>, the [Crime Victims' Rights Act \(CVRA\) \(18 U.S.C. 3771\)](#)<sup>8</sup> and the [Attorney General Guidelines for Victim and Witness Assistance \(AGG rev 2011-2012\)](#)<sup>9</sup>, which established guidelines to be followed by officers and employees of the U.S. Department of Justice investigative, prosecutorial, correctional, and parole components in the treatment of victims of and witnesses to crime.

Under the VRRRA, victim services are required and are initiated immediately after the commission of a federal crime and during the investigative stage of the case. These services are initiated by the lead law enforcement agency and coordinated through its victim services unit. In MVI investigations, the FBI – under its anti-terrorism response team of investigators and victim assistance professionals – would immediately respond and direct services. The law ensures that victims have the right to:

1. Receive mandated services, including referrals to emergency medical and social services
2. Reasonable protection from suspected offenders
3. Notice of the status of the investigation to the extent it is appropriate and will not interfere with the investigation
4. Notice of court proceedings

Under the Court-enforceable rights as set forth in the Justice for All Act of 2004, under the CVRA, victims have:

1. The right to be reasonably protected from the accused.
2. The right to reasonable, accurate, and timely notice of any public court proceeding involving the crime or of any release or escape of the accused.
3. The right not to be excluded from any such public court proceeding, unless the court, after receiving clear and convincing evidence, determines that testimony by the victim would be materially altered if the victim heard other testimony at that proceeding.
4. The right to be reasonably heard at any public proceeding in the district court involving the release, plea, sentencing, or any parole proceeding.

5. The right to be reasonably heard at any public proceeding in the district court involving the release, plea, sentencing, or any parole hearing.
6. The reasonable right to confer with the attorney for the Government in the case.
7. The right to full and timely restitution as provided in law.
8. The right to proceedings free from unreasonable delay.
9. The right to be treated with fairness and with respect for the victim's dignity and privacy.
10. The right to be informed in a timely manner of any plea bargain or deferred prosecution agreement.
11. The right to be informed of the CVRA rights and the services described in section 503 (c) of the VRRRA of 1990 (34 U.S.C. 20141(c)) and to be provided contact information for the Office of the Victims' Rights Ombudsman of the DOJ.

## Victim Notification

Per requirements of the CVRA, all victim information and notifications in federal criminal cases that have been accepted for prosecution from federal investigative agencies are made available, in both English and Spanish, by the U.S. Department of Justice's Victim Notification System (VNS). This free, confidential computer-based system provides federal crime victims with information about scheduled court proceedings; outcomes of those court proceedings; and information about a convicted offender's custody status and release. In addition to written notifications generated through VNS, victims can obtain automated status information by calling the VNS Call Center toll-free at 1-866-365-4968 (1-866-DOJ-4YOU), or by accessing the VNS website and registering for services, with their personal access codes available at [www.notify.usdoj.gov](http://www.notify.usdoj.gov).

In most MVI cases that involve trials, US Attorneys' Victim-Witness personnel develop victim/survivor databases so that timely information and notifications about court proceedings can also be delivered by telephone, text and/or email.

Additional planning may also be required to provide significant case updates to victims prior to news media reporting about the case. Accommodations can be made for victims who want more frequent notifications or check-ins from VSPs than VNS provides, to include

<sup>7</sup><https://www.justice.gov/enrd/rights-victims>

<sup>8</sup><https://www.justice.gov/usao/resources/crime-victims-rights-ombudsman/victims-rights-act>

<sup>9</sup>[https://www.justice.gov/sites/default/files/olp/docs/ag\\_guidelines2012.pdf](https://www.justice.gov/sites/default/files/olp/docs/ag_guidelines2012.pdf)

public motions and orders filed in court that are not otherwise part of the standard notification procedures.

### **State Crime Victim Compensation Programs**

Every state, the District of Columbia and U.S. Territories have crime victim compensation programs. These programs vary but may cover certain expenses of crime victims who have suffered physical, psychological, or financial injuries. Costs covered include physical and mental health services, lost wages and support, and funeral expenses that are not already covered by

insurance or other benefits. All programs require victims to report the crime and cooperate with the investigation and prosecution. Crime victim compensation is “the payor of last resort.”

In certain cases, some state crime victim compensation programs offer reimbursement for limited spiritual practices for tribal healing ceremonies. It is important to know what is available prior to offering crime victim compensation referrals and support.

Information about each state’s crime victim compensation program is available at the [U.S. Department of Justice, Office for Victims of Crime](#)<sup>10</sup> website.

## **State and Local Criminal Justice Processes and Victims’ Rights**

Depending upon the location, nature, and scope of the MVI, criminal justice proceedings may occur at the state and local levels. At the state level, the state prosecutor (also referred to as the state district attorney or solicitor) for the judicial circuit or jurisdiction in which the crime occurred oversees the prosecution. Under each state’s victims’ rights laws, most state prosecutor’s offices have a victim advocate or VSP – and are sometimes supported in MVI cases by VSPs within the office of the state’s Attorney General in communities where victim assistance support is limited – that would offer services such as:

- Providing victims with:
  - Information and notification about the status of their cases
  - Information about court-ordered restitution
  - Guidance to develop their victim impact statements
  - Referrals to community-based services and support
- Orientation to the criminal justice system and explaining court procedures
- Court accompaniment
- A wide range of services unique to MVI cases and victims that are detailed in the in Part II: Planning section of this Guide.

When charges are filed, [Antiterrorism and Emergency Assistance Program \(AEAP\)](#)<sup>11</sup> and/or state Victims of Crime Act (VOCA) funds can provide funding to assist with trial services (e.g., transportation, lodging,

per diem, parking, spiritual support, and supplies) for victims, witnesses, and survivors.

All states have a Victims’ Bill of Rights and, in approximately 35 states, victims’ rights are embedded in the state’s constitution. While Bills of Rights and constitutional amendments differ from state to state, victims’ ten core rights (Edmunds and Seymour, 2006) generally include the rights to:

1. Be treated with fairness, dignity, and respect
2. Notification
3. Be present at/attend proceedings
4. Be heard
5. Reasonable protection from intimidation and harm
6. Restitution
7. Information and referral
8. Apply for victim compensation (in violent crime cases)
9. Speedy proceedings
10. Enforcement of victims’ rights

Dependent upon each state, these and additional victims’ rights are nuanced. VSPs can help review and explain rights to victims and survivors, including the many factors that affect their implementation in accordance with their state laws.

### **Additional Information About States’ Victims’ Rights Laws**

The National Crime Victims Law Institute (NCVLI) offers “[Victims’ Rights Laws by State](#)<sup>12</sup>,” which

<sup>10</sup><https://ovc.ojp.gov/states>

<sup>11</sup><https://ovc.ojp.gov/program/antiterrorism-and-emergency-assistance-program-aeap/overview>

<sup>12</sup><https://law.lclark.edu/live/news/23544-victims-rights-law-by-state?>

provides detailed overviews of victims' rights statutes in all 50 states and the District of Columbia.

The Office for Victims of Crime (OVC) sponsors [VictimLaw](https://victimlaw.org/victimlaw/)<sup>13</sup>, a “one-stop shopping” searchable database that includes victims' rights provisions for federal, Tribal, state and territorial statutes. There are four ways to search, by:

- Topic
- Term
- Jurisdiction
- Citation

*See Appendix B, “Criminal Justice System Glossary of Common Terms” for information that can be beneficial for victims to understand court processes.*

## Tribal Criminal Justice Processes and Victims' Rights

Comparatively, there have been few mass violence incidents on Tribal lands. However, when a MVI occurs, jurisdictional authority is subject to the complex rules of Public Law 280. This law was enacted in 1953, giving six states (Alaska, California, Minnesota, Nebraska, Oregon, and Wisconsin) authority over some criminal and civil matters rather than Tribal or federal courts. Counties

generally have jurisdiction in these states. Tribal courts are small, and few have dedicated courthouses. Trials are also held in shared spaces such as conference rooms that are in public buildings. Tribal courts are underfunded, leaving them without basic safety protection such as metal detectors. They also lack funds for personnel to have increased protection, as well as to have VSPs.

## Victim/Survivor Safety and Security

Safety includes ensuring that the victim is physically safe. Victims should be advised that if they are concerned about their safety, it should be reported to VSPs. The VSP would then report directly to law enforcement (LE) to assess the concerns, and to determine the best resolution to keep the victims safe.

The LE members of the trial team should have a process to determine potential safety concerns or threats against the victims. Upon discovering any issues of concern, a safety plan relating to safe living environments, personal safety, and safety while traveling should be developed with the assistance of VSPs for all identified victims.

Security entails whether the victim feels secure in their physical surroundings. To some it may not be logical, but it is important that they have confidence in their safety. They might be physically safe, but still feel personally insecure. VSPs can discuss what things they are most concerned about and what would make them feel more secure. The challenge for VSPs is to lessen the gap between safety and security. VSPs can:

- Ask victims what concerns they may have about their personal safety and security. Victims may have “actual fears” (based upon direct threats, harassment, and/or intimidation from the alleged defendant[s]

and their cohorts, etc.) and “perceived fears” (often based upon trauma resulting from the MVI).

- Identify victims' safety/security concerns and needs through a basic needs assessment (via the initial Response Center [RC] or Family Assistance Center [FAC], but definitely prior to any court proceedings). This plan should be reviewed and

*Safety includes ensuring that the victim is physically safe. Victims should be advised that if they are concerned about their safety, it should be reported to VSPs.*

updated throughout the process and is especially important if the trial is in an unfamiliar location. *See Appendix C, “Victim/Survivor Needs Assessment.”*

- The federal CVRA provides the “right to be reasonably protected from the accused” and most state-level statutes provide for victims' reasonable

<sup>13</sup> <https://victimlaw.org/victimlaw/>

protection/safety. Depending upon the court's jurisdiction, these important rights should be explained to victims and survivors.

- VSPs can provide basic guidance for safety planning, specific to MVI victims and survivors – at home, at work, when using public or private transportation, and prior to, during and after court hearings.
- Prepare victims for some of the horrific things that can happen to victims via social media engagement and “trolls” in the social media universe, etc. Encourage them to limit their online time and presence and offer suggested strategies to manage their feelings based upon what they might see or hear.
- Also, discuss with them what things they should not post on social media during the trial, as it might have impact on the trial.

Victim confidentiality is an important aspect of victim safety. In initial communications with victim/survivors, VSPs must clearly establish that their communications with VSPs and court officials are confidential and will not be made public, to enhance their feelings of personal safety. Similarly, respect for victim autonomy that strengthens their capacity to have a voice and choice in matters related to their case can contribute to a personal sense of greater control, which can also enhance their feelings of personal safety.

*A cautionary note: Not all conversations can be confidential. There are rules of the federal court (i.e., Jencks/Brady/Giglio) that would not allow certain conversations to be confidential. It is important to work with your prosecutor to determined limits and what conversations must be divulged. It is important to direct victims to your team's clinical or spiritual support providers to address any counseling needs.*





# PART II

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## PLANNING PHASE

*PRE-TRIAL AND INVESTIGATIVE STAGE*

MVI trials can be complex and multi-faceted. Significant, collaborative planning is essential to ensure that victims' needs are identified and met to the degree possible; and that a coordinated team of VSPs and other providers is in place throughout all trial proceedings.

This pre-trial and investigative planning phase includes guidelines to:

- Communicate, plan, and build partnerships with providers.
- Prepare a list of victims and providers who are vetted and cleared for authorized court access.
- Conduct victims needs assessments in preparation of court proceedings to provide maximum support for victims and survivors, and to assist with the post-conviction preparation of victim impact statements to the court.

*Of note, despite well laid plans, maintaining flexibility for changes that will occur and preparing for the unexpected are very important.*

- Prepare families and providers for trial in a manner that predicts the likely order of the process and the physical logistics of attendance (transportation, parking, food, etc.)
- Plan and coordinate daily services (that are described in detail below).

### **Communication and Planning with Providers**

Communication and planning with providers should begin upon the consideration of formal charges and throughout the pre-trial steps. Six-to-eight months prior to the trial, this communication should ramp up so that relationships are firmly established, and to ensure that the needs of victims and needs of VSPs are identified and addressed within the management plan. This includes:

Identify the immediate needs of the victim population(s) being served.

- Work with LE and law enforcement victim advocates (LEVAs) to determine needs identified during the immediate aftermath of the MVI and investigation.
- Schedule victim meetings and briefings with prosecutors and LE to review expectations. Initial meetings with victims should occur as soon as prosecutorial charges are filed and trial preparations begin. Meetings should be scheduled throughout the trial preparation period, with more frequent meetings occurring when a trial date is set, to assess and hopefully address all identified needs.
- Implement a process by which victims, witnesses and family members may provide input regarding their needs for services during the pre-trial and trial stages. This may be initiated through individual meetings or briefings. For example:

- During the trial of the bombing of the federal Murrah Building in Denver, CO, a meeting/debriefing was held each day after court.
- During the trial of the Mother Emanuel AME Church massacre (U.S. v. Roof) – Through coordination initiated by the lead VSP. The prosecution team utilized an auditorium to gather family members and their support persons for a discussion at the beginning of trial preparations to introduce management; an overview of the proceedings; the schedule for the next day; and any other prosecution, investigative, and victim services teams. Much time was also devoted to hearing concerns and answering questions from the attendees. Subsequent pre-trial briefings were held at the Mother Emanuel Church and the courthouse.
- Consider creating and conducting a confidential questionnaire for victims to complete to identify their needs, evaluate services being delivered and any concerns they may have. *See Appendix D, “Court-related Victim/Survivor Questionnaire.”*

### **Building Partnerships**

The provision of effective victim/survivor services and support requires close coordination among many entities and individuals assigned to a MVI case. Early on, the lead VSP, together with members of the prosecution team, should identify service providers and key personnel who should be at the table, including (but not limited to):

- All applicable VSPs (local, state, federal, and Tribal, including system- and community-based agencies and organizations). *See Appendix E, “Scope of Victim/Survivor Services in the U.S.”*
- Mental and behavioral health providers and trauma-informed clinicians
- Representatives from court entities with case jurisdiction
- Law enforcement
- Legal representatives of victims (MVI survivors and survivors of deceased victims) – this may be both a family representative and a legal representative and can be identified through the victim needs assessment
- Court interpreters (including for Deaf victims, and victims whose language spoken at home is other than English)
- Allied professionals who have the experience to address any cultural considerations relevant to MVI victims/survivors
- Trained volunteers from Faith communities and community-based organizations
- Clerk of Court, if applicable

Understand clearly who will take the lead on coordinating all efforts:

- It is normal procedure that LE advocates/victim assistance specialists (FBI Rapid Deployment Team) will lead the coordination of victim services during the investigative stage, with local VSPs providing support, as needed.
- Prosecution Office’s Victim Witness Coordinators and VSPs will take the lead after official charges are filed via indictments or other charging documents.
- Depending on federal/Tribal and/or state prosecution, parallel processes may need to be coordinated with different leads. If this is the case, leaders need to collaborate and effectively communicate all necessary variations in planning.
- Establish communications and expectations of all entities to build a “team approach” to manage all needs. It is important to identify roles and responsibilities and present a cohesive plan and process to victims and witnesses.
- Designate an entity or professional on the VSP team to oversee and organize the many offers of assistance from individuals and organizations desiring to lend support. A database can be compiled of organizations, individuals, and resources. The database may also serve as a resource not only during the trial, but as part of the continuum of support for victims.
- Set regular meeting dates for all agencies involved to provide updates and planning throughout the pre-trial process and throughout the criminal justice process. The frequency of meetings may vary based on several factors, such as the specifics of the case, the length of court processes (especially pre-trial), the number of victims planning to be in attendance, the number of victims who cannot attend (but want up-to-date information throughout), etc. The most important thing is to set a schedule and occasionally reevaluate
- Respect everyone at the table and understand that each brings a particular level of expertise and lived experiences to the process. Each member is representing his or her respective agency and is responsible for communicating plans with relevant colleagues. *See Appendix F, “Sample Ground Rules for Meetings, Planning Sessions, and Training Programs.”*
- During meetings, expectations need to be clarified and addressed among the team members about confidentiality and relevant sharing of information. If appropriate, memoranda of understanding may be considered to protect the exchange of interagency information sharing.

### **Communication Plan/Notification Processes for Victims, Families, and Survivors**

- Establish communication plans and modes early. This should begin during the investigative stage of the case, with a seamless transition in mind to enhance communications during the pre-trial stage of the case.
- Develop an accurate case management system or database with contact information, to include name of victims, names of next of kin/guardians, telephone (landline and cell) and preferred email address(es). For MVIs, consider being inclusive of all family members who meet the investigative and prosecuting agency’s mandated definition of victim (at the federal level, VRRRA and CVRA defined); or state statutes defining legal lineage. Additionally, always include those who were identified as next of kin during the coroner’s investigation. It is imperative that only team members with direct responsibilities to victims (i.e., FBI VSPs/LEVAs; prosecutor’s VSPs, prosecutors, and lead law enforcement) should have access to this database.
- Have an alternative contact method for victims who do not use or have access to email (such as telephone calls or texts).
- Utilize standard automated victim notification systems, and those specifically developed for a MVI case, for all official court notifications.
- If possible, establish a confidential, password-protected website for general case updates and resources available to larger numbers of victims and survivors.
- In all communications and meetings with victims, emphasize how critical it is for them to provide (and as needed, update) accurate contact information; and the need for them to frequently utilize the various modes established to receive the most updated information throughout the case.

*See Appendix G, “Information and Guidelines for Victims/Survivors/Family Members Attending Trial.”*

*The list of potential team members located in Appendix A is not meant to be exhaustive or required; the planning, preparation and coordination that are required to support victims and survivors can – and should – be standardized to identify and collaboratively meet the wide range of survivors’ needs.*

it to ensure that key activities are being accomplished. These meetings should include a pre-set agenda with minutes to be shared with all participants and a system for sharing information (such as a dedicated, private website, email listserv or confidential online file sharing system). Meetings can be in person and/or virtual, using secure video platforms.

## Verification and Credentialing of Victims

Often, actual courtroom space is limited. The credentialing of victims who want to attend court proceedings is completed through a process of identifying and verifying victim family members to ensure that direct members have access to court events. This should include plans for rotating victims between the actual courtroom and any CCTV/overflow venues.

- The Lead Coordinator/VSP should attend regular meetings with prosecutors, court personnel and court LE officials to determine attendance needs, safety, and court processes as determined by the presiding judge.
- Determine who may attend pre-trial proceedings and the trial each day, i.e. victims, family members, their support persons, VSPs and other providers.
- Develop a vetting/credentialing process of those approved to attend, which includes verification of lineage to victims and survivors. This should be developed by the Lead with prosecutorial input.
- The vetting process should include information that may be utilized to create a list of approved attendees to provide to court personnel and courthouse security.
- Badges/identification should be developed and distributed for use on transport, entrance to courthouse, approved designated areas and courtroom/CCTV or overflow venue. Badges and credentials worn by victims should never note their names, only numbers or other coding for identification purposes.

- All court LE personnel should be provided with a daily roster of approved attendees; and a copy of the badge or other identification used to designate them as approved to attend. *See Appendix H, "Sample Badge for Victims and Families."*

## Verification and Credentialing of Providers

- Based upon the protocols established in the Management Plan, a process for vetting and credentialing all service providers must be developed and adhered to. Providers will include VSPs, mental/behavioral health professionals, Faith leaders and others who can assist and support victims during all stages of the trial process.
- Selected providers will be notified with appropriate instructions, i.e. expectations in service, required time commitment, and supervisory approval.
- Credentialing will be finalized with confirmation forwarded by the Lead Coordinator.
- Clear identification/badges will be provided upon and coordinated with the court for use by all cleared for attendance.

## Court Needs Assessment for Victims

Victims' needs should be identified early in the process via use of victim surveys and direct communications:



- The needs assessment should include topics such as personal safety, lodging accommodations, transportation, parking, food accommodations, disabilities, language, cultural/spiritual support, etc.
- Always ask victims about their medical needs and be sure they have what is needed daily to meet those needs. Consider having onsite medical assistance such as individuals with CPR certification and a defibrillator in the building.

See Appendix D, “Court-related Victim/Survivor Needs Questionnaire.”

### **Preparing all Providers for Trial**

- MVI trials can be especially challenging for the most seasoned VSPs, trauma specialists and mental or behavioral health providers. Therefore, self-care workshops should be held one-to-two months before the trial for all providers. While in-person sessions are ideal, such workshops can also be held virtually.
- “What to expect during court” should be held one-to-two months before trial for all providers. Trainings for mental and behavioral health providers who have not provided prior court accompaniment or victim support should receive specialized training on their role as mental health providers during trials. If possible, give mental or behavioral health providers and VSPs who are not intimately involved in the case an opportunity to view visual evidence that will be presented at the trial so that they can be prepared to fully attend to survivors and victims during the trial.
- Developing a plan for peer support during the trial may prove helpful. If a VSP becomes too overwhelmed during court proceedings or has other personal obligations that might affect the continuity of care (such as illness, child, or elder care, etc.), other individuals should be readily available to fill in and provide respite.
- Communicate courthouse rules about cellphones and other electronic devices to all providers. Consider seeking and obtaining clearance from the judge for two clinicians to have cellphones in case of mental health emergencies and to communicate with their offices.

### **Preparing all Families for Trial**

- Upon approval of the court, victims and family members may be given an opportunity to tour the courtroom and courthouse prior to the trial so they can view the courtroom layout and available resources in and around the building.
- As appropriate, VSPs should work with prosecutors to schedule meetings with victim families immediately prior to the trial to brief them about the

evidence that will be presented in court (to minimize surprises during the actual proceedings).

- Approximately eight-to-twelve weeks before the trial, meetings with families should occur – either in-person or virtually – to include self-care workshops and what to expect on the days of the trial.
- Self-care workshops should be designed to be culturally-, age- and spiritually-diverse to meet the unique needs of different victims. Helpful resources include Appendix I, “Coping Tips to Help You Through Court Proceedings (for victims and survivors); and Appendix J, “Helping Victims and Survivors Maintain Physical and Emotional Well-Being Throughout Court Proceedings” (for VSPs).
- “What to expect for court” should include logistics of daily activities; an overview of general court proceedings, including sequestration; “unwritten rules of engagement” such as defense strategies to prevent or negate victim involvement or testimony; not talking in certain areas; and how to respond to media inquiries (these topics are addressed within this Guide).
- Provide each family member with a notebook to write down questions before the trial, as well as during the court process. This notebook is also good for journaling.
- Communicate to family members about courthouse rules regarding cellphones and other electronic devices.

### **Preparing Victims Who will be Called as Witnesses**

When securing funding for victims’ travel expenses, VSPs should be mindful of victims who are also witnesses, and the funding resources that will be available to them as witnesses.

While federal laws and some state laws give victims the right to be present at public proceedings, VSPs should be aware of exceptions to such laws. When a victim/witness meets an exception, or isn’t covered by the right to be present, VSPs should work with prosecutors to discuss sequestration rules and clearly explain to victims/witnesses when and why their presence may cause issues with the trial. VSPs and prosecutors should work to maximize the viewing of proceedings for interested victims/witnesses, while following laws and court guidance.

### **Preparing Victims and Families Who are not Attending the Trial**

Not all victims may want or be able to attend the trial. VSPs should confer with these victims to ask if they would like to receive regular updates, and to make sure they are still receiving support during this time. If a Resiliency Center has been established, its staff may be able to help provide navigational resources



to include alternate meeting spaces and therapeutic activities for these individuals to participate in. If non-attending victims are out-of-state, VSPs can help them identify supportive services in their community. See Appendix K, “NMVVRRC Resiliency Center, Victim/Survivor Assistance Navigator Position” for the types of “navigation” that survivors might need.

### **Manage Expectations**

Victims and survivors may have differing viewpoints and certain outcomes in mind. Help them think about “what if’s” (i.e., what if the trial does not end the way you think it should; the verdict isn’t what you think it ought to be; and/or that life after trial doesn’t always give a sense of satisfaction or peace). This should begin prior to the beginning of the trial, and their mental/behavioral health professional or other support person should be a part of this emotional and cognitive processing:

- Do not make promises, no matter how well-intended. Help them understand the possibilities of what might occur (again, the “best and worst case” scenarios).

- Walk a careful line between hope and reality, and preparation for trial outcomes in coordination, with the prosecutor.
- Encourage victims/survivors to discuss their thoughts with their mental/behavioral health provider or another support person.
- Be prepared to answer questions about access to the courtroom by victims versus access by the public, or other issues that they feel may limit their participation to be fully present when they desire.
- Provide trusted services (Resiliency Center, counseling centers, and vetted community partners) for smooth transition from the trial to the next steps in the healing journey.

Despite best planning efforts, some victims and survivors will experience moments of stress and distress during the trial. The NMVVRRC has developed a tip sheet to help survivors recognize and cope with such emotions.

*See Appendix L, “Managing Distress: Grounding Tips for Victims, Survivors and Family Members of MVIs.”*

## **Planning and Coordination of Daily Services**

It is imperative that as services are identified and prior to implementation, there is approval from all applicable oversight entities (agency management, prosecution leadership, court personnel, presiding judicial leadership and local LE authorities) relevant to daily services:

### **Transportation and Parking Planning**

This must be clearly addressed in the Victim Services Management Plan:

- Refer to identified needs and requests of victims and family members.
- Research transportation providers based upon needs.
- Seek guidance from and coordination with local LE and court authorized personnel for security plans.
- Ensure that parking and transportation are safe and separate from media/public access.
- Identify VSPs/staff who will assist at parking lots, as needed.

*See Appendix M, “Parking Log” and “Authorized Parking Pass.”*

In Indian Country, victims may not have access to reliable transportation or there may not be a public transportation option. In addition, traveling off the reservation may be frightening. It is important to coordinate with Tribal advocates and mental/behavioral health professionals to address these important needs.

### **Travel Planning**

- Must be thoroughly researched and addressed in the Victim Services Management Plan.
- Upon approval from funding sources, refer to applicable finance staff or agency for travel guidance and procedures, especially for out-of-state travel.
- Provide clear instructions (written and electronically) to victims about expectations and processing of travel advances and reimbursement of expenses.
- Prepare a spreadsheet that includes all travel information for victims who are attending court proceedings, including modes of transportation and estimated arrival/departure times; hotels or other housing accommodations (for victims traveling from out-of-town); and any specific needs or special requests related to transportation or travel.
- Contracts can be established with ride-share or taxi companies to facilitate on-site travel needs, including accommodations for victims and survivors with any physical disabilities.

### **Food/Drinks/Snacks Coordination**

The coordination of food and drinks must be clearly addressed in the Victim Services Management Plan:

- Consider daily coffee/tea, water, morning snacks, lunch, and afternoon snacks. Dietary restrictions

identified through the needs assessment should be met, to the degree possible.

- A schedule for the coordination of food, drinks, and snacks with points of contact may need to be developed.
- Local food and beverage associations, victim advocacy coalitions, Faith-based entities, Chambers of Commerce, and the United Way or Salvation Army may be able to offer support. This effort will need to be donation-based, as federal funds (including grant funding) typically cannot pay for food. If there is an established non-profit Resiliency Center, it may be able to take the lead on coordination to meet this need.
- Most lunch breaks for victims will need to be held in the identified Victim and Family Gathering Room. Depending on the locale of the court venue, however, respite lunch sites may be an option so that victims can leave the building briefly for a needed change of atmosphere or aesthetics. Logistics, safety, privacy, and timing of such opportunities will need to be considered.
  - For example, during the Mother Emanuel massacre trial in Charleston, meals were delivered by a consortium of the local restaurant association to the courthouse; and a local church hosted meals at its venue as part of an occasional respite plan. Normally the court-scheduled midday breaks do not provide enough time to get people out of the courthouse and back through security. Victims were escorted to the church by courthouse and local law enforcement security officials in groups, and they could enter another way without going through security. This arrangement gave respite to the victims/survivors.
  - During the Oklahoma City Murrah Building bombing trials, a daily schedule with Denver's metropolitan area multi-Faith-based organizations resulted in a rotating provision of food and volunteer support for the attendees at the trial.

### **Victim and Family Gathering Room/ CCTV Location/Overflow**

Based upon the venue and the number of victims who will be attending trial each day, coordination of a separate family gathering room that may or may not include CCTV, separate CCTV locations, private rooms for distressed victims, and overflow court room for the general public and media will need to be included in the Victim Services Management Plan. In some cases, CCTV will need to be established in different locations nationwide, for example:

- The Oklahoma City Murrah Building bombing trial, held in Denver in 1997, featured proceedings via CCTV in Oklahoma City that were organized by the Colorado/Oklahoma Resource Council. This was an informal but court-like setting that was overseen by

a state-level Judge who provided information about the proceedings, as well as maintained decorum.

- For the Pan Am 103 bombing trial held in the Scottish Court of the Netherlands in 2000, CCTV locations were established in the United States for victims to virtually attend proceedings.
- The Charleston Mother Emanuel trial had a Victim and Family Gathering Room where CCTV was provided to observe the court proceedings. In addition, there was a public access overflow courtroom with CCTV and was utilized for the church members and the general public. This room did not include the media as a separate media viewing room was provided. Separate private rooms were made available for persons who became distressed.

Strict credential vetting is needed to ensure that only victims/survivors, family members, service team and prosecutors are offered entry. Consider staffing a court officer at the doors for security.

### **Victim and Family Gathering Room Set-up**

The Victim and Family Gathering Room is a venue prepared within the courthouse for those identified as direct victims/survivors and family members, where they can go daily for check-ins, briefings, and respite.

- Ensure that the Victim and Family Gathering Room is welcoming and inviting as much as possible.
- The Victim and Family Gathering Room should include tables for eating and working, with comfortable seating.
- Consider displaying photos of loved ones (but consider not having the photos every day, as it can be overwhelming). It is important to ask family members about their thoughts prior to decision-making.
- Provide books about trauma, grief, and resiliency, and tip sheets (self-care information, health, referrals, etc.). See Appendices I, L & N for book resources.
- Consider having self-care items on hand such as stress balls, children's and adult coloring books, paper and markers for doodling, etc.
- Court rooms and Victim and Family Gathering Room are often cold; provide blankets for comfort.
- Other supplies to consider include tissues, snacks, mints, water, and tea/coffee.
- Consider including other items that are culturally relevant to victims for comfort and for those with any need for accommodations. For example, sage is an important part of Native American culture, used to purify the room and the spirit. Coordinate with the Court to allow this in the Victim and Family Gathering Room if possible.
- Maintain an emergency kit in the family room that includes first aid supplies.

## Cultural, Religious, and Population Considerations

It is helpful to sponsor cultural competency and diversity training for all members of the Team prior to court proceedings.

- Read relevant resources such as Spiritual Sensitive Caregiving<sup>14</sup> to better understand the role of religious and/or spiritual considerations for crime victims.
- Seek to participate in community events and with organizations serving the diverse communities to which victims belong, to become more culturally aware of the communities you will serve during the trial.
- Refer to the input provided by victims regarding their needs. Ask, not assume.
- Seek input from trusted community and ecumenical leadership and invite them to the table to build support services for victims.
- Incorporate cultural, spiritual, and religious populations and service providers within the overall Victim Services Management Plan.

## Accommodations

For victims and survivors with physical, mental, developmental, and intellectual disabilities:

- Review the Americans with Disabilities Act (ADA) for state/local venues and the Architectural Barriers Act for Federal venues.
- Work with appropriate building staff to identify victims' accessibility needs and meet them.

For victims who speak languages other than English or who are Deaf, ensure that language access and interpreters are made available.

- Identify and secure American Sign Language (ASL) support for the court venue.
- Upon identifying support services, schedule time with providers and victims for introductions; review of where interpreters will be sitting; and to develop rapport prior to the commencement of proceedings.

## Child and Adolescent Victims

Unless a child is a witness, court attendance should not be encouraged for children. Instead, for child victims, provide opportunities to meet with any children and their family to provide information about court processes to the child that is commensurate with their age and cognitive development. Consider inviting the child to the empty court room so they can see where the trial will occur and what will occur. In addition, provide special sessions to inform children of the

court activities and processes. This may add to the child's peace of mind and feeling of safety/protection for family members attending the trial of murdered or harmed loved ones.

For families that opt to allow an adolescent to attend a trial, conduct a meeting with the adolescent and their family to provide information that is developmentally- appropriate about the court process. Whenever possible, offer the opportunity to view an empty court room so they can see what will occur, and become acquainted to the space.

- For adolescents whom a family may allow to attend trial, include school education planning if the adolescent will be absent from in-person school in the Victim Services Management Plan.
- If the child/adolescent is in treatment with a mental health clinician, coordinate victim questions, visits to the courthouse, and needs with the clinician.

## Victim Impact Statements

As a component of trial preparation, victims should be advised of their right to submit a victim impact statement (VIS) at sentencing in cases involving a "guilty" verdict; and that the VIS is their opportunity to inform the court about the physical, emotional, financial, social, and spiritual impact the crime has had on them and their families.

*The mantra becomes "How would we expect our own families to be treated and served if they were facing this post-MVI challenge?"*

Guidelines for victim impact statements vary based upon the court's jurisdiction (Federal, Tribal, state, and/or local) and sometimes upon the judge overseeing the case. The Team Lead should identify any specific guidelines for or limitations to VISs to be able to inform other Team members and victims.

Victims should be informed about the availability of VISs and the VIS process, should they desire to participate. This process could be done with advocacy and clinician support as the trial nears completion to help victims work through their thoughts and emotions after they have experienced the facts of the case presented in court:

- The Team should establish guidance and expectations for the process if it will occur while victims are attending court proceedings.

<sup>14</sup>Lord, J. H. (2008). Spiritually sensitive caregiving: A multi-faith handbook. Compassion Press.



- “Your Victim Impact Statement”<sup>15</sup> published by Mothers Against Drunk Driving offers detailed guidelines for victims who wish to submit a VIS at sentencing.

See Appendix O, for “Victim Impact Statement for Adult Victims of Violent Crime” and “Victim Impact Statement for Violent Crime Financial Statement”.

Appendix P, includes “Victim Impact Statement for Parents of Minor-Age Victims” and “Victim Impact Statement for Child Victims”.

## Planning When There is a Change-of-Venue for Court Proceedings

The foundation to any successful program of support when there is a change of venue in a trial involving a MVI is predicated on two primary issues:

1. The acknowledgment that all services must be built on the realization that victims/survivors will be going through a multitude of post-trauma phases that must define the scope of services to be delivered; and
2. A strong and reliable multidisciplinary collaboration must be planned, implemented, and quality-tested throughout the process.

There are two primary options to facilitate victim/survivor participation in the criminal justice process when the court has ordered a change of venue:

- Establish a closed circuit “court like” venue in the jurisdiction where the crime occurred; and/or
- Develop the processes to bring and care for the victim/survivors in the newly established physical location of the venue where the trial is held.

An intensive and inclusive planning process must be undertaken as soon as possible after the new venue is established, with representatives from the teams from the jurisdiction where the MVI occurred (“sending team”), and at the receiving jurisdiction where the trial where be held (“receiving team”). At every planning meeting, the two primary opening agenda items are, “Who is not at the table that should be?” and “WWTVS” (what would the victims say?).

The planning must start with the key players who have access to “Funds, Friends, and Finds” in order to resource the effort, and secure the complete buy-in of the governmental and community-based leadership who have decision-making authority. A strong model to build the foundation of collaborative services includes a path parallel to the acknowledgment of the physical, financial, social, emotional/psychological, and spiritual needs of the attendees. See Appendix Q, “The Potential Range of the Impact of Crime on Victims & Survivors.”

Some of the most critical steps to be developed and implemented are described in this Guide but must be coordinated between members of the sending team and receiving team. They include:

- Create a communications plan to ascertain the interest of attendees to travel to and observe criminal justice proceedings, based upon phases of the trial. This should include a specified length of time of attendance for each victim/family.
- Establish the capacity for victims/survivors to attend court proceedings, and for all travel (air, train, bus, personal vehicle, ride-shares and cabs) and overnight lodging. It is imperative that any and all special needs are accommodated (such as disabilities, medication needs, etc.).

*The verdict phase will require a strong and specific plan.*

- Create travel plans that fulfill this capacity.
- Establish proper identification methods for the attendees and the receiving team.
- Develop wide-ranging methods to address daily food, beverages, and any specific nutritional needs.
- Establish a “safe space” or “sanctuary” for downtime, court delays, meals, case updates, and social or spiritual interactions, etc.
- Develop regular scheduling of trial updates with ample question-and-answer times from the controlling authorities, with virtual meeting technology used to involve the sending team and the receiving team.
- Provide proper coverage of emotional support options that range from peer to para- professional, to professional (all are critical to success).
- Create effective technological communications for notifications, updates, potential crises, and social interactions.
- Develop an effective volunteer program to assist with the predictable and unpredictable aspects of people in a highly charged environment who are away from home. Such volunteers include, but are not limited to, victim service professionals; mental and behavioral health professionals; multi-Faith community leaders, and trained volunteers. This includes occurrences at the venue site and, in many instances, things that happen back home.
- Establish access to social entertainment (movies, concerts, sports, arts venues) and physical exercise (scheduled walks, yoga, etc.).

<sup>15</sup> <https://online.flippingbook.com/view/919936/>

- Designate a “point person” who, at all times, will coordinate the wide range of circumstances that will occur during this process.
- Designate a “point person” with media relations experience to establish the processes necessary to handle the inevitable press presence at these kinds of proceedings, as well as at the victims’ homes.
- Create comprehensive plans for the obvious and unpredictable points of decision- making by the court.
- Prior to any departures, a debriefing option must be made available to the attendees.
- Self-care for the helpers/caregivers must be emphasized and promoted.
- If an off-site closed-circuit option is utilized, it should be coordinated as much as possible with the support plan for the site attendees.
- In many cases, services will need to be delivered in non-traditional spaces and styles.
- All services must be coordinated with the prosecuting authorities and in step with the statutory requirements of the prevailing victims’ rights at the federal, Tribal, state and/or local levels.



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Charleston, SC

# PART III

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## IMPLEMENTATION PHASE AT COURT

Successful achievement of the major activities highlighted in the planning (pre-trial and investigative) phase provides a strong foundation for the actual implementation phase that occurs at court.

The advance coordination of individual team members and pre-trial activities helps to anticipate and provide services and support that victims' need during the actual trial, which include:

- Develop and adhere to a plan for all daily activities.
- Create specific teams for families; transportation and parking; and check-ins of identification for victims and providers.

- Address all logistics.
- Provide for victim safety and security.
- Manage media relations.
- Facilitate victim impact statements.
- Plan for a continuum of services for victims and providers once the trial has ended.

## Overview of Daily Schedule

- The Family Reception Team should arrive at least 45-60 minutes prior to court or the scheduled arrival times of victims.
- The Transportation/Parking Team is on site and ready to receive and assist victims.
- A Morning Huddle led by the Victim Services managing coordinator and Team leaders is conducted to brief VSPs about the day and schedule.
- Check-ins/identification of attendees are conducted through an established verification process.
- Morning briefings with families about the day's events are conducted by the prosecution team.
- Designated courtroom seating and monitoring of Victim and Family Gathering Rooms and other onsite resources are established. *See Appendix R, "Sample Courtroom Seating Chart."*
- End of day debriefing to families is conducted by the prosecution team.
- Evening Huddle by VSPs is conducted to review the day's activities; and preview the next day's activities.

### Transportation and Parking

- Staff are assigned for each day to oversee check-ins/identification of credentials.
- Security and escorts are provided to victims at designated parking lot(s).

### Morning Huddle

- All members of the Team assigned to the courthouse should arrive at least 30 minutes prior to the arrival time of victims (90 minutes in advance).
- The Team Lead reviews the schedule and trial progress daily; and provides updates during briefings in order to keep Team members apprised of all court activities, identify any concerns, and problem-solve as needed.
- Areas to address include transportation and parking issues, family gathering room/CCTV issues, and recent victim-related concerns/issues, security,

supplies, food and beverage, managing the media, and staff self-care.

### Morning Briefing of Families

- Schedule families to arrive one hour before court begins.
- The prosecution team should provide an overview of trial events of the day and offer the opportunity for victims to ask questions and/or express concerns. Particularly, families should be briefed about any sensitive evidence or testimony expected to be presented that day and given the opportunity to decide if they want to be present for those portions of the proceedings. VSPs should work with prosecutors to establish cues and be available to help escort victims in and out of court viewing areas at the appropriate times.
- The Team Lead or selected members of the Team provides culturally relevant words of support for the day.

### Courtroom

- Develop a seating chart for the courtroom each day that physically rotates in victims so that all victims have an opportunity to be present in the main court room if space is limited. Ensure that any needs of victims with noted disabilities or who speak languages other than English are incorporated and accommodated within the seating chart.
- Assign and physically position staff (advocates/clinicians/spiritual support team) throughout areas of the courtroom to provide optimum support to victims. *See Appendix S, "Sample Victim Assistance Staffing Chart."*
- Ensure that tissues are in the court room, strategically placed.
- Provide clear instructions for victims' seating so they can enter and exit the courtroom safely and with ease.
- Team members are available and prepared to escort victims into the court room and limit media and

public interactions with victims during their arrival and departure.

### **Victim and Family Gathering Room/ CCTV Location/Overflow**

- Assign staff for each day to oversee check-ins/identification.
- Assign staff to ensure that no other people enter the family gathering room without permission from the Team Lead.
- Ensure that the room is clean and tidy at the beginning and end of each day.
- Assign staff (advocates/clinicians/spiritual team) to the family gathering room, CCTV, and overflow rooms for support.

### **Provide Security**

- At entrances and exits for victims
- At the entrance of the family gathering room
- For victims who express safety concerns, efforts should be made to provide security outside of courtroom hours and while traveling to and from court.

## **Media Relations**

Victims should be advised and prepared for the fact that many MVI trials are of high interest to the news media – local, state, national and international – and that media coverage can be intense and overwhelming. The Team Lead must closely coordinate overall media relations and limit the news media’s access to victims with the court’s media liaison or criminal justice agencies’ public information officers. Important considerations include:

- A prosecutor briefing is provided to victims about any court-ordered or recommended restrictions related to victim interactions with the media, i.e., gag orders or potential harm to trial proceedings resulting from victim/media interactions
- Victims are advised about the location of news media professionals throughout all trial processes, including their location in the courtroom and inside/outside the court venue; and if cameras (static or video) are allowed in the courtroom.

### **Food and Drinks**

- Review court-approved plans.
- Establish a process to provide refreshments (often coordinating with agencies and organizations in the community that donate food and drinks).
- Coordinate with court security and identify with Team members how deliveries will be made.

### **End-of-Day Debrief for Families**

- The prosecution team provides a summary of trial events of the day and offers an opportunity for victims to ask questions.
- Team Lead/members of Team provide words of support and encouragement to end the day.
- A location for victim/survivor quiet (contemplation) time or spiritual support should be identified and provided at the end of each day.

### **Evening Huddle**

- All members of the Team remain after victims leave.
- Team Lead debriefs events of the day, problem solves issues, and plans for the next day’s events.

- Victims are made aware of the centralized resource (usually the U.S. Attorney or prosecutor) who provides information to the media about all court proceedings (and whom victims can also rely upon for timely, accurate information). This usually includes traditional news media and social media outreach.
- At all times, victims are physically escorted to protect them from unwanted media interactions.
- The Team Lead provides information to victims about tips to deal with the news media
- If victims wish to speak to the media following a verdict, a VSP is provided to help them prepare for and conduct any interviews. Please reference “[A News Media Guide for Victim Service Providers](#)”<sup>16</sup> by Justice Solutions for helpful tips for media advocacy on behalf of victims and survivors.

*See Appendix T, “Seven Tip Sheets for Crime Victims and Survivors About How to Deal with the News Media”.*

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<sup>16</sup> <http://www.victimprovidersmediaguide.com/>

# Culminating Event Upon the Conclusion of the Trial

Upon the trial's conclusion, the Team should host a culminating event for victims to provide support and help to transition victims to coordinated, ongoing victim assistance and mental/behavioral health support. In providing a culminating event, consider the following:

- Set a timely plan.
- Coordinate all plans with court security staff and with law enforcement oversight to identify security concerns and needs.
- Assign Team members with needed skills to coordinate early.

- It is essential to seek input from victims.

In Tribal communities, a culminating service depends on the specific beliefs in that community. This may be where someone sings an honor song and gives thanks for all who assisted. Additionally, it is appropriate in Native American culture for the family to provide a gift to someone who worked with them; this can include small items like beadwork, or larger items like a star quilt that can be displayed in an agency or organization. A plan should be in place to honor these traditions (as it is considered incredibly disrespectful in some Tribes to refuse a gift).

# Continuum of Services for Victims and Providers at the Culmination of the Trial

When a trial ends, the high emotions often do not end. It's a good idea to plan for a continuum of services, communications and support for victims and providers that includes:

- Creating or sustaining a Resiliency Center
- Identification of community and national resources available to providing ongoing support and services (local Mental Health Centers, [NMVRC](https://www.nmvrc.org/)<sup>17</sup>, [OVC](https://www.ovc.ojp.gov/)<sup>18</sup>, [SAMHSA](https://www.samhsa.gov/)<sup>19</sup>)

- A wrap-up session scheduled and implemented for providers and others (VSPs, LE, prosecutors and other service providers) a week or two after the trial for fellowship, connection, and support.
- A communications system established so that victims continue to have access to information, referrals, support, and services.

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<sup>17</sup> <https://www.nmvrc.org/>

<sup>18</sup> <https://www.ovc.ojp.gov/>

<sup>19</sup> <https://www.samhsa.gov/>

# APPENDICES

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# Appendix A

## Planning and Implementation Team Members and Their Respective Roles

### Victim Services Team

*Victim Services Manager/Lead Coordinator* – Experienced victim service professional (VSP) overseeing daily management of victim services and team coordination.

- Serves as point-of-contact for prosecutors to coordinate communications with victims/survivors (includes correspondence and meetings).
- Coordinates with law enforcement advocates on victim services needs from investigative stage to prosecutorial stage to ensure seamless transfer of services.
- Leads daily VSP team briefings and oversees assignment of tasks.

*Victim Service Professionals* – Provide daily care and support to victims/survivors. Engage in ongoing communications to determine needs and respond immediately to resolve any issues or problems. Provide welcoming and reassuring assistance while identifying referral needs to on-site counseling and spiritual support resources. This team may include VSPs from the immediate incident response and investigative stage of the case, i.e., law enforcement VSPs, and state and local advocates.

*Clinical Support Professionals* – Skilled in trauma-informed therapies and provider services. On-site care and accessibility daily during all stages of the trial. This team may include first responder counseling practitioners; and state and local mental or behavioral health agencies' trauma-informed specialists.

*Spiritual Support* – Skilled chaplaincy members experienced in grief and trauma coping skills. Available during all stages of the trial upon request. This team may include first responder chaplains and local ecumenical leaders, as well as state and local leaders with expertise in grief support; and they understand and practice cultural humility for the spiritual beliefs of others.

### Victim Services Team Staffing

Eight areas to be staffed during the trial:

1. Parking Lot (1)
2. Courthouse Entrance (inside) (or upon debarking from transport)- (1)
3. Victim and Family Gathering Room – CCTV viewing) (2)
4. Quiet Room – (1)
5. Main Courtroom – (2)
6. Overflow Courtroom – (1) only when victims are seated
7. Private Counseling Room (1)
8. Private Spiritual/Chaplaincy Support Room (1)

**Total anticipated daily staffing need: 10**

To Do:

1. Finalize who will staff each area.
2. Develop a roster with everyone's name, e-mail address, and cell phone number.
3. Meet at courthouse to walk through emergency procedures, confirm staffing, and provide any necessary information (i.e. helpful/important phone number list, etc.).

### Daily Team Briefing

Begin each day with team gathering with Victim Services Manager/Lead Coordinator. One representative should be present from each assigned area.

1. Schedule a time prior to arrival of survivors and family members.
2. Review prior day's events (action plans, needs, and resolve any service issues).
3. Prepare for daily updates by prosecution team members and Victim Services Manager/Lead Coordinator.

## Parking & Shuttle

Victims attending the trial can park for free in a designated parking lot, ride a free shuttle to the courthouse, and enter the courthouse through the sally port.

To Do:

1. Create spread sheets for each family to utilize at briefing, attendance selection, etc.
2. Create badges – Numbered set for each family.
3. Get name and cell phone number for shuttle driver(s).
4. Finalize shuttle schedule.
5. Provide parking and shuttle information to victims at briefing.

## Secured Courthouse Entrances

To Do:

1. Work with US Marshalls Service and Court to establish a process by which victim families may enter and exit the Judicial Center safely and securely each day.
2. Final decision on whether victims declining free parking and shuttle will be reimbursed for parking.
3. Victim assistance (VA) staff at each entrance, at least for the first week or two, to help guide victims to the Victim and Family Gathering Room. It is helpful if VA staff are familiar with all victim family members.
4. VA should verify that all victims are on the pre-registration list.
5. All those who are cleared should be directed to check in at the Victim and Family Gathering Room.
6. Set procedures for individual(s) who appear and claim to be part of victim families, but have not been identified as such and are not on the victim list. Determine if the individual should complete the vetting process, or simply be referred to public overflow courtrooms.

## VETTING FORM

(may not be necessary)

The form is developed with and by the United States Attorneys Office/Prosecutor's Office Victim Witness (USAO-VW) staff. The form will be completed by undocumented individuals who claim to be a victim/survivor. The original will be given to law enforcement (LE) each day and a copy kept by the USAO-VW.

To Do:

1. Check with the Assistant United States Attorney (AUSA)/prosecutors to determine if completed forms will cause discovery issues.
2. No victim vetting will take place during trial.
3. Individuals who claim to be part of the victim pool upon trial commencement may watch trial in public overflow courtrooms.

## Victim and Family Gathering Room

The Victim and Family Gathering Room (Identify location: \_\_\_\_\_), will be used by the victims, survivors, and their support persons who attend the trial each day. This room should be a "safe haven" and off limits to the news media and the public. At least two individuals are needed to staff the room each day. These two individuals serve as "hosts" to the victims and survivors in attendance and should attend to their basic needs. (i.e., food, water, safety, restrooms, crisis intervention). In addition to the two "hosts," there should also be a professional mental health provider available in the Victim and Family Gathering Room.

## Quiet Room

This quiet intimate space will be available in the family services area for temporary respite for individuals who become overwhelmed by court proceedings. The Lounge will be staffed by at least one member of the clinical support team and one member of the spiritual support team.

## Assess On-site Counseling Needs (Therapeutic and Spiritual)

Identify separate spaces and assign daily oversight by team leads for therapeutic and spiritual support assignments.

## Room Set-up and Supplies Needed

To Do:

1. Set up room to make it comfortable and user friendly.
2. Unplug podium and move toward bench.
3. Use two middle tables for refreshments.
4. Move chairs from the back of the courtroom to provide more space at entrance.
5. Place chairs around two outer tables (lunch tables) and in open areas near tables.
6. Secure a small room on right at courtroom entrance. This room can be used by mental health professionals for crisis intervention or private visits with victims.
7. Place small refrigerator in small room on right for juice and water.
8. Coffee and hot tea provided by cafeteria (7:30 am) (cups, cream, sugar, sweetener, stir sticks)
9. Water (small bottles recommended)
10. Snacks (individually wrapped snacks i.e. granola bars, breakfast bars, nuts, trail mix, cookies, snack mix, chocolate, mints)
11. Peanut butter, jelly, and bread on hand for emergency lunch
12. Lunch order forms and envelopes for money

### 13. Supplies for family room:

- Refrigerator
- Tissues
- Napkins
- Paper towels
- Hand sanitizer
- Wipes
- Pens
- Note pads
- Post-it notes
- Markers/Sharpies
- Stapler
- Tape
- Plates
- Plastic utensils
- Trash cans
- Recycle cans
- Extra trash bags
- Stress reducing toys
- Fleece blankets
- Note cards
- Magazines
- Teddy bears/stuffed animals
- Baskets/trays for serving snacks
- Envelopes (staple lunch money to order form)
- Clipboards/notebook for victim assistance staff with helpful phone numbers, names, contact information, emergency information
- Message board/tear sheet pads and easel – housekeeping announcements, messages
- Phone/iPhone – for victim emergency incoming/outgoing calls
- Cell phone chargers for various types of phones

### **Lunch**

If there is no cafeteria on site at the Federal Building or Courthouse, menus for local venues (who deliver) should be provided throughout each stage of trial.

To Do:

1. Request permission of court for delivery of daily meals.
2. Inform victims and encourage exact change.
3. Finalize procedures for completing forms, collecting money, delivery to family room.
4. Alternative lunch options (i.e. go out to lunch, bring lunch (permission needed by court)

### **Bathrooms**

Verify with cleaning staff to avoid cleaning restrooms in or near Victim and Family Gathering Room, daily between 8:00 – 9:00 am and during lunch breaks only.

### **Witness Coordination and Logistics**

The AUSA/prosecutors and case agents/law enforcement (LE) should have a face-to-face meeting with Victim/Witness staff to finalize the order of witnesses, tentatively map out the number of witnesses needed each day, the approximate time each witness will testify, AUSA assigned to each witness, transportation needs of witness, and other issues or special needs (i.e. special accommodations, support persons, etc.)

Case agents/LE may be requested to occasionally assist with victim/witnesses' and their support person's transportation needs.

All witnesses, both civilians and law enforcement, should be instructed to report to the USAO and check in with the V/W staff member coordinating witnesses.

To Do:

1. Witness check-in and waiting area
2. Witness "on deck" area near courtroom
3. Where witnesses go after testifying
4. Call witnesses; approximate date & time needed
5. Out of state witness travel
6. Fact Witness Voucher (DOJ-3)
7. Indigent payments (on the spot) for witnesses, to be coordinated with USMS
8. Two VW staff available to coordinate witnesses

### **Taxi Vouchers**

After assessing needs, provide availability and instructions for use.

### **Media**

Direct victims to appropriate court personnel regarding designated location for victims who wish to grant interviews (victims are discouraged from granting interviews until after the trial concludes).

### **Final Trial Information Packet**

Send trial information packet to victim family members.

1. Parking & Transportation Information
2. Courtroom Decorum
3. Overflow Courtroom/Comfort Room locations
4. Lunch Information
5. Prohibited Items (i.e. cell phones, computers, guns, knives, etc.)



6. Emergency Number to give to family
7. Court Schedule
8. Security – what to expect upon arrival at courthouse
9. Meeting place in case of fire alarm
10. Media
11. “Who’s Who in the Courtroom” (Judge, Prosecutors, Defense Counsel, Court Security Officers)
12. Crisis Intervention/Mental Health – where to go, services available, general information about how trial/testimony can be upsetting, bring emotions to surface, etc.
13. Courthouse Map – location of courtroom, overflow courtroom, restrooms, Victim and Family Gathering Room, USAO, etc.
14. V/W and other helpful names and phone numbers



# Appendix B

## Criminal Justice System Glossary of Terms

The criminal justice system uses words and terms to describe the practices, policies, procedures and persons involved in its processes. As a victim of crime, it is very helpful to understand the definition of these terms; while definitions may vary state to state, the following “glossary of terms” provides a general overview of such definitions.

**Accused:** A person or persons formally charged but not yet put on trial for committing a crime. (*See Charge, Crime and Trial.*)

**Acquittal:** A legal judgment, based upon the decision of either a jury or judge that a person accused of a crime is not guilty of the charges for which they have been tried. (*See Accused, Charge, Crime, Guilty, Jury and Not Guilty.*)

**Adjudication:** The judicial decision that ends a criminal proceeding by a judgment of acquittal, conviction, or dismissal of a case. This term is also used in juvenile proceedings. (*See Acquittal, Conviction, Criminal, Dismissal and Proceeding.*)

**Admissible Evidence:** Evidence that is relevant and proper for consideration in reaching a decision in court. Pre-trial hearings are often held to allow the judge to make this determination. (*See Evidence, Hearing and Trial.*)

**Affidavit:** A written, sworn statement in which the writer swears that the information stated therein is true. (*See Information.*)

**Appeal:** A request by either the defense counsel or prosecutor in a case to have a higher court resolve a dispute with a judge’s decision. (*See Defense Counsel and Prosecutor.*)

**Arraignment Hearing:** A hearing in which a person charged with a crime is brought before the court to plead either guilty or not guilty to the criminal charges alleged in the indictment or information, and is advised of their constitutional rights under law. By definition, arraignment hearings are considered pre-trial hearings. (*See Charge, Criminal, Guilty, Hearing, Indictment, Information, Not Guilty, Right and Trial.*)

**Arrest Warrant:** An order made on behalf of the State, based on a complaint and signed by a judge, authorizing law enforcement to arrest a person who is thought to have committed a crime. A person who is arrested on a

warrant stays in custody until bail or bond is posted, or until released by an order of the court. (*See Complaint, Crime and Warrant.*)

**Attend, Right to:** The right to attend a hearing or trial equates to the right to be physically present in the hearing room during the course of the proceeding. [Also referred to as the right to be present]. (*See Hearing, Present, To Be, Proceeding, Right and Trial*)

**Bail Hearing:** A hearing to determine whether or not an incarcerated defendant or convicted offender will be released from custody and to determine what amount (if any) they must pay as a bond to assure their presence at future proceedings (i.e., trial). This may also include specific conditions of bail, i.e., no contact with the victim or witness, must attend treatment programs, etc. [Also referred to in some jurisdictions as a bond hearing]. (*See Defendant, Hearing, Proceeding and Trial.*)

**Bench:** Where the judge sits during court proceedings. The term is often used to refer to the judge. (*See Proceeding.*)

**Bench Trial:** A trial in which the judge hears the case without a jury, and decides whether the accused is guilty. (*See Accused, Guilty, Jury and Trial.*)

**Beyond a Reasonable Doubt:** The degree of proof needed for a judge or jury to convict a person accused of a crime. (*See Accused, Crime and Jury.*)

**Bond Hearing:** (*See Bail Hearing and Hearing.*)

**Burden of Proof:** The State carries the burden of proof to establish “beyond a reasonable doubt” that the accused committed the offense for which they are charged. (*See Accused, Beyond a Reasonable Doubt and Charge.*)

**Case Law:** The law as formed by past court decisions, opinions, interpretations, or traditions.

**Challenging Denial of Claim for Compensation:** Any steps taken by the party applying for crime victim



compensation to overturn, or adjust a compensation award, i.e., file a motion to reconsider and/or appeal the determination to the Board or a higher authority or court of law. (*See Appeal, Compensation, Crime and Motion.*)

**Change of Venue:** The transfer of a pending case in one county or district to another county or district. A “change of venue” is often sought because of claimed prejudicial publicity in the original county or district.

**Charge:** A formal accusation filed by the prosecution that a specific person has committed a specific crime. Also referred to as “pressing charges.” (*See Complaint and Crime.*)

**Clemency:** To show mercy or leniency by reducing the punishment for conviction of a crime. (*See Conviction and Crime.*)

**Community Supervision:** An order by a criminal court, usually as part of a sentence, requiring a released offender to submit to supervision by one or more criminal justice officials, most commonly a probation or parole officer. Such orders often include conditions that the offender must abide by, and can include conditions specific to victims’ concerns and needs (such as safety and protection) if they are identified through a pre-sentence investigation (PSI) or victim impact statement. (*See Criminal, Parole, Pre-sentence Investigation [PSI], Probation, Sentence and Victim Impact Statement.*)

**Commutation:** A Chief Executive of a government has the right to substitute a less severe punishment of the defendant than that imposed by the judicial branch. (*See Defendant and Right.*)

**Compensation:** For purposes of this survey the term is used to refer only to the state-administered program that provides violent crime victims with recompense for their out-of-pocket financial losses directly resulting from the crime. It is not intended to encompass restitution, or pursuit of civil claims or judgments. (*See Crime and Restitution.*)

**Compensation Award:** The sum of money ordered by the State Victim Compensation Board/Authority to be paid to a victim of crime as recompense for their out-of-pocket financial losses directly resulting from the crime. (*See Compensation and Crime.*)

**Complaint:** A preliminary charge made by the State that a person has committed a specified offense. (*See Charge.*)

**Confidentiality:** A requirement that certain facts about a proceeding or nature of a proceeding be withheld from public discussion or scrutiny, ostensibly to serve the interests of justice. (*See Proceeding.*)

**Continuance:** A delay or postponement of a court hearing; the case is said to be “continued” when it has been delayed or postponed. A case can be continued for good cause, such as illness or witness availability, or by mutual agreement between the prosecution and defense. (*See Hearing.*)

**Conviction:** A judgment of the court based either on the decision of a jury or judge, that the defendant is guilty of the crime for which they were tried. (*See Crime, Defendant, Guilty and Jury.*)

**Corroborating Witness:** A person who is able to give information that supports the statements made by either the victim/witness or the accused. (*See Accused and Information.*)

**Count:** Each separate offense listed in a complaint, information or indictment accusing a person of committing a crime. (*See Complaint, Crime, Indictment and Information.*)

**Crime:** A Violation of the law of a State or other jurisdiction.

**Criminal:** A person who has been convicted by a court of committing a crime. (*See Crime.*)

**Criminal Justice System:** The entire network of government agencies charged with law enforcement, prosecution, defense, trial, and the punishment and supervision of those arrested and/or convicted of having violated the criminal law in a State or jurisdiction. (*See Charge, Criminal and Trial.*)

**Criminal Trial:** A judicial proceeding before a court to determine the guilt of a party charged with a crime. (*See Charge, Crime, Criminal, Proceeding and Trial.*)

**Cross Examination:** The questioning of a witness by an opposing party, i.e. the prosecution or defense counsel. (*See Defense Counsel and Prosecution.*)

**Defendant:** A person who has been formally charged by a court with committing a specific crime. (*See Charge and Crime.*)

**Defense Counsel:** The lawyer who represents the defendant in a legal proceeding. Under the Sixth Amendment of the U.S. Constitution, all persons accused of a crime have a right to counsel, i.e. a lawyer, also sometimes called the “public defender” or “defense attorney.” (*See Accused, Crime, Defendant, Proceeding and Right.*)

**Deposition:** The sworn testimony of a witness taken outside of court in the presence of the attorneys for the prosecution and defense. A deposition can be used at trial to impeach or discredit a witness’ testimony, or can be read to a jury if the witness is unavailable. In a civil case depositions are used to establish the facts of the case prior to trial or settlement. (*See Jury, Testimony and Trial.*)

**Dismissal:** A decision by a judge to end a case, with or without prejudice, for legal or other reasons.

**Disposition:** The final decision that ends a criminal proceeding or that ends a disputed matter within the proceeding. (*See Criminal and Proceeding.*)

**Docket:** The formal record maintained in brief of the court proceedings. The “trial docket” sometimes refers to the list of cases to be tried on any given day, or in a specified period of time. (*See Proceeding and Trial.*)

**Due Process:** All legal statements concerning procedural and substantive due process standards that must be applied in a disciplinary hearing or trial, including those raised primarily as defenses. (*See Hearing and Trial.*)

**Enforce:** To put into execution; to cause to take effect or to make effective; to compel obedience to a law, rule, or order. Thus, to enforce a victim's right is to make a right of a victim a reality in practice. (*See Right.*)

**Evidence:** Testimony and objects used to prove or corroborate the statements made by the victim, the accused, or other witnesses. (*See Accused, Testimony and Witness.*)

**Exercise:** To make use of. Thus, to exercise a right or power enables the holder of the right to have it fulfilled. (*See Right.*)

**Felony:** A serious crime potentially punishable by State or Federal prison time. (*See Crime, Felony and Prison.*)

**Final Disposition:** A conclusive determination that settles the issues and rights of all the parties in interest – a judgment or decree that terminates in the court that enters it. (*See Disposition and Right.*)

**Grand Jury:** A collection of citizens called to serve on a jury whose duty it is to examine the evidence supporting charges alleged by law enforcement and/or the prosecutor, to determine if they are sufficient to warrant a subsequent criminal trial. (*See Charge, Criminal, Criminal Trial, Evidence, Jury, Prosecutor, Trial and Warrant.*)

**Grand Jury Hearing:** A hearing during which the Grand Jury examines the evidence supporting charges alleged by law enforcement and/or the prosecutor, to determine if they are sufficient to warrant a subsequent criminal trial. (*See Charge, Criminal, Criminal Trial, Evidence, Grand Jury, Hearing, Jury, Prosecutor, Trial and Warrant.*)

**Guilty:** A verdict of a judge or jury that a person accused of committing a crime did, indeed, commit it. (*See Accused, Crime and Jury.*)

**Habeas Corpus:** A Federal process and proceeding in which a prisoner challenges the lawfulness of their imprisonment. An action by way of “writ of habeas corpus” does not function to determine the prisoner's guilt or innocence. (*See Proceeding.*)

**Heard, To Be:** To speak – in this context, to make an oral statement during the course of a proceeding, (i.e., provide an oral victim impact statement at a sentencing or parole consideration hearing). The “right to be heard” can also be exercised through written victim impact statements and, in some jurisdiction, audiotaped, videotaped and teleconferenced victim impact statements. It may also be enacted through an acceptable designee of the victim or family of the victim. (*See Hearing, Parole, Proceeding, Right and Victim Impact Statement.*)

**Hearing:** A legal proceeding in which arguments, witnesses and/or evidence are heard by a judge or administrative body. (*See Evidence and Proceeding.*)

**Hearsay:** Testimony of an individual that is not from his or her personal knowledge, but from what the witness has heard another person say. (*See Testimony.*)

**Indictment:** Formal charging document presented by the prosecution to a grand jury. The grand jury may then issue the indictment if it believes that the accusation, if proved, would lead to a conviction. (*See Conviction, Felony, Grand Jury and Jury.*)

**Information:** Formal charging document issued by a prosecuting attorney (with no grand jury involvement). (*See Grand Jury and Jury.*)

**Jail:** The local facility where persons in lawful custody are held. Defendants awaiting trial and defendants convicted of lesser crimes are held in jail, as opposed to prison. (*See Crime, Defendant, Prison and Trial.*)

**Judicial Officer or Judge:** An officer of the court who determines causes between parties or renders decisions in a judicial capacity. The judge generally decides questions of law, except in the case where a jury trial is waived, where the court would also function as a fact-finder. (*See Jury and Trial.*)

**Jury:** A panel of citizens selected by the prosecution, defense and judge, and sworn to determine certain facts by listening to testimony in order to decide whether the accused is guilty or not. (*See Accused, Guilty and Testimony.*)

**Jury, Hung:** A “hung jury” is one whose members cannot agree whether the accused is guilty or not guilty. (*See Accused, Guilty, Jury and Not Guilty.*)

**Misdemeanor:** A crime that is less serious than a felony, and for which the punishment can be imprisonment for one year or less, usually in a jail or other local facility, and/or a fine. (*See Crime, Felony and Jail.*)

**Mistrial:** A trial, which is invalid because of some fundamental error in procedure or other wrongdoing. (*See Trial.*)

**Motion:** A verbal or written request made by the prosecutor or defense attorney before, during or after a trial that the court responds to by issuing a rule or an order. (*See Defense Counsel, Prosecutor and Trial.*)

**Nolo Contendre:** A defendant's formal answer in court to the charges in which the defendant states that they do not contest the charges. The *nolo contendere* plea is not an admission of guilt, but carries the same legal consequences as a guilty plea. (*See Charge, Defendant and Guilty.*)

**Non-system-based Victim Service Professionals:** Victim service professionals whose base of operation and services occur within the context of a private non-governmental organization (i.e., non-profit domestic violence shelter

or rape crisis center, non-profit court accompaniment program, a psychologist specializing in child abuse). (*See System-based Victim Service Professionals.*)

**Not Guilty:** A verdict by a judge or jury that a person accused of a crime did not commit it, or that not enough evidence exists to prove beyond a reasonable doubt that the accused committed the crime. (*See Accused, Crime, Beyond a Reasonable Doubt, Evidence, Guilty and Jury.*)

**Notice:** An official means of providing information, in oral or written form, to an identified party regarding their rights or interests (i.e., letter stating the date, time and location of a parole hearing; telephone call informing a victim about the outcome of a sentencing hearing; automated telephone call informing the victim of the escape of their accused offender). (*See Accused, Hearing, Parole and Right.*)

**Objection:** A protest or argument made concerning the activity of the other party, i.e. prosecution or defense counsel, in court. The judge can “overrule” or “sustain” an objection. (*See Defense Counsel.*)

**Pardon:** An official release from responsibility and consequences for a crime, usually only granted by the chief executive of a government. (*See Crime.*)

**Parole:** Release of a prisoner from imprisonment, but not from legal custody and supervision. Persons under parole supervision (the “parolee”) are subject to conditions of supervision that are designed to reduce recidivism and promote victim and public safety, and are supervised by a parole officer or parole agent.

**Parole Revocation:** When probable cause is found that an offender under parole supervision violated their conditions of supervision (such as protective orders, possessing a weapon, using alcohol or other drugs, or committing a new offense), parole is revoked and the offender is returned to custody (jail or prison). (*See Jail, Parole, Prison and Probable Cause.*)

**Plea Agreement:** An agreement whereby the accused and the prosecutor in a criminal case work out a mutually acceptable disposition of the case subject to court approval. It usually involves the defendant’s plea of guilty to a lesser offense, which could include a recommendation for a lighter sentence. In many jurisdictions, victims have the right to “confer” with the prosecutor about any possible plea agreement. (*See Accused, Criminal, Defendant, Defense Counsel, Disposition, Guilty, Plea of Guilty, Prosecutor, Sentence and Right.*)

**Plea Agreement Hearing:** A hearing where the prosecutor and defense counsel submit a plea agreement to the court for its approval. (*See Defense Counsel, Hearing, Plea Agreement and Prosecutor.*)

**Plea of Guilty:** An admission of guilt by the defendant in open court. (*See Defendant and Guilty.*)

**Post-conviction Hearing or Proceedings:** Following a conviction and direct appellate review, many states provide

for procedures for post-conviction review. Typically, the grounds for relief under these proceedings are both limited and different from those on appeal of a conviction. (*See Appeal, Conviction, Hearing and Proceeding.*)

**Preliminary Hearing:** A legal proceeding before a judge in which arguments, witnesses, and/or evidence are presented to determine if there is sufficient probable cause to hold the accused for trial. It is sometimes called a probable cause hearing. (*See Accused, Evidence, Hearing, Probable Cause, Proceeding and Trial.*)

**Present, To Be:** The act of being in the physical proximity of action. In this context, the right to be present equates to be physically present in the court/hearing room during the course of criminal proceedings. (*See Criminal, Hearing, Proceeding and Right.*)

**Pre-sentence Investigation (PSI):** The PSI is usually conducted by a probation officer after a plea or verdict of guilty. It is done before sentencing to enable the judge to impose a proper sentence by learning more about the defendant, as well as about the impact of the crime on the victim. The PSI includes information about the defendant’s criminal history and personal background, and how the victim(s) were affected – physically, financially, emotionally and spiritually. Upon completion, a pre-sentence investigation report is provided to the court. (*See Crime, Criminal, Defendant, Guilty, Probation and Sentence.*)

**Pre-trial Release Hearing:** Any hearing to determine whether the defendant will be released from custody prior to the trial (i.e., bail or bond hearing). (*See Bail Hearing, Defendant, Hearing, Release Hearing and Trial.*)

**Prison:** State or Federal facilities where persons convicted of the commission of a felony (or multiple felonies) are held. The state Department of Corrections (or similar title) oversees the management of prisons, and most Departments have victim services programs. (*See Felony.*)

**Probable Cause:** The degree of proof needed to arrest and begin prosecution against a person suspected of committing a crime. The evidence must be such that a reasonable person would believe that this specific crime was committed, and that it is probable that the person being accused committed it. (*See Accused, Crime and Evidence.*)

**Proceeding:** An occurrence in form and manner of conducting business before a court or judicial officer (i.e., hearings, trials, conferences, etc.). (*See Hearing, Judicial Officer or Judge and Trial.*)

**Pro se:** When the defendant is representing himself in Court and not represented by counsel (a defense attorney), as when they have waived the right to counsel in a criminal proceeding. (*See Defendant, Proceeding and Right.*)

**Probation:** Conditional freedom granted to an offender by the court after the conviction or a guilty plea, with requirements for the offender’s behavior (“conditions



of probation”), and which any violation of such requirements or conditions may result in revocation of the probation with the potential for jail or prison time. A probation officer usually conducts supervision. (*See Conviction, Guilty and Jail.*)

**Prompt Disposition:** [*See Disposition, Speedy Trial, Victims’ Right to, Right and Trial.*].

**Prosecutor:** A lawyer employed by the government or elected by the people to represent the general public’s interests in court proceedings against people accused of committing crimes. Many prosecutors’ offices have victim/witness programs that are designed to inform victims of their rights, help them understand the criminal justice process, and provide them with information about and referrals to services that can help them. (*See Accused, Crime, Criminal, Proceeding and Right.*)

**Recusal:** An action taken by a judge to disqualify or withdraw themselves from a case where their impartiality might be questioned.

**Release Hearing:** A hearing to determine whether to grant and on what basis to grant an incarcerated or accused defendant limited, temporary or permanent release (i.e., work release or temporary release for family emergency, medical treatment, vocational training, to attend legal proceedings, etc.). (*See Accused, Defendant, Hearing and Proceeding.*)

**Restitution:** A court order requiring a convicted offender, as a condition of a sentence, to repay the victim money or services to compensate for the monetary losses that resulted from the commission of the crime. (*See Crime and Sentence.*)

**Restraining Order:** An order issued by a court of appropriate jurisdiction forbidding a party from engaging in some proscribed activity. In the context of victim protection, often an order forbidding the alleged or convicted offender to have any contact with the victim, (or other people connected to the victim) or witnesses or to act in a way contrary to those people’s interests. (Often referred to in other jurisdictions as: stay away order, no contact orders, or protective orders.) (*See Stay Away Order.*)

**Sentence:** A sentence is what a judge or jury formally pronounces after a criminal defendant has been found guilty; the sentence is the punishment doled out. (*See Criminal, Defendant, Guilty and Jury.*)

**Sentence, Concurrent:** Running together – concurrent sentences run, or are served, at the same time. (*See Sentence.*)

**Sentence, Consecutive:** Sentences that run or are served one after the other. (*See Sentence.*)

**Speedy Trial, Victim’s Right to a:** Though usually defined in the context of the defendant’s Sixth Amendment right to a speedy trial, a “speedy trial for victims” is generally defined as a trial conducted

as soon as the prosecution, exercising reasonable diligence, can sufficiently prepare its case. It is a trial conducted without unreasonable or oppressive delay without violating the defendant’s constitutional right to adequately prepare a defense. [also referred to as victim’s right to prompt disposition] (*See Defendant, Disposition, Right and Trial.*)

**Statute:** Any law passed by a local, state or federal legislative body.

**Stay Away Order:** An order from a court of appropriate jurisdiction forbidding a party in a legal action (criminal or civil) from having direct or indirect contact with another party. Violations are usually enforced as contempt of court. [Often also referred to in other jurisdictions as restraining orders, no contact orders or protective orders]. (*See Criminal, Enforce and Restraining Order.*)

**Subpoena:** A court order requiring a person to appear in court on a specified day and time to give testimony. It may also include an order to produce documents or records. Failure to appear constitutes contempt of court. (*See Testimony.*)

**Summons:** A court order used to bring a person accused of a crime (who is not in custody) to court. (*See Accused and Crime.*)

**System-based Victim Service Professionals:** Victim service professionals whose base of operation and services occurs within the context of a criminal or juvenile justice agency (i.e., law enforcement-based crisis responder, prosecutor-based victim services, victim assistance specialist working within a community or institutional corrections agency. (*See Criminal, Non-system-based Service Providers and Prosecutor.*)

**Testimony:** Evidence given by a competent witness under oath, as distinguished from evidence derived from writings and other sources. (*See Evidence.*)

**Transcript:** The official record of proceedings of a trial or hearing. (*See Hearing, Proceeding and Trial.*)

**Trial:** A judicial examination in accordance with the law of the land, of a cause, either civil or criminal, of issues between the parties, whether of law or fact, before a court that has proper jurisdiction. (*See Criminal and Criminal Trial.*)

**Victim Impact Statement:** A written or verbal statement of a victim’s views concerning the physical, financial, emotional and spiritual impact the crime has had on them, their lives, and the lives of their families/loved ones, that is offered to the court or other decision-making body, mostly during sentencing or release consideration hearings. Victim impact statements may include the victim’s opinion as to the risk the accused or convicted defendant may pose to them if released, and/or the victim’s recommendation of an appropriate sentence. (*See Accused, Crime, Defendant, Hearing and Sentence.*)

**Victim Right:** The legal definition of a right is “a capacity residing in one person of control, with the support and assistance of the government, the actions of others.” A “victim’s right” is a “power granted by law that entitles a victim to require another person, usually a criminal justice official (i.e., police, prosecutor, judge, probation or parole officer, or corrections official), to perform a specific act or refrain from performing a specific act.”

**Voir Dire:** A procedure in which the prosecutor and defense attorney question prospective jurors to pick a jury. (See Defense Counsel, Jury and Prosecutor.)

**Waiver:** The voluntary surrender of a right, claim or privilege. (*See Right.*)

**Warrant:** A court order directing a law enforcement officer to make an arrest, a search, or a seizure.

***National Crime Victims’ Constitutional Amendment, 2014***

*Many of the definitions included in this Glossary of Terms were taken or adapted from resources developed by the Missouri Victim Assistance Network and the State of Arizona Crime Victims Web Site. NVCAN is grateful to both sources for their contribution to this document.*

**Rights of Crime Victims  
Victim Impact Statements**



# Appendix C

## Conducting a Basic Victim/Survivor Needs Assessment: Issues to Consider

### Is there a need for any accommodation?

Culture/language/gender/geographic/age/disability competence in all areas!

#### Really Basic Issues

- Medical and/or mental health/behavioral health services
- Housing (both emergency/temporary and long-term, and possible re-location)
- Transportation (personal automobile or access to and payment for public transportation)
- Food for self and family
- Clothing.
- Employment and/or job training
- Education (such as school attendance)
- Assistance with basic issues relevant to their children (i.e., school, child care, medical, etc.)

#### Assistance and Services

- Crisis intervention
- Crisis counseling
- Emergency financial assistance
- Services to enhance protection
- Home safety check with physical reinforcements (such as locks)
- Safety planning
- Advocacy or intervention with employers
- Development or enhancement of social support system
- Physical health and medical issues
- Mental health counseling (for self and family)
- Support group participation
- Legal advocacy and legal services
- Referrals for social services
- Assistance needed with immigration status
- Substance use disorder/alcohol or other drug counseling and/or support
- Information regarding what to do in cases of emergencies

- Translation or interpreter services
- Follow-up contact (as needed and/or upon request)

#### Implementation of Rights

- Provision of information about victims' rights
- Information about and assistance with filing a victim compensation claim
- Information about protection rights
- Notification of the status and location of the offender
- Information about participation in key justice proceedings
- Accompaniment to court-related and other hearings involved in the case
- Information about and assistance with completing a pre-sentence investigation (PSI) interview and/or victim impact statement
- Information about and assistance with documenting restitution
- Notification of the outcome criminal or juvenile justice proceedings
- Information about compliance initiatives to help enforce rights
- For cases involving incarceration or detention: notification of the location of the offender and any movement (including release or escape)
- For cases involving community supervision: Input into conditions of community supervision; the right to protection (including assistance with obtaining protective orders); the right to financial/legal obligations owed by the offender (such as child support, restitution, payment of house payments or rent, etc.); the right to be notified of any violations, be given input into any violation hearings; to be notified of the outcome of any violation hearings; and to be provided with contact information for the agency/professional who will be supervising the offender

*Content was developed by the National Mass Violence Victimization Resource Center, with support from the U.S. Department of Justice, Office for Victims of Crime. See [www.nmvrc.org](http://www.nmvrc.org) for original document."*

# Appendix D

## Court-related Victim/Survivor Questionnaire

### Intent to Attend Trial

This questionnaire will assist the U.S. Attorney's Office in arranging for victims to attend the trial of United States v. \_\_\_\_\_. Due to the large number of victim families in this case, and limited seating in the main courtroom, responses to this questionnaire will be used to determine seating in the main courtroom if necessary. Responses will also be used to determine sufficient seating in the closed-circuit TV viewing areas within the Victim and Family Gathering Room and the overflow courtroom if necessary. Additionally, responses will help determine the need for parking, transportation and other services to allow victims' attendance.

The trial is scheduled to begin \_\_\_\_\_, with jury selection. It is expected that testimony will begin immediately following with an anticipated ending of all stages by \_\_\_\_\_. If you want to attend any portion of the trial, please return your questionnaire by \_\_\_\_\_. If you do not return the questionnaire, we may not be able to provide you with reserved seating or viewing areas, or properly arrange parking and transportation services.

Return your completed questionnaire to the U.S. Attorney's Office no later than \_\_\_\_\_. It can be emailed to \_\_\_\_\_ or faxed to \_\_\_\_\_, or mailed to: U.S. Attorney's Office, Attn: \_\_\_\_\_, Victim Witness Coordinator, \_\_\_\_\_.

NOTE: This questionnaire is not related to witness testimony, but only to determine needs for attendance and viewing of the trial itself. Any needed witness testimony will be addressed separately.

|   |                          |  |                                   |          |
|---|--------------------------|--|-----------------------------------|----------|
| <b>Survivor/Victim Information</b>  |                          | Name of survivor/victim  | If victim is deceased; see below. |          |
| Name of family member   | Relationship to deceased | Name of deceased victim  |                                   |          |
| Street or PO Box Address  |                          | City   | State                             | Zip Code |
| Cell Phone  | Home Phone               | Work Phone   | Other                             |          |
| *Email Address  |                          | *Email is the preferred method of communication for trial attendance logistics and case updates. |                                   |          |
| If you are not a victim, but are a designated family member, representative or point of contact, please provide the information below |                          |  |                                   |          |
| Alternate Contact Name  |                          | Relationship to victim/family  |                                   |          |



| <b>Court Attendance Information</b>   |                                    |               | Do you plan to come to court to view the trial?     | Yes | No |
|---|------------------------------------|---------------|---|-----|----|
| If yes, please indicate how much of the trial you would like to attend.     |                                    |               |   |     |    |
| Jury Selection<br>(Expected duration 2-3 weeks)                             | Regularly                          | Occasionally  | Desired dates of attendance<br>(if currently known) |     |    |
| Guilt/Innocence Phase<br>(Expected duration 3-4 weeks)                      | Regularly                          | Occasionally  | Desired dates of attendance<br>(if currently known) |     |    |
| Penalty Phase<br>(In the event defendant is found guilty)                   | Regularly                          | Occasionally  | Desired dates of attendance<br>(if currently known) |     |    |
| Would you like to attend court with a family member or support person?      |                                    |               |   | Yes | No |
| Name of support person  | Relationship<br>(to you or victim) | Email address |   |     |    |
| Would you travel to court together or separately on each occasion?          |                                    |               |   | Yes | No |
| Is the availability of spiritual support during the trial important to you? |                                    |               |   | Yes | No |

| <b>Additional Needs</b>   |  | Do you have mobility or hearing limitations that will affect your ability to attend the trial or hear the proceedings? | Yes | No |
|---|--|--|-----|----|
| Would you use an audio enhancement headset?   |  | Yes  | No  |    |
| Would you require audio transcription service?  |  | Yes  | No  |    |
| Do you have ADA needs (not referenced above) that will affect your ability to attend trial? |  | Yes  | No  |    |
| If yes, what is your need so we may follow-up with you?                                     |  |  |     |    |

| <b>Mode of Travel</b>   |                    | Needs and assistance regarding those traveling from outside of the local commuting area and state will be addressed separately from this questionnaire process. |            |                        |                   |  |
|---|--------------------|---|------------|------------------------|-------------------|--|
| What will be your mode of travel to court each day?   | Auto               | Taxi  | Ride Share | Other Public Transport |                   |  |
| Arrangements will be made for free parking and shuttle service between designated parking lots and the Federal Courthouse. <i>Will you use the parking and shuttle service?</i> |                    |   |            | Yes                    | No                |  |
| How much advance notice would you need to attend the trial, if a seat in the main courtroom becomes available on days you are not assigned one?                                 | Four hours or less | One Day   | Two Days   | One Week               | Two or More Weeks |  |
| Are there weekdays on which you cannot attend court, due to your work, school or other commitments?   |                    |   | Yes        | No                     |                   |  |
| If yes, please circle the weekdays on which you <b>CANNOT</b> attend.   | Monday             | Tuesday   | Wednesday  | Thursday               | Friday            |  |
| Additional Comments - Use the below space for any additional comments you may have, or any concerns that were not addressed above.  |                    |   |            |                        |                   |  |
|   |                    |   |            |                        |                   |  |

# Appendix E

## Scope of Victim/Survivor Assistance Programs in the United States

There are over 12,000 victim assistance programs in the United States today. These include:

- Community-based victim assistance programs that serve a variety of crime victims, including victims who report crimes and go through the justice system, as well as those who do not. Examples include:
  - Rape crisis centers and sexual assault awareness programs
  - Programs and shelters for battered women and their children, and/or for human trafficking survivors
  - Homicide support groups (such as Parents Of Murdered Children chapters)
  - Drunk driving victim assistance programs (such as Mothers Against Drunk Driving [MADD] or Remove Intoxicated Drivers [RID] chapters)
  - Children's Advocacy Centers that provide multidisciplinary services to victims of child abuse and neglect.
  - Family Justice Centers that offer multidisciplinary support and services to victims of intimate partner violence, sexual assault, and often child abuse and neglect.
  - Legal clinics that provide advice and, in some cases, representation to victims.
  - Court-appointed Special Advocate (CASA) programs that advocate for abused and neglected children.
  - Elder protection programs (that assist victims of elder abuse and neglect).
  - Multi-faith-based victim assistance programs that are increasing in both number and scope of services, which help victims of different faiths cope with the spiritual impact of crime and provide other support and assistance.
- System-based victim assistance programs that operate within the context of the criminal or juvenile justice system; or state agencies that oversee victim assistance programs, help victims understand and exercise their rights, and offer referrals to other victim assistance services. Examples include:
  - Victim assistance programs in law enforcement, prosecutors', courts, probation, parole, institutional corrections, and Attorneys General offices
  - State victim compensation programs
  - State VOCA assistance administrators, who oversee victim assistance funding authorized by the Victims of Crime Act of 1984 (VOCA) through fines, fees, and forfeitures collected from convicted federal offenders by the Crime Victims Fund, which is administered by the Office for Victims of Crime within the Office of Justice Programs, U.S. Department of Justice.
- State coalitions and associations that advocate for local victim-specific programs and issues. Examples include:
  - General victim assistance coalitions (that involve all types of crime victims and those who serve them)
  - Sexual assault coalitions
  - Domestic violence coalitions
  - Human trafficking coalitions
  - State offices of Mothers Against Drunk Driving
  - State associations of victim/witness professionals
  - State offices of Adult Protective Services
  - State offices of Child Protective Services
- National associations and coalitions that address a wide range of crime victim assistance issues, many of which sponsor national toll-free information and referral telephone lines, as well as comprehensive Web sites for victim assistance, information, and referrals
- Federal agencies whose primary or collateral role is assisting crime victims (such as the Office for Victims of Crime and Office on Violence Against Women within the U.S. Department of Justice, and allied federal agencies at the Departments of Health and Human Services, Transportation, Homeland Security, and State, and Environmental Protection Agency, etc.)

*Content was developed by the National Mass Violence Victimization Resource Center, with support from the U.S. Department of Justice, Office for Victims of Crime. See [www.nmvvrc.org](http://www.nmvvrc.org) for original document."*

# Appendix F

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## Sample Ground Rules for Meetings, Planning Sessions, and Training Programs

Participants in meetings, planning and training programs expect that their needs will be taken care of during their time with you, and that their input and involvement will be reflected and respected.

At the beginning of your meeting or training program, participants should be asked to contribute to “ground rules” for the session. The facilitator should have a “Ground Rules” tear sheet prepared to record participants’ responses. Once contributions to “ground rules” are obtained, you can reference the list below to add any that may be relevant to your program.

- Please try and keep to the meeting/planning session/training program schedule; we will not penalize the participants who arrive on time.
- Everything that is said here stays here (confidentiality is important to ensure participant comfort and candor).
- Please keep cell phones off, or on “vibrate” (you can make exceptions for participants who are on “crisis” duty).
- Participants can participate to the degree to which they want (or not).
- While it’s important for everyone to participate, it’s also important that individuals don’t over-participate.
- No idea is a bad idea.
- If instructions for discussions and/or activities are not clear, participants will ask for clarification.
- While breaks are scheduled, participants should let facilitators know if additional breaks are needed.
- Participants will let the facilitator(s) know if the meeting room is too hot or too cold, or any other issues that may affect their comfort.
- The yellow penalty flag in the center of the table can be used by any participant if any ground rules have been violated. Toss it on the table and have a positive discussion about people’s perceptions.

You may also want to consider a “ground rule” that allows the process to be “fluid and flexible.” Although you will have an agenda, permission to adjust the agenda and its time frame – based upon participant input and needs and possible time constraints – may be a good idea.

# Appendix G

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## Information and Guidelines

for Victims, Survivors, and Attending the Trial of US v \_\_\_\_\_

Trial beginning \_\_\_\_\_

### Overview

The United States Attorney's Office for the District of \_\_\_\_\_ is pleased to continue to offer the best of victim services through our district's Victim/Witness program, the Office of Victims of Crimes (OVC) Mass Casualty Training and Technical Assistance funds; and through the OVC's Antiterrorism Emergency Assistance Program funds in support of the \_\_\_\_\_ providing services before and during the federal and state trials.

### Communications During the Trial

Our office has created an email address solely for victims during the course of the trial. Communications and inquiries regarding scheduling, request for attendance and travel, and any additional issues affecting your attendance or needs during the trial may be forwarded to: \_\_\_\_\_

### Daily Schedule

At the completion of Jury Selection, we anticipate that the Court's daily schedule will be 9:30 a.m. – 5:00 p.m. each day.

### Transportation

Daily transportation services will be provided by \_\_\_\_\_. Daily pickups will be from the central parking areas of \_\_\_\_\_. Additional stops may be added as the need arises. Parking in all downtown venues will be extremely limited during the trial; therefore, everyone attending is urged to travel to and from court via the free shuttle services provided. A daily schedule of times will be provided.

### Parking

As stated, parking will be provided in at least \_\_\_\_\_ central locations for your convenience. Everyone requesting parking will be provided vehicle authorization passes that must be displayed inside your windshield at all times.

Transportation Escorts – VSPs, victims advocates and law enforcement personnel will be available and on-site to verify travelers and to accompany everyone on the transport each day.

### Travel

Travel and lodging assistance will be provided for all qualifying attendees. Detailed information and instructions will be provided for this assistance.

### Credentialing/Identification

Badges will be provided for all approved as victims/survivors/family members. Badges must be worn from the transportation centers to the courthouse, including respite areas, each day. There will be no exceptions to this rule.



## **Security**

You will need your driver's license or state-issued identification and your court access badge each day for the transport system, courthouse entrance, and the victim check-in and court access viewing areas. You will pass through a metal detector and any bags or other items you are carrying will be searched. These security measures will be implemented by court security officers to provide for the safety of everyone.

Each time you leave the courthouse, you will have to go through the security process again if you wish to re-enter. This includes when you return from lunch or if you leave the court for any purpose.

It is strongly recommended that you take as little as possible with you to the Courthouse. This will reduce the number of items that have to be searched and should speed up your admission to the designated areas.

## **Prohibited Items**

All weapons and any items that may be considered a weapon are prohibited i.e., guns, knives (including pocket knives) or mace.

You are not permitted to bring liquids, cell phones, personal computers, iPads, or other computer/communication equipment into the Judicial Center. Cameras, video cameras, tape recorders, or any other recording devices are also forbidden. If possible, these items should not be brought to the Courthouse; however, if you bring them you will be asked to leave them at the security check-in/entrance upon your arrival. If you do so, they will be returned to you on your departure.

## **Designated Seating for Victims' Families**

Due to the size of the courtroom, seating will be limited to survivors, immediate victim family members and designated support persons only. Seating for all victims will be in specifically identified areas of the courtroom only. Notifications of the amount of seating for each survivor and family will be done prior to the date of jury selection. Some individuals will qualify for seating in the main courtroom each day. Others will be selected by a rotational and/or a random selection process.

## **Victim and Family Gathering Room/CCTV Location/Overflow Courtroom**

The Victim and Family Gathering Room, CCTV location, overflow courtroom are located \_\_\_\_\_ . Only victims and family members will be allowed at this location. If you have been approved for a travel companion or support person, they will be allowed to accompany you to the Family CCTV location.

In the Family CCTV, two large television screens and comfortable chairs will be available for watching the trial. In the overflow courtroom, two screens will also be available for viewing. You will see all parties in the courtroom, with the exception of the jurors.

A quiet room will be set-up down the hall from the Victim and Family Gathering Room/CCTV. The lounge area will be a quiet and comfortable place to take a break from testimony and the trial.

## **Children**

Childcare will not be provided. Accordingly, we ask that you do not bring your children to the courthouse. As a general rule, children will not be allowed in the courtroom, Victim and Family Gathering Room, CCTV location, overflow courtroom location.

## **Daily Court Schedule**

There will be times the court may finish early or go late. There may be weeks when court is in session for less than five days. The very nature of a criminal trial means that it is highly probable that the schedule will change. The Judge will determine the necessity and give directions for all schedule adjustments.

## **Daily Trial Briefings**

Daily briefings will be held during the day in the Victim and Family Gathering Room. The briefings will give you an opportunity to ask questions or make comments about the day's testimony. A brief overview will be provided concerning the witnesses and evidence scheduled for the next day. The briefing will conclude with updates regarding (all areas) seating, lunch and any additional information related to the trial. At the conclusion of the briefing, transportation will be provided to the designated parking areas and hotels.

## **Courtroom Decorum**

It is imperative that courtroom rules are adhered to throughout the trial. The courtroom rules for observers are necessary to maintain order and control during the judicial process. Please be attentive to the following:

- No Talking
- No Facial Expressions
- No Crying
- No Shouting
- No Clapping
- No Outward Signs of Emotion
- No Photo Buttons, Ribbons, Lapel Pins or Messages advocating for-a-cause clothing may be worn in the courtroom
- No Communication with the Jurors

Any behavior that negatively affects the decorum of the courtroom and its processes will not be tolerated by the Court. Additionally, any outward signs of emotion can lead to a mistrial. If you are unable to abide by these rules, the Victim and Family Gathering Room, CCTV location, overflow courtroom are available as an alternative to being in the courtroom.

## **If You Become Upset**

Some of the evidence that you will hear may be upsetting and distressing. There will be assistance available to help you through this. If you are in the courtroom and become upset, you can quietly leave the courtroom. If you are watching the trial at the Victim and Family Gathering Room, CCTV location, overflow courtroom, you can take a break and go to the comfort lounge area. One purpose of the daily briefing is to prepare you for anticipated testimony and trial exhibits. You will be notified if graphic testimony and exhibits are expected on a given day. You will have the option to skip specific testimony by quietly leaving the courtroom or taking a break in the quiet room or one of the counseling rooms that will be available throughout the trial. We will do our best to properly brief you each day to enable you to make an educated decision about what testimony you want to hear.

## **Dress Code**

The dress code for the courtroom is business casual to church attire. No shorts or t-shirts are allowed. Since you will be sitting for extended periods of time, comfortable clothing is advisable. Layered clothing is also advised as the temperature in the courtroom and accessible areas is often colder than the outside temperature. Although the temperature outside is likely to be hot, the courtroom temperature may be cold. It may be a good idea to bring a sweater or an additional layer.

## **Food and Drink**

No food or beverages are permitted in the courtroom. All food and beverages will be located in the Victim and Family Gathering Room. Occasionally, lunch and midday respites will be provided at off-site locations in close proximity to the courthouse. A detailed schedule will be available to you at the beginning of the trial.

## **Smoking**

Smoking is not allowed in any area of the Courthouse. Outdoor smoking may be permitted in areas as instructed by the court security officers.

## **Emergency Medical Services**

If you have any specific needs or have a disability or medical condition that will require special arrangements while you are in \_\_\_\_\_, please let me know in advance of your visit. This will allow time to ensure that steps are taken to meet your individual needs for your visit to court.

In the case of a medical emergency, an ambulance will be called and you will be taken to a local hospital for treatment. Assistance will be provided to locate medical and mental health services, if needed. Limited assistance may also be available at the court if there is a need that arises.

If you have any questions or concerns, do not hesitate to contact: \_\_\_\_\_.

# Appendix H

## Badge Samples



### Victim Services Team Badges

Badges are utilized by all members of the Victim Services Team. They are color-coded and created for Victim Assistance; Clinical Support and Spiritual Support team members. They include names for easy identification and familiarity by court officials and victims\survivors\family members.



### Court Access Badges

Badges are created for and utilized by all qualified victims/survivors/family members. The names are not shown on badges to provide anonymity, but they are distributed by corresponding numbers on the approved attendance log.

# Appendix I

## Coping Tips To Help You Through Court Proceedings

If you are the victim or survivor of a mass violent incident or terrorist attack (MVI), and plan to attend the trial and any related court processes, it is helpful to develop a personalized, self-care plan to use before, during and after any court processes.

While there will be Victim Service Professionals (VSPs) to educate you and guide you through court process, you have important choices about what to include in your plan.

The following tips can help you create a personalized self-care plan to strengthen your feelings of control over your participation in court processes.

### Things to Consider Including in Your Personalized Self-Care Plan

- Identify your support network: ideally 3-to-5 people you can rotate reaching out to for support. This can include family members, neighbors, friends, co-workers, spiritual supporters, and/or VSPs. Depending on your level of need on any particular day, you may want one of your support network members to accompany you to the hearing. Check in with your VSP about who may be allowed access into the court proceedings. For larger MVIs, the judge may set up a prior credentialing process to ensure safety and accommodate space demands. Of note, VSPs will be always be available at the court hearings and will be there to assist you.
- Other ways you may want to access support include daily morning and/or evening check-ins. Identify people you can rely on “to blow off some steam” and ones to talk through your emotions. When creating your support network, think about people you find nurturing, patient, emotionally-grounded, available to take your call or text when needed, calming, and ideally, not as directly affected by the event as you.
- Plan to bring a photo ID and dress comfortably. Bring an extra layer of clothing – such as a sweater or shawl – in case the courtroom is cold.
- Since many courtrooms do not allow cell phones, it may be helpful to have print photographs of yourself and/or your deceased loved one that you can slip in your pocket or purse. It may be helpful to have images of happier times readily available to look at. This is particularly true if you choose to remain in the courtroom during the viewing of crime scene and/or autopsy photos. Photos of happier times may help to serve as a reminder that you and/or your loved one are not only this incident. While you will likely be unable to view the photos on your cell phone during the proceeding, it will be helpful to have them readily available on your phone in an easily-accessible file for you to view during (if you step out) and after the proceeding.
- Load one or more playlists on your cell phone, with music that you find soothing, calming and inspirational. You can also load a breathing/meditation app on your phone (for example, apps like Calm, Headspace or Transcend NMVC). While you will be unable to access these during court proceedings, it will be helpful to have them available for you to listen to if you step out of or after the hearing.
- You may also want to bring inspirational poems, religious or sacred texts for encouragement and spiritual support.
- Learn and practice several different breathing strategies to help calm your body when you may feel stressed during the trial. A simple one to practice is: breathe in and slowly count to four; hold for four counts; and breathe out and slowly count to four.
- Learn and practice two additional calming techniques (your VSP or a mental health professional can help you learn other helpful techniques). The Tip Sheet, “Managing Distress: Grounding Tips for Crime Victims, Survivors and Family Members of Mass Violence Incidents,” is available at [www.nmvvrc.org](http://www.nmvvrc.org).
- Think about what parts and how much of the court hearings you want to attend. Eyewitness accounts

and crime scene photos may be a part of some processes and can be very difficult to see and hear. You may want to step out of the courtroom during these times. VSPs should be able to tell you this information prior to the actual proceeding. It's important to remember that you cannot un-see descriptions or un-see images.

### **Things Your Victim Service Professional can do to Help Prepare You**

- Understand your rights under the law as a victim/survivor of a MVI. These include your rights to participate in all court processes.
- Visit the courthouse and courtroom prior to the beginning of the trial to become familiar with the space.

They can explain to you:

- Where you can park in a secure location, with escorts provided to you between the parking lot and courthouse.
- Tips for getting through courthouse security with as little stress as possible.
- The layout of the courtroom during court processes, including a schedule for seating MVI victims; where the alleged defendant will be sitting; where court security professionals will be located; and where the restrooms, victim/survivor "quiet room," and other important amenities are located.
- Where you will go for lunch (often, meals are provided by the VSP team).
- Identify any needs you may have for accommodations – including translation or interpreter services (be sure to discuss your needs with a VSP at least one month prior to the hearing to allow for the time needed to arrange required accommodations).
- Address any special dietary needs you may have, and provide appropriate snacks and meals. Help you plan to bring with you any medication you might need to take during the time you will be at the courthouse.
- Trials can be very stressful, so be sure to speak with your doctor or healthcare provider prior to the trial. Court might go longer than expected, so it's important to have enough medication you may need on hand for every court hearing.
- Prepare a plan for what you are going to do daily after the hearing. Will you take a walk? Call your identified support person? Bake or cook? Go to the gym? Play with the dog? Play with your kids? Listen to music you really love?
- Understand why it might be a good idea to avoid watching, reading or listening to news media or scrolling through social media coverage of the trial. Some media reports can be hurtful and retraumatizing.

- Take care of yourself by limiting this type of exposure.
- If needed, identify resources available on-site in the courthouse, and after any court processes, for mental health support and assistance. Other victim-centered services such as emotional support animals may be available.

### **Things to Have/do Throughout the Hearing(s)**

- Mints to put under your tongue (Altoids are recommended, as they are strong).
- Mint helps ground you.
- Water!!! Do not chug the water, but rather sip it throughout the day. Of course, you want to stay hydrated; but the other benefit to sipping water is that it also helps ground you and regulate your breathing.
- A seat cushion. Most courtroom benches are wooden and can be uncomfortable to sit on for extended periods of time. Bringing a cushion or lumbar support may be helpful.
- A blanket or an extra sweater as often courtrooms are chilly.
- Something for your hands to do. This will help release some of the energy that will be running through you. Silly Putty, stress balls and river rocks are good for this. A river rock is easy to place in your pocket and simply rub it when you feel the energy growing. For added benefit, put the rock in your freezer overnight. The cold temperature also helps with grounding.
- A notebook to write down questions about the hearing to ask the U.S. Attorney or prosecutor, or their VSPs.
- A journal to write or doodle in or have an adult coloring book. A packet of tissues.
- Practice your other grounding/calming techniques – read your favorite poem or scripture passage, or think about and visualize a positive experience.
- Do not discuss the case or proceedings in public spaces such as elevators, stairwells, bathrooms, hallways, snack areas, etc. Conversations can be overheard and misinterpreted.
- Your support team ready and your support person of the day available to you – in person, by telephone and/or online.
- You might need additional support. Do not be afraid to ask for mental health support should you begin to feel overwhelmed.

### **What if the Trial Doesn't End the Way I Think it Should?**

Court proceedings can be stressful and difficult. Take pause and take care of yourself during this time. Know



that you are not alone. Know that you have support to walk alongside you during this journey.

- Prior to the trial, think about how you might feel if the trial does not end the way you think it should.
- It is important to remember that although you and the other victim/ survivors shared the same experience, you may not all agree about the outcome of the court event or proceeding. Nor does it mean that you all

have the same feelings and thoughts about what should happen to the alleged or convicted defendant.

- Talking this over with your VSP or mental health provider can be helpful. They can help you process your feelings.

*Content was developed by the National Mass Violence Victimization Resource Center, with support from the U.S. Department of Justice, Office for Victims of Crime. See [www.nmvrc.org](http://www.nmvrc.org) for original document."*





# Appendix J

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## Helping Victims And Survivors Maintain Emotional and Physical Well-Being Throughout Court Proceedings

This tip sheet is designed for victim service professionals or victim advocates (VSPs) to help victims and survivors of mass violence incidents or terrorist attacks (MVIs) throughout trial proceedings relevant to their cases.

Ideally, victims or survivors of MVIs should each have a personalized care plan to use throughout all court processes. A companion tip sheet specific to MVI victims/ survivors – “Coping Tips to Help You through Court Proceedings” – features guidelines for creating a personal care plan and mitigating stress during court processes, and briefly explains the role of VSPs.

This tip sheet offers a framework for VSPs in order to support victims and survivors before, during and after any court proceeding. “Predict” and “prepare” are elemental concepts in helping victims and survivors on their road toward healing, to the degree possible. These concepts are particularly important as they encounter the court processes, which can often be confusing, frustrating and often out of their control.

### Things to Help Victims Develop a Personalized Self-care Plan

- Help them identify a strong support network with three-to-five people with whom they can rotate reaching out to for support. This can include family members, neighbors, friends, co-workers, spiritual supporters, and/or VSPs. Determine in advance of court hearings whether any victims want a member of their support network to accompany them.
- Advise them to plan to bring a photo ID, to dress comfortably and bring an extra layer of clothing – such as a sweater or shawl – in case the courtroom is cold.
- Since many courtrooms do not allow cell phones, advise victims that it can be helpful to have print photographs of themselves and/or their deceased loved one that they can slip in their pocket or purse

(having images of happier times ready to look at may be helpful). Advise victims that while they will likely be unable to view the photos on their cell phone during the proceeding, it will be helpful to have them readily available on their phone in an easily-accessible file for viewing in between or after proceedings.

- Advise victims about helpful calming techniques that can help mitigate stress during trial proceedings. Our Tip Sheet/Guide “Managing Distress: Grounding Tips for Crime Victims, Survivors and Family Members of Mass Violence Incidents” is available on the Center’s website.
- A simple calming technique to recommend is: Breathe in and slowly and count to four, hold for four counts, and breathe out and slowly count to four.
- Help victims to learn and practice two additional calming techniques.

### Things to do to Help Prepare for the Potentially-wide Range of Court Hearings

Be sure to clarify your role as their VSP and the potential range of services and support you can and cannot provide.

Help victims understand:

- Their constitutional and statutory victims’ rights under law, both state and federal; and how such rights are relevant to specific court hearings
- That victims’ rights and services are different in state, Tribal and federal jurisdictions
- Provide information (written and verbal) about the court processes. Be prepared to answer any questions and dispel any myths or misunderstandings victim/survivors may have. Ask a member of the prosecution team to address specific legal issues when needed.

- Explain any provision and statutory guidance related to victim privacy, and/or confidentiality of communications (including any limitations to either).
- Arrange a visit to the courthouse and courtroom prior to the beginning of the trial to help victims become familiar with the physical and surrounding spaces:
  - Review secured parking areas and include information regarding daily transport procedures, like escorts and routes to and from the courthouse's secured areas.
  - Provide guidance on entering secured courthouse areas, to illuminate unnecessary delays upon entering or exiting.
  - Provide map with layout of the courtroom during court processes (and any "overflow" rooms). Include a schedule for seating MVI victims and where all parties will be seated (Judge, Jurors, Attorneys, Defendants and Court Security).
  - Identify key areas designated for victims' use (restrooms, quiet room, victim family gathering space, etc.).
- Prepare a schedule/calendar for lunch, respite times and identify places. Include options available (venue and costs) with adjustments in times as directed by the court's schedule.
- Remind them to limit their conversations in public areas such as elevators, hallways, stairwells, bathrooms, snack areas, etc. Conversations can be overheard and misinterpreted.
- Identify any needs that victims may have for accommodations (this can be accomplished through a survey or personal interviews with victims at least one month in advance of court hearings). Develop a plan to meet accommodation needs of victims, to the degree possible. Accommodations can include:
  - Translation or interpreter services
  - Physical or intellectual disability needs
  - Dietary restrictions
  - Spiritual needs, among others
- Identify any medications they take and advise them to prepare to have enough to last throughout each court process.
- Help victims consider and think about what parts/how much of the proceeding they want to attend. Eyewitness accounts and crime scene photos may be a part of some proceedings and can be very difficult for them to hear and see. If possible, identify any potentially disturbing testimony that may occur in advance of the proceeding so that victims can make an informed choice about whether to attend.
- Explain to victims why it might be a good idea to avoid watching, reading or listening to the news or scrolling through social media coverage of the trial. Some media reports can be hurtful and

retraumatizing. They can mitigate potential stress by limiting this type of exposure.

- Inform victims of other support services, such as emotional support animals. Research and be prepared to locate available resources.
- Help victims plan for what to do after a hearing. Assist victims in making plans for non-court related activities to focus on after hearings and when court is not in session.
- Remind victims that if they feel overwhelmed, clinical support is available to them. If possible, mental health services should be available at the courthouse as a victim service. If not, those resources should be readily accessible and available in a secure, private space.
- Have a resource list and capacity to make referrals for victims who may request mental health support and/or any other types of assistance.

### **Tangible Things for Victims to Have/do Throughout Court Proceedings**

- Mints to put under their tongue (strong mints – like Altoids – are recommended). Explain that mint can help ground them.
- Water!!! Encourage sipping water throughout the day to stay hydrated, to help with grounding, and to regulate breathing. Some courthouses don't allow people to bring water into the building with them, so identify water fountains inside the building or have water available as part of the resources you provide.
- A seat cushion. Most courtroom benches are wooden and can be uncomfortable to sit on for extended periods of time. A cushion or lumbar support may be helpful.
- A blanket or extra sweater because courtrooms can be chilly.
- Something to hold in their hands to keep them busy. This will help release energy. Silly Putty, stress balls and river rocks are good for this. A river rock is easy to place in pockets and to rub energy. For added benefit, victims can put the rock in the freezer overnight – the cold temperature also helps with grounding.
- A notebook to write down questions for the prosecutors or the VSPs about court events.
- A journal to write/doodle in or a coloring book for adults.
- A packet of tissues.
- Practice other grounding/calming techniques – reading their favorite poems or scripture passage, or thinking about and visualizing a good experience.
- Have their support team ready and support person of the day available – in person, by telephone and/or online.

### **Help Victims Predict and Prepare for Outcomes of Hearings or the Trial**

- If possible, identify victims' specific wishes relevant to the outcome of the trial. Be prepared for a wide range of wishes that are unique to each victim. Victims or survivors may feel differently about the outcome of the trial/hearing, and they are all entitled to their individual beliefs.
- Do not make any promises about the outcome of any hearing, or the overall trial, such as, "It is an open and shut case;" "They will be found guilty;" "This prosecutor never loses." The VSPs' plan should be "If this happens, then this..."

- Let victims know that no one can predict the outcome. It is a judicial process with results determined by human beings' interpretation of the applicable laws.
- Encourage victims/survivors to think about how they might feel if the case is not adjudicated the way they think it should be. Recommend that they talk over their feelings with their counselor/therapist.
- Remind them that if they are in the courtroom during the reading of the verdict, they must maintain their composure – no loud outbursts of any kind are allowed. Tell them you will explain everything to them afterwards.

*Content was developed by the National Mass Violence Victimization Resource Center, with support from the U.S. Department of Justice, Office for Victims of Crime. See [www.nmvvrc.org](http://www.nmvvrc.org) for original document.*





# Appendix K

## Resiliency Center Victim/Survivor Assistance Navigator Position Description

### Enhancing the Response to and Resiliency of Survivors and Communities in the Aftermath of a Mass Violence Incident

Merriam-Webster Thesaurus

#### NAVIGATE

na-və-ˌgāt

<sup>1</sup>To operate or control the course of

<sup>2</sup>To make one's way through, across or over

#### Victim/Survivor Assistance Navigator Position Description

The Victim/Survivor Assistance Navigator (VAN) is a proactive “broker” of services and support for MVI victims/survivors and affected community members, who bridges gaps between clients and needed services through partnerships with system- and community-based service providers at the local, state, Tribal, Federal and national levels.

#### Specific and Essential Responsibilities and Duties

There are five categories of responsibilities and duties (which are described in greater detail below in this document):

1. Case management
2. Help victims/survivors and clients to navigate, understand and access available resources.
3. Help improve and expand community outreach and community relations.
4. Contribute to program evaluation efforts and activities.
5. Perform other duties, as needed and assigned.

#### 1. Case Management

- Create an in-person or online environment for client interactions that is welcoming, accessible (including Americans with Disabilities Act compliant), culturally-competent and safe.
- Facilitate and provide responsive, sensitive and quality client services in a timely manner – both in person and virtually.
- Promptly respond to victim/client inquiries in person, by telephone, online and virtually.
- Address any client questions or concerns; and build trust between the client and the Center in order to facilitate effective service provision.
- Conduct intake services with new clients that provide an overview of the scope of services available; hours of operation; and any confidentiality provisions that apply to all client communications.
- Conduct the intake process and initial assessment to identify and categorize the hierarchal needs of the victim; document initial findings; match the client's needs to available services; and document all findings in the case management database.
- Assess victims for their immediate-, short-term and long-term needs; any obstacles to obtaining services to meet needs (such as socio-economics, language, transportation, etc.) and how to overcome such challenges; and problem-solving to co-develop appropriate and helpful solutions.
- Utilize mental health first aid skills (such as Psychological First Aid [PFA] or Skills for Psychological Recovery [SPR]) where needed, and provide appropriate referrals to mental or behavioral health providers, as needed.
- Provide assistance with identification and completion of forms – both in person, virtually and online – that link victims/survivors to services and support

- Determine the degree of personal social support a victim may or may not have to contribute to effective strategies that build personal resilience; and help the client brainstorm possible social support strategies.
- Actively participate in strategic meetings and planning sessions to ensure that overall case management activities fulfill the mission, vision, values and goals of the Center.
- Conduct and document victim/client satisfaction surveys that directly link to their needs, as stated, in the initial assessment (described above).
- Document all client communications, referrals and services provided for the purposes of overall program evaluation and meeting relevant grant requirements.
- Provide feedback about the case management software/system's capacity to fulfill the agency's direct victim/survivor services, and to best serve victims.

## **2. Help Victims/Survivors and Clients to Navigate, Understand and Access Available Resources**

- Research and document governmental and non-profit agencies and organizations – at the local, state, Tribal, Federal and national levels – that offer direct services and support for clients and community members.
- Identify relevant resources and points-of-contact for victim/survivor assistance (local, state, Tribal, national and Federal) within the community where the Center is located, and within communities where MVI victims reside nationally; and develop an online database/resource directory that is updated quarterly, to include:
  - Services that address basic needs, including but not limited to housing, transportation, food, interpreters, education support for children, etc.
  - Direct victim/survivor services
  - Available local, state and Federal public benefits
  - Public health and physical health services
  - Behavioral and mental health services
  - Legal services and legal aid
  - Human services

To better serve MVI victims and survivors who reside in other states and communities, it's helpful to identify victim service providers with whom you can coordinate to provide direct support and assistance.

The USDOD Office for Victims of Crime's Online Directory of Crime Victim Services identifies survivor services by location and type of services needed.

<https://ovc.ojp.gov/directory-crime-victim-services>

- Social services
- Holistic and wellness services
- Be aware of traditionally-underserved victims or survivors who live in marginalized communities, and who may experience barriers to accessing services. Consider partnering with community-based organizations that can help support survivors who may feel marginalized in order to strengthen your capacity, level of trust, and service delivery.
- Provide all client services in a manner that is nonjudgmental and commensurate with the victim/survivor's age, gender, culture, ethnicity, religion, geography, dis/ability and sexual orientation.
- Help victims complete various forms needed to access services, support and public benefits; and review forms and instructions with victims and explain what types of information is being sought, and for what purposes.
- Coordinate directly with various service providers/referrals to ensure that forms and other requested information that are submitted are accurate, compliant and complete.
- Help the client navigate various available resources to ensure that his/her needs are being met, including initial contact and/or follow-up with providers or resources as needed, based upon the client's ability and needs.
- When identifying relevant resources for victim assistance, provide a "warm hand-off" that personally links victims to other agencies, organizations or programs; and follow-up as needed and appropriate.
- In cases involving criminal justice proceedings, explain relevant victims' core rights under appropriate jurisdictional law – Federal, Tribal, state and/or local – including the rights to victim compensation; information and notification; reasonable protection; participation in investigative and justice processes (including victim impact statements); restitution; and compliance with victims' constitutional and statutory rights.

## **3. Help Improve and Expand Community Outreach and Community Relations**

- Develop and maintain working knowledge of the status of programs, engagement, and initiatives to fully participate in community partnerships that enhance victim/survivor and community services.
- Seek, establish and maintain strong, positive community partnerships to improve responses to and help victims build resiliency with local service providers, law enforcement and justice officials, and potential supporters through ongoing convenings of partners, communications, gap analyses, problem-solving and resource development (both in-person and virtually).



- Document successful strategic partnerships and personal relationships with all partners.
- Provide resources and referrals to community members who seek support in the aftermath of the MVI.
- Plan and facilitate community and group events that are easily accessible to the public, in partnership with local stakeholders including city/county/Tribal/state officials; civic organizations; schools, colleges and universities; youth programs; and mental/behavioral health organizations (among others). Such events can be provided in-person or virtually.
- Represent the Center as the face of community recovery and resiliency efforts related to the MVI.
- Represent the Center at any local, state, regional and/or national conferences, forums or meetings – both in-person and online – as needed and appropriate.
- Support the Center’s efforts to promote its resources and services on its website and social media platforms (i.e., Twitter, Instagram, Facebook, Snapchat, TikTok, etc.).

#### **4. Contribute to Program Evaluation Efforts and Activities**

- Collect, track, document and report data related to the usage of Center resources and services provided.
- Provide specific data required by the Center’s grants and other fiduciary obligations.
- Document and summarize cumulative findings from victim/client satisfaction surveys, to evaluate overall program effectiveness and any needs for program/services improvement.
- Provide (time framework) updates and progress reports to the Center about direct client services; and services provided to community members; and other critical VAN activities.

#### **5. Perform Other Duties, as Needed and Assigned**

*“Other duties” depend upon the individual Resiliency Center, its mission and goals, and capacity to fulfill them.*

Required and Demonstrated Skills, Knowledge and Abilities:

- Strong leadership, communications and interpersonal skills
- Cultural competence that includes awareness of difference cultures and Faiths in order to provide services that are respectful and holistic, and to address any cultural barriers to accessing services
- Work effectively with diverse individuals and groups; and listen and communicate sensitively and patiently with persons in crisis

- Capacity to multi-task, efficiently coordinate and lead multiple projects, staff and volunteers
- Ability to contribute to strategic activities and plans that strengthen and support the Center’s mission, vision, values and goals
- Capacity to work cooperatively in a dynamic team environment, both internal to the Center and external in the community
- Skilled in the provision of Psychological First Aid (PFA) and basic victim advocacy
- Familiarity with victims’ core rights, including the rights to victim compensation; information and notification; reasonable protection; participation in investigative and justice processes (including victim impact statements); restitution; and compliance with victims’ constitutional and statutory rights
- Thorough understanding of the principles of program evaluation, and the application of performance measurement strategies and techniques
- Intermediate knowledge of MS Office applications (and any other applications or software specific to a Center)
- Intermediate knowledge of social media platforms (i.e., Twitter, Instagram, Facebook, Snapchat, TikTok)
- Ability to work a flexible schedule, with periodic early morning, evening and weekend work
- Proficiency in (any language requirements, based upon languages other than English spoken in the community)

#### **Required and Demonstrated Personal Attributes**

- Demonstrates compassion and caring for clients and community members who have been detrimentally affected by the MVI.
- Embodies personal attributes of honesty, integrity, professional behavior, tact, and a sense of humor.
- Works well and respectfully with other people and populations who are diverse by age, gender, culture, ethnicity, religion, geography, disability and sexual orientation.
- Works effectively and collaboratively in a dynamic, innovative and changing environment.
- Pays attention to detail, accuracy and quality assurance.
- Works independently and takes initiative to develop effective strategies and accomplish tasks.

*Content was developed by the National Mass Violence Victimization Resource Center, with support from the U.S. Department of Justice, Office for Victims of Crime. See [www.nmvvrc.org](http://www.nmvvrc.org) for original document.*

# Appendix L

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## Managing Distress – Grounding Tips for Crime Victims, Survivors and Family Members of Mass Violence Incidents

When you witness or hear about a mass violence incident, you may experience intense and distressing feelings that can come in waves or are felt as a persistent ache. A strong wave of feeling can be frightening if it seems it may never end or may go out of control.

You may want to avoid information about the event or you may want to watch every minute of coverage. Each victim or survivor has his or her own way of coping. There are no right or wrong feelings. However, if you do see news on TV or social media, be prepared for some strong feelings.

Seeing the news, hearing arguments of different points of view, either in person or on-screen, can bring up strong and difficult reactions. You may have disturbing thoughts and images such as flashbacks to your own trauma experience, images of a loved one suffering, or thoughts of revenge. Anger and anxiety may turn to sadness, then to numbness and back again to frustration that all of this is out of your control.

While it may seem impossible at first, grounding and mindfulness are distress tolerance techniques that make it possible to witness a mass violence incident, experience strong emotions, effectively cope with the discomfort, and feel safe at the same time. You learn to bear strong feelings, eventually ride out a wave of distress and regain your composure.

Distress tolerance skills are used when it is difficult or impossible to change a situation. They help us cope and survive during a crisis, and help us manage our internal emotional state and to bear even intense emotional pain. These skills allow you to stay in the present moment while you are being reminded of the past.

Grounding and mindfulness techniques are also useful to feel calmer and to think more clearly in everyday life.

### What is Grounding?

Grounding is a way to lessen or change feelings. Grounding guides you to focus on something other than

the difficult emotions you are experiencing. When your mind is racing or your heart is pounding, grounding brings you back to the here-and-now and guides your attention towards present safety. Grounding interrupts the thoughts in your mind that are causing you to feel distressed, anxious or sad. It gives you a little space to find ways to improve the moment despite pain or difficulty.

To be grounded is to feel the world around you moment to moment. For example, take a moment right now to feel your feet on the floor and your seat in the chair. That awareness of physical sensation is one type of grounding.

You may also think of grounding as centering, distracting, creating a safe place, or healthy detachment. Although grounding does not solve the problem that is contributing to your unpleasant emotions, it does provide a temporary way to gain control over your feelings and prevent things from getting worse. Grounding anchors you, gives you a chance to calm down, and allows you to eventually return and address the problem that is causing the painful emotions to begin with.

Grounding can be done anytime, anywhere, as a way to self-soothe, relax and use your full senses to feel more at peace. You may need to “turn your mind” many times. Be persistent.

### How Does Meditation Support Grounding Skills?

While grounding can be applied to any situation throughout the day, meditation is usually practiced for a specific amount of time, from ten to twenty minutes or more. By taking regular time to meditate and practice mindfulness of breathing or thoughts, your skills build up and are more available during times of crisis.

### The Importance of Practice

Like any new skill, it is best to practice grounding ahead of time. That way you can go into a difficult situation with greater confidence and calm.

If you expect to be in a challenging situation, sit quietly and deliberately imagine what might happen and how you want to respond. This way, you face the anticipated stressful situation on your own terms, with a powerful sense of control.

Once you have learned and practiced these techniques, you will gradually learn to stay grounded in the middle of difficult conversations or other stressful moments

Check out the techniques below. Practice each one a few times. Maybe different ones can help you at different times; with practice, you will discover the technique(s) that work best for you.

You can also ask friends what they do to stay grounded and be mindful, and share what works. On the actual day, take a note card where you have written down which techniques you want to use.

Remember, if the technique is not immediately helpful, repeat or shift the technique. Be patient. Let time pass. It may take several minutes to let the emotion fade. Grounding yourself isn't always easy. It may take some time before the techniques work well for you, but don't give up on them.

Once you have calmed down and your mind stops racing, you will be able to think more clearly.

## Grounding Techniques

As you read through the examples and begin to practice them, note the ones you like the best.

The important idea in grounding is to zero in on small details and sensations. This takes you out of thinking and reacting and into your immediate surroundings or physical experience.

### Slow Deep Breathing

This important exercise slows the heart rate and tells the whole body to "slow down." Racing thoughts tend to slow down as well. It's simple. Take a slow deep breath in through the nose and hold it. Then slowly breathe out through the mouth. Keep breathing slowly, gradually increasing the time of the inhale up to a count of five seconds. Notice the turning of the breath, that brief pause at the top. Breathe out for another count of five seconds, relaxing as you exhale. After several of these long deep breaths, return to your normal breathing. Continue to breathe normally, noticing how the air is cooler as you breathe in and warmer as you breathe out. Notice the rise and fall in the chest and belly. Hear the slight sounds of breathing. Relax as you exhale.

- If you are having difficulty getting a deep enough breath, put your elbows on your knees or a table with your chin in your hands. Notice how the area of your belt now moves strongly as you breathe in and out. Your breath is always with you. Whenever you feel stressed, remember to breathe! You can do this with eyes open or closed.

- Other helpful breathing tips are to let the breath out in a big sigh at the same time you relax your shoulders; purse your lips as you breathe out; yawn; breathe a silent affirmation or prayer in and out. You may even sing quietly, hum or whistle. Keep your attention on the breath as you do this.

### Notice Gravity

Begin to feel the weight of the body pressing down and the different points of contact with your seat or your feet on the floor. Gravity is always there, hence the term "grounded." Let your arms feel heavy and relaxed. Let your legs feel heavy and relaxed. You can imagine this gravity going all the way down, connecting you to the earth. Think of your feet as strong roots that go down through the floor and are grounded into the earth. No matter how strong the wind, wave or storm, imagine the strength of your roots. Another way to tune in to the present moment is to balance on one foot or one side of the body. This takes concentration and immediately brings you into awareness of gravity and your body. If you are sitting, even a slight shift of weight to one side or the other will take your attention away from what is distressing.

### Look Around

Look away from what is distressing you to something neutral, like the ceiling or the floor, or someone's blue jacket. Mentally describe the neutral object in detail until you are calmer. For example, challenge yourself to think of specific colors, such as crimson, burgundy, indigo, or turquoise, instead of simply red or blue. You may want to bring something with a vibrant color to use for this technique. You can also let your eyes gaze steadily at a point or object for 20 seconds. Still eyes, still mind. If you want to look at the presentation of something distressing, look only briefly or half close your eyes to limit the intensity. Then look back at the neutral or soothing object.

### Listen

Deliberately listen for natural sounds. Are there sounds outside? Are there people shuffling their feet? What else can you hear? Can you bring a portable music player and earphones with you with favorite music? Consider creating a playlist of your favorite, relaxing and calming music.

### Touch

Bring your full attention to the sense of touch. Rub or tap your hands together or on the chair, wriggle your toes to feel the inside of your shoes, or touch the texture of your clothing. Tap with two finger tips on the top of your other hand. Place your hand over your heart. Hug yourself. Hold hands with a friend. Put your hands over your face. You may want to bring a small stone, coin or special object you can touch that brings you back to the present moment. You may find touching an ice cube or sipping cold water helpful. Are the things you touch soft or hard? Warm or cool? Focus on the small details of each item, and how it feels to you in the moment.

### **Taste**

Slowly and deliberately eat something small like a raisin, mint, a bit of lemon or something salty. Really taste this small bit of food. Perhaps close your eyes and shut out everything but this taste in this moment. Put your tongue to the roof of your mouth, or against the cheek in the space between your teeth. Sip water, tracking it from lips to tongue, and down your throat, see how far down you can feel it.

### **Smell**

For some, a scent can be calming and grounding. A small bit of your favorite fragrance on a handkerchief or a bit of scented candle can be used to focus on your sense of smell. Inhale the fragrance slowly and deeply and try to note its qualities (sweet, spicy, sharp, citrusy, and so on).

## **Become More Aware of What is Going on Inside of You**

### **Body Scan**

Tune into your body from head to toe. Are you feeling jumpy, calm or something else? Starting from the top of the head, gently notice any sensation. Is your back straight? Check your shoulders and let them drop if they are tight. Let your teeth part slightly so your jaw can relax. Notice any sensations around your chest. Can you feel your heartbeat? Is it rapid or steady? Does your stomach feel full, or are you hungry? Become aware of your hands all the way down to your fingertips. Scan all the way down to your toes. Are your legs crossed, or are your feet resting on the floor? Let go of any tension as you do this. Wiggle your toes. Are your feet warm or cold? How does the floor feel against your feet? Notice any tingling or tightness. Notice any sense of spaciousness or calm that appears.

### **Muscle Tense and Release**

Shrug your shoulders or make a tight fist. Hold for several seconds. Then let go and notice relaxation flowing down your arm and into your fingers. Press your feet hard against the floor. After a few seconds, release and feel relaxation spread through your lower body. Breathe out as you release. Repeat until you feel calmer.

### **Stretch and Release**

Stretch out one or both of your arms or legs, or tilt your head to stretch your neck. Focus all your attention on the way the stretch feels. Notice any feeling of relaxation as you release. Breathe out as you relax. Repeat as needed.

### **Rag Doll**

Let go of all tension at once, as if you are a rag doll. Rest until you are ready to go again.

### **Move**

If there is a break in proceedings, do jumping jacks, tippy toes, or pushups against the wall or fast walking

around the building. Increasing heart rate and oxygen gets emotion out. While you are exercising, stay focused on your breath. Concentrate on your steps (you can even count them). Notice the rhythm of your footsteps and how it feels to put your feet on the ground. Pay attention to how your body feels with each movement, and when your hands or feet touch the floor or move through the air.

## **Become More Aware of the Content of Your Mind**

Often we go through life on automatic pilot, reacting, having opinions, saying things that just jump out. We were not aware that we were thinking something until we hear ourselves say it out loud. Becoming more conscious of the content of our thoughts helps control the impact they have on our feelings and reactions.

### **Writing thoughts down brings them into focus**

- Some thoughts increase distress while others are calming. Write down your thoughts in a journal or even on a scrap of paper. This helps you see what thoughts are there, how often a certain thought appears, and what feelings go along with it.
- Watch out for “catastrophizing” thoughts that start with “What if...?” “What if I am never happy again? What if things go even worse? What if I get stuck in this bad feeling forever?” “What ifs” focus on the future. Instead, focus on “what is...” Turn your awareness back to the present. You may be feeling a lot of distress but it is easier to deal with just the immediate situation without adding the past and future as well.
- Is there a memory or thought that makes things better?
  - You may want to write down positive thoughts or affirmations to take with you. Examples might be:
    - I can do this.
    - I can accept help when it’s offered.
    - Today, I choose to heal.
    - I am gentle with myself as I heal.
    - I’m surrounded by support, seen and unseen.
    - I choose to heal my hurt spirit.

### **Name all the Feelings and Reactions**

You may want to expand your writing by asking, “What are some words that can express or describe how I’m feeling about things right now?”

- If tears or other reactions happen, allow them to come and go. Your emotion is a sign of your caring. Notice what thoughts or memories are connected to your feelings. If you can, accept your emotions as true in the moment. Say to yourself, “This, too, is here.” If the emotion feels overwhelming, remember to breathe, and take note of what caused the feeling. Let time pass. Shift your attention back to the body.



- Is there anything else there? Is hope, gratitude, or any positive feeling also present along with the negative feelings?

### **Rate the Intensity of the Feeling**

Give it a number on a scale from one to ten. Does that number change as you track and describe the feeling?

### **Judgments**

People often judge themselves for having certain feelings.

- “I should be stronger.”
- “I am so tired of feeling sad and upset. I wish this feeling would go away.”
- Notice these self-critical thoughts without getting caught up in them.

### **Talk to Yourself**

- “It is okay to not be okay. It is okay to have strong feelings. I can remember to breathe my way through it. If I let time pass, this feeling will pass if I don’t feed it.”
- “Let me stay in the present moment.”
- Offer yourself positive reassurance and affirmations that you will be okay.

### **Make Lists**

- List three favorite things in several different categories, such as foods, trees, songs, movies, books, places, and so on.
- Write or mentally list four or five things in your life that bring you joy, and briefly visualize each of them.
- Keep the list with you for reference.

### **Other Grounding Ideas**

- Imagine your thoughts as leaves floating on a stream. They arrive, are present for a while, and then float away. You do not have to do anything but watch them pass.
- Imagine your thoughts as a song or television show. Change the channel or turn off the volume — they’re still there, but you don’t have to listen to or watch them.
- Use math. Count backwards from 100. To challenge yourself, count backwards by threes or sevens.
- Orient to time and place. “Today is Friday, June 3. It’s 10:04 in the morning. I am in Chicago.” You can add more specific details until you feel calm, such as, “It’s raining lightly, but I can still see the sun. It’s 30 minutes until the break time.”
- Plan an activity. This might be something you do alone or with a friend or loved one. Think of what you’ll do and when. Maybe you’ll go to dinner, take a walk in a park, see a movie to which you’ve been looking forward, or visit a special place. Focus on the details, such as what you’ll wear, when you’ll

go, and how you’ll get there.

- Read. Let your mind go somewhere else in a book, a story or magazine article.
- Let time pass. Most emotion comes and goes in waves. Be patient. Wait for the storm to subside.

### **Tune into Spiritual and Emotional Strengths and Support**

People get strength from within themselves and from their community. Remember your strengths and resources.

- Imagine supportive people standing nearby in loving support. They can be miles away or from the past. Let their caring endure and be present in these difficult times. Picture their faces. Feel their presence. Tune into the love you have known.
- Imagine the voice or face of someone who is or was a positive influence in your life. Imagine them smiling at you. Imagine them telling you that the moment is tough, but that you will be okay. Feel their presence with you.
- Recite a prayer, mantra or phrase that can soothe, reassure and uplift you. Silently say the words, keeping your focus on its meaning for you.
- Connect to whatever Higher Power is meaningful to you. If you are part of a spiritual or supportive community, feel that connection as a network of caring.
- Become aware of the “Big Picture.” Imagine the Universe in all its complexity and history. You are a significant part of that.
- Practice gratitude: List all the things for which you are grateful. You may want to keep a gratitude jar filled with these notes. Pull out a slip of paper when you are feeling shaky; read it and remember all for which you are thankful!
- Create a safe place image based on a real or imagined place. It could be in the presence of a religious being, an ideal vacation spot or a place where you have felt safe and secure. Think of the colors you see, the sounds you hear, and the sensations you feel on your skin. Remember the last time you were there. Who were you with, if anyone? What did you do there? How did you feel? Recall that image when you feel stressed. Take yourself back to a place of comfort and solace.
- Practice self-kindness. Repeat kind, compassionate phrases to yourself. Say them as many times as you need.
  - “You are a good person.”
  - “You’re having a rough time, but you’ll make it through.”
  - “You can move through this pain.”
  - “You’re trying hard, and you’re doing your best.”
  - “You’ll get through this somehow.”
- Acceptance. Acceptance of reality is not approval of reality. You may still not like what is going on, and wish



it were not happening. Accepting the situation as it is, allows you to plan how to wisely respond. There will be many things out of your control, so it's important and helpful to focus on what you can control.

- Imagine that you may become a stronger person because of these difficulties. As a result of great challenge, some people become more aware of their own inner strengths, have closer relationships, are aware of the importance of day to day blessings, or discover new priorities. How have you grown as a result of tragedy?
- Put it all together. Say to yourself:  
“Let my arms feel heavy and relaxed.  
Let my legs feel heavy and relaxed.  
Let my breathing be gentle and even.  
Let my mind become calm and quiet.  
Let me be present in this moment.  
I can do this.”

### How to Practice

Practice your favorite techniques several days in advance of an upcoming stressful situation. Try out at least three techniques and practice them five or more times. Each practice may only take a few minutes, but you will gain confidence as you become more skilled at and comfortable with each technique. Practice them so they are easy to remember when you really need them. Practice when you are only slightly worried about something, not when you are super stressed. Start with ordinary unpleasant feelings and work up to the hardest, most horrible feelings. Then when a feeling is

unexpected or overwhelming, you will know what to do in the moment, because you have practiced.

Start early. Try doing a grounding exercise when you first start to feel bad. Don't wait for distress to reach a level that's harder to handle. If the technique doesn't work at first, try to stick with it for a bit before moving on to another.

Check in with yourself. Before and after a grounding exercise, rate your distress as a number between one and 10. What level is your distress when you begin? How much did it decrease after the exercise? This can help you get a better idea of whether a particular technique is working for you. Take a moment to self-review, look back and see what helped you.

Prepare for the unexpected wave of feeling. You may be able to predict the onset of some feelings, like when you hear someone talking about what happened, or near an anniversary date. Other waves come as a surprise. Only afterwards you may realize what brought on the strong emotion.

If you feel the beginning of intense emotion, do not try to push it away. Fear of the feeling can intensify things. It is better to say to yourself, “This too is here. I can feel a wave of emotion rising. It is okay to not be okay. It is okay to have strong feelings. I can remember to breathe my way through it. If I let time pass, this feeling will pass if I don't feed it.” “Let me stay in the present moment.”

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# Appendix M

## Parking Pass Sample



### UNITED STATES ATTORNEY AUTHORIZED PARKING ONLY

\_\_\_\_\_ LOCATION

Valid \_\_\_\_\_ to \_\_\_\_\_  
DATE DATE

\_\_\_\_\_ a.m. - \_\_\_\_\_ p.m.  
TIME TIME

# Appendix N

## Grief and Loss Suggested Reading List

The following is a reading list of self-help books that may provide comfort. This list is not comprehensive.

### For Adults Who Have Lost a Loved One

| Title  | Author(s)         | Publisher                     | Published               |
|--|-------------------|-------------------------------|-------------------------|
| A Grief Like No Other: Surviving the Violent Death of Someone You Love   | O'Hara & Gottlieb | Marlow & Company              | 2006                    |
| Bearing the Unbearable: Love, Loss and the Heartbreaking Path of Grief   | Cacciatore        | Simon and Schuster            | 2017                    |
| Grieving Mindfully: A Compassionate and Spiritual Guide to Coping with Loss  | Kumar             | Harbinger Publications, Inc.  | 2005                    |
| Healing Your Traumatized Heart: 100 Practical Ideas After Someone You Love Dies a Sudden, Violent Death                      | Wolfelt           | Compassion Press              | 2002                    |
| How to Go on Living When Someone You Love Dies   | Rando             | Bantam                        | 1991                    |
| I Wasn't Ready to Say Goodbye: Surviving, Coping and Healing After the Sudden Death of a Loved One                           | Noel & Blair      | Champion Press                | 2000                    |
| It's OK That You're Not OK: Meeting Grief and Loss in a Culture That Doesn't Understand                                      | Devine            | Sounds True                   | 2017                    |
| Lessons of Loss: A Guide to Coping   | Neimeyer          | Brunner Routledge             | 2002                    |
| Living with Grief: After Sudden Loss   | Doka              | Hospice Foundation of America | 1996                    |
| Men and Grief: A Guide for Men Surviving the Death of a Loved One: A Resource for Caregivers and Mental Health Professionals | Staudacher        |                               | 1991                    |
| Murder Survivor's Handbook: Real-Life Stories, Tips & Resources  | Saindon           | Wigeon Publishing             | 2014                    |
| No Time for Goodbyes: Coping with Sorrow, Anger, and Injustice After a Tragic Death  | Harris Lord       | Pathfinder Publishing         | 2001, 7th Edition, 2014 |
| Surviving Holidays, Birthdays and Anniversaries: A Guide for Grieving During Special Occasions                               | Noel              | Fredonia: Champion Press, LTD | 2003                    |
| The Sudden Loss Survival Guide: Seven Essential Practices for Healing Grief  | Hanson            | Mago Publishing               | 2020                    |
| What to Do when the Police Leave: A Guide to the First Days of Traumatic Loss  | Jenkins           | WBJ Press                     | 2001                    |
| When Grief is Complicated  | Doka & Tucci      | Hospice Foundation of America | 2018                    |
| When There Are No Words: Finding Your Way to Cope with Loss and Grief  | Walton            | Pathfinder Publishing         | 1996                    |

## For Children and Teenagers Dealing with Loss

| Title  | Author(s)                          | Publisher                    | Published |
|--|------------------------------------|------------------------------|-----------|
| After Murder: A Workbook for Grieving Kids   | Dougy Center for Grieving Children | Dougy Center                 | 2001      |
| Bereaved Children and Teens: A Support Guide for Parents and Professionals   | Grollman                           | Beacon Press                 | 1996      |
| Grieving Mindfully: A Compassionate and Spiritual Guide to Coping with Loss  | Kumar                              | Harbinger Publications, Inc. | 2005      |
| Helping Children Cope with Death and 35 Ways to Help a Grieving Child  | Wolfelt                            | Compassion Press             | 1999      |
| Dougy Center Online<br><a href="https://www.dougy.org/grief-support-resources/kids">https://www.dougy.org/grief-support-resources/kids</a> | Dougy Center for Grieving Children | Dougy Center                 | 2020      |
| Straight Talk about Death for Teenagers: How to Cope with Losing Someone You Love  | Grollman                           | Beacon Press                 | 1993      |
| The Grieving Teen: A Guide for Teenagers and Their Friends   | Fitzgerald                         | Simon & Schuster             | 2001      |
| When Something Terrible Happens: Children Can Learn to Cope with Grief   | Heegaard                           | Woodland Press               | 1991      |

## Informational Videos, Webinars and Testimonials

| Title  | Author(s)         | Publisher                           | Link  |
|--|-------------------|-------------------------------------|---|
| After my husband was murdered  | Wilson            | TED Conferences                     | <a href="https://www.youtube.com/watch?v=USSLb-nOsRA">https://www.youtube.com/watch?v=USSLb-nOsRA</a>   |
| Aftermath of a Murder: Survivor Stories, Supporting Loss by Homicide                                       | Weibe             | YouTube                             | <a href="https://www.youtube.com/watch?v=LDx7VLjrP5s">https://www.youtube.com/watch?v=LDx7VLjrP5s</a>   |
| Individual and collective trauma: Coping with homicide due to gun violence in African American communities | Sharpe            | DART Center for Journalism & Trauma | <a href="https://dartcenter.org/resources/individual-and-collective-trauma-coping-homicide-african-american-communities">https://dartcenter.org/resources/individual-and-collective-trauma-coping-homicide-african-american-communities</a> |
| Losing a loved one to homicide. What we know from research and practice                                    | Duane & Bastomski | Office for Victims of Crime         | <a href="https://www.youtube.com/watch?v=xNcEXT5PH1c">https://www.youtube.com/watch?v=xNcEXT5PH1c</a>   |

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# Appendix 0

## Victim Impact Statement for Adult Victims of Violent Crime

|  |                     |   |                         |           |          |
|--|---------------------|---|-------------------------|-----------|----------|
| <b>UNITED STATES V.</b>  |                     |   | <b>CASE NO.</b>         | <b>CR</b> |          |
| Name   |                     | Many people are more comfortable writing about their experiences. Feel free to attach additional sheets of paper. |                         |           |          |
| <b>MARK THE WORDS OR PHRASES THAT BEST DESCRIBE YOUR FEELINGS AND REACTIONS TO THIS CRIME.</b><br>(Please remember these are all normal reactions) |                     |   |                         |           |          |
| Anger  | Guilt               | Anxiety   | Depression              | Unsafe    | Grief    |
| Fear   | Numbness            | Sad   | Scared                  | Tense     | Confused |
| <b>MARK THE WORDS OR PHRASES THAT BEST DESCRIBE YOUR EXPERIENCES.</b><br>(Please remember these are all normal reactions)                          |                     |   |                         |           |          |
| Nightmares   | Forgetfulness       | Fear defendant will return  | Trouble concentrating   |           |          |
| Repeated memory of the crime   | Appetite change     | Want to be alone  | No trust in anyone      |           |          |
| Fear of being alone  | Family not as close | Thoughts of suicide   | Feeling of hopelessness |           |          |
| Lost job   | School stress       | Family stress   |                         |           |          |
| <b>WHAT WOULD YOU LIKE THE JUDGE TO KNOW ABOUT YOU AND THE IMPACT OF THIS CRIME?</b><br>Feel free to attach additional sheets of paper.            |                     |   |                         |           |          |
|  |                     |   |                         |           |          |



**DESCRIBE BELOW HOW MEMBERS OF YOUR FAMILY HAVE BEEN AFFECTED BY THIS CRIME.**

Feel free to attach additional sheets of paper.

**HAVE YOU OR MEMBERS OF YOUR FAMILY RECEIVED  
COUNSELING OR THERAPY?**

(If yes, please be certain to complete the attached financial statement.)

Yes

No

**WHAT WOULD YOU LIKE TO SEE HAPPEN TO THE PERSON WHO COMMITTED THE CRIME AGAINST YOU?**

Feel free to attach additional sheets of paper.

**IS THERE ANYTHING ELSE YOU WOULD LIKE THE JUDGE TO KNOW BEFORE THE DEFENDANT  
IS SENTENCED?**

Feel free to attach additional sheets of paper.

# Victim Impact Statement for Violent Crime Financial Statement

|   |                      |    |
|---|----------------------|----|
| Name  | <b>CASE NO.:</b>     |    |
| <b>A. EXPENSES AND DAMAGES</b>  | <b>CRIMINAL NO.:</b> |    |
| <b>1. LIST PROPERTY LOST, DESTROYED OR DAMAGED AND ITS VALUE</b><br>(Wherever possible, attach supporting documents such as receipts, repair bills, etc.) |                      |    |
|   | \$                   |    |
|   | \$                   |    |
|   | \$                   |    |
|   | \$                   |    |
| <b>2. LIST MEDICAL EXPENSES RELATING TO PHYSICAL, PSYCHIATRIC, OR PSYCHOLOGICAL CARE.</b><br>(And again, attach supporting receipts)                      |                      |    |
|   | \$                   |    |
|   | \$                   |    |
|   | \$                   |    |
|   | \$                   |    |
| <b>3. PHYSICAL/OCCUPATIONAL THERAPY EXPENSES</b>  | \$                   |    |
| <b>4. LIST LOST INCOME OR WAGES</b>   | \$                   |    |
| <b>5. LIST MISCELLANEOUS EXPENSES - TRANSPORTATION, CHILD CARE, ATTORNEY FEES, ETC.</b><br>(Please list type & amount)                                    |                      |    |
|   | \$                   |    |
|   | \$                   |    |
|   | \$                   |    |
|   | \$                   |    |
|   | Total Loss           | \$ |
| <b>B. REIMBURSEMENT RECEIVED</b> (Please attach receipts)   |                      |    |
| <b>1. PROPERTY INSURANCE</b>  | \$                   |    |
| <b>2. MEDICAL INSURANCE</b>   | \$                   |    |
| <b>3. CRIME VICTIM COMPENSATION</b>   | \$                   |    |
| <b>4. WORKERS COMPENSATION</b>  | \$                   |    |
| <b>5. OTHER</b> (Please list source and amount)   |                      |    |
|   | \$                   |    |
|   | \$                   |    |
|   | \$                   |    |
|   | \$                   |    |
|   | Total Reimbursement  | \$ |



**3. HAS THIS CRIME AFFECTED YOUR CHILD'S FRIENDSHIPS AT SCHOOL OR IN YOUR NEIGHBORHOOD?**

(Please use additional paper as necessary.)






**4. HAS THIS CRIME AFFECTED YOUR CHILD'S SCHOOL WORK IN ANY WAY?**

(Please use additional paper as necessary.)

**5. HOW HAS THIS CRIME AFFECTED YOU, YOUR FAMILY AND THOSE CLOSE TO YOUR CHILD?**

(You may wish to write about changes that may have occurred in your family, in your ability to perform your work, make a living, run a household or enjoy any other activities you enjoyed before the crime. Include any victim services or counseling that you and those close to your child have received. Please use additional paper as necessary.)

# Victim Impact Statement for Child Victims

|   |   |   |  |   |
|---|---|---|--|---|
| What is your name?  | What grade are you in?  |   |  |   |
| How do you feel about what happened to you? (You can circle as many as you like)  |   |   |  |   |
|    |  |  |  |  |
| Happy   | Sad   | Mad   | Scared   | Other   |
| <b>1. PLEASE WRITE OR DRAW ANYTHING YOU WOULD LIKE THE JUDGE TO KNOW ABOUT HOW YOU FEEL BECAUSE OF WHAT HAS HAPPENED TO YOU.</b>  |   |   |  |   |
| <b>You may want to write about anything that has changed in your life, school, or in your family. You may even tell a story or write a poem if you would like. You can add more paper if you run out of room.</b> |   |   |  |   |
|   |   |   |  |   |



# Appendix Q

## The Potential Range of the Impact of Crime on Victims & Survivors

### Emotional/Psychological Impact

- Shock
- Terror
- Feelings of unreality
- Feelings of numbness
- Confusion
- Helplessness
- Fear
- Anger or rage
- Grief or intense sorrow
- Enhancement of particular senses, e.g., hearing, smell, sight, etc.
- Anxiety (including terror, helplessness, and feeling out of control)
- Depression
- Panic symptoms
- Anxiety disorders, e.g., panic disorder, agoraphobia, and obsessive-compulsive disorder
- Inability to concentrate
- Guilt and self-blame
- Shame
- Pre-occupation with the crime
- Concerns about personal safety and the safety of others
- Social withdrawal
- Concerns about being believed
- Concerns about being blamed
- Negative changes in belief system(s)
- Increased feelings of vulnerability
- Increased risk of alcohol or other drug use or abuse
- Persistent avoidance of things associated with the traumatic event
- Suicide ideation
- Post-traumatic stress disorder (PTSD)

### Financial Impact

- Medical bills, e.g., emergency transportation, hospital stays, inpatient and outpatient physical care, medical supplies, etc.
- Medication and prescription drugs
- Replacement of eyeglasses hearing aids, or other sensory aid items damaged, destroyed, or stolen
- Rental and related costs for physical mobility restoration equipment, e.g., wheelchairs and ramps, crutches, etc.
- Physical therapy
- Occupational therapy
- Job retraining
- Mental/behavioral health counseling and therapy
- Loss of wages due to incapacitation, rehabilitation, and taking time off from work to repair damages due to property crimes; participate in criminal or juvenile justice proceedings; and seek medical or mental health treatment
- Crime scene cleanup
- Loss of or damage to personal property
- Costs of replacing locks and changing security devices
- Child and elder care
- Fees incurred in changing banking or credit card accounts
- Higher insurance premiums
- Relocation expenses
- For homicide victims: funeral and burial expenses; counseling; and loss of income

### Physical Impact

- Physiological anxiety (including rapid heart rate, hyperventilation and stomach distress)
- Physical injuries (such as gunshot wounds, lacerations, broken bones, sprains, burns, etc.)

- Physical injuries that lead to other health conditions (such as heart attack, stroke, fractures from falling, loss of dexterity, etc.)
- Increased risk of cardiac distress, irritable bowel syndrome, chronic pain, and sexual dysfunction
- Permanent disability
- Disfigurement
- Immune disorders that increase the potential for infectious diseases
- Substantial lifestyle changes, including restriction of activities once enjoyed
- Lethargy and body fatigue
- Sleep disorders (sleeping too much, too little or not at all)
- Loss of appetite, excessive appetite, or eating disorders.
- Decreased libido and sexual dysfunction
- Inability to work
- Increased risk of future victimization
- For sexual assault victims: possible exposure to sexually transmitted diseases; exposure to HIV; and unwanted pregnancy

### Social Impact

- Detrimental effect on overall quality of life
- Acute and chronic disruptions to family life
- Disruptions to and negative changes in important relationships
- Avoidance of important personal relationship
- Changes in lifestyle, some that are very negative
- Isolation
- Restrictions on personal behaviors
- Negative impact on overall productivity
- Increased fear of crime
- Increased risk of future victimization
- Changes in pre-crime beliefs about the world
- Changing view of the world:
  - As a “safe place”
  - Difficulty in trusting self
  - Difficulty in trusting others
  - Seeking a personal sense of “justice”
- “Ripple effect” on:
  - Neighborhoods
  - Schools
  - Workplaces

- Faith community
- Communities

### Spiritual Impact

In an attempt to understand events that make no sense, people who do and do not engage in religious practice often turn to the spiritual beliefs with which they were raised. These spiritual insights are sometimes helpful but, more often than not, victims express disappointment in their faith communities’ reactions.

All religions accept human suffering as a component of the human experience, but understand its role differently. Hindus and Buddhists understand the role of karma in tragic events and seek to accept what has happened rather than seek justice. Jews believe that God expects human beings to act in kindness to one another, and when they do not, justice is sought and forgiveness must be earned. The wide gamut of Christianity practiced in the United States includes all perspectives from acceptance as “God’s will” and forgiveness of offenders to strong drives for justice in the secular arena. Muslims believe they have a special mission from God/Allah to create a just society. Other than the radical fringe, they condemn violence and willingly participate in the justice system.

### It’s IMPORTANT to Remember

- Every *victim* is unique!
- Every *case* is unique!
- Every victim should receive a personal needs assessment, with case planning to address individual needs
- Each victim’s reaction to crime and ability to cope are affected by a variety of factors:
  - Prior victimization and/or trauma history
  - Prior mental health or substance use/abuse problems
  - Degree of social support in the aftermath of crime
- Degree of exposure to the criminal justice system, and the victim’s perception of this experience
- A victim advocate may be the first person from whom a victim seeks help, or the only person.

*Content was developed by the National Mass Violence Victimization Resource Center, with support from the U.S. Department of Justice, Office for Victims of Crime. See [www.nmvvrc.org](http://www.nmvvrc.org) for original document.*

# Appendix R

## Courtroom Seating Chart for Victims and Advocates

|                        | Seat 1  | Seat 2 | Seat 3 | Seat 4 | Seat 5 | Seat 6 | Seat 7 | Seat 8 |
|------------------------|---|--------|--------|--------|--------|--------|--------|--------|
| <b>Row 1</b><br>VSP/MH | Victim Name<br>Family Member<br>(if different)<br># _____ | _____  | _____  | _____  | _____  | _____  | _____  | _____  |
| <b>Row 2</b><br>VSP/MH | _____   | _____  | _____  | _____  | _____  | _____  | _____  | _____  |
| <b>Row 3</b><br>VSP/MH | _____   | _____  | _____  | _____  | _____  | _____  | _____  | _____  |
| <b>Row 4</b><br>VSP/MH | _____   | _____  | _____  | _____  | _____  | _____  | _____  | _____  |
| <b>Row 5</b><br>VSP/MH | _____   | _____  | _____  | _____  | _____  | _____  | _____  | _____  |
| <b>Row 6</b><br>VSP/MH | _____   | _____  | _____  | _____  | _____  | _____  | _____  | _____  |

# Appendix S

## Sample Victim Assistance Staffing Chart

| Victim Assistance Staffing Assignment |  |      |         | US V. _____ |
|---------------------------------------|--|------|---------|-------------|
| Time                                  | Place  | Name | Phone # |             |
| 8:00 am - 9:00 am                     | Parking Lot / Shuttle - Location, Assigned LE Agency       |      |         |             |
| 8:00 am - 9:00 am                     | Parking Lot / Shuttle - Location, Assigned Victim Advocate |      |         |             |
| 8:00 am - 9:00 am                     | Parking Lot / Shuttle - Location, Assigned LE Agency       |      |         |             |
| 8:00 am - 9:00 am                     | Parking Lot / Shuttle - Location, Assigned Victim Advocate |      |         |             |
| 8:00 am - 9:00 am                     | Parking Lot / Shuttle - Location, Assigned LE Agency       |      |         |             |
| 8:00 am - 9:00 am                     | Parking Lot / Shuttle - Location, Assigned Victim Advocate |      |         |             |
| 8:00 am - 9:00 am                     | Parking Lot / Shuttle - Location, Assigned LE Agency       |      |         |             |
| 8:00 am - 9:00 am                     | Parking Lot / Shuttle - Location, Assigned Victim Advocate |      |         |             |
| 8:15 am - 9:30 am                     | Courthouse Secured Entrance - Location                     |      |         |             |
| 8:15 am - 9:30 am                     | Courthouse Secured Entrance - Location                     |      |         |             |
| 8:00 am - 5:30 pm                     | Victim / Family Main room - 3rd Floor - CCTV Viewing       |      |         |             |
| 8:00 am - 5:30 pm                     | Victim / Family Main room - 3rd Floor - CCTV Viewing       |      |         |             |
| 8:00 am - 5:30 pm                     | Victim / Family Main room - 3rd Floor - CCTV Viewing       |      |         |             |
| 9:00 am - 5:00 pm                     | Victim / Family Main room - 3rd Floor - CCTV Viewing       |      |         |             |
| 9:00 am - 5:00 pm                     | Private Counseling room - 3rd Floor - Clinical Support     |      |         |             |
| 9:00 am - 5:00 pm                     | Private Counseling room - 3rd Floor - Spiritual Support    |      |         |             |
| 9:00 am - 5:00 pm                     | Main Courtroom #6 - 4th Floor - Victim Advocate            |      |         |             |
| 9:00 am - 5:00 pm                     | Main Courtroom #6 - 4th Floor - Victim Advocate            |      |         |             |
| 9:00 am - 5:00 pm                     | Main Courtroom #6 - 4th Floor - Clinical Support           |      |         |             |
| 9:00 am - 5:00 pm                     | Main Courtroom #6 - 4th Floor - Clinical Support           |      |         |             |
| 9:00 am - 5:00 pm                     | Main Courtroom #6 - 4th Floor - Spiritual Support          |      |         |             |
| 9:00 am - 5:00 pm                     | Victim Overflow Courtroom - 3rd Floor - Victim Advocate    |      |         |             |
| 9:00 am - 5:00 pm                     | Victim Overflow Courtroom - 3rd Floor - Clinical Support   |      |         |             |





# Appendix T

## In the Aftermath of Mass Violence Incidents: Crime Victims and the News Media

### Overview

As a tragic mass violence incident (MVI) is occurring, it becomes not only breaking news; it often becomes the dominant story covered by broadcast, print and online news media. There is painful and personal interest in news about MVIs from people whose loved ones and friends may be involved, and who rely on the news media for any information. There is also interest from the surrounding community and broader public who want to know facts about the impact of the MVI.

Journalists and media organizations play an important role in the aftermath of an MVI, gathering and reporting accurate information and communicating the status and needs of victims and survivors.

Interviews or other interactions with media professionals can, at times, be rewarding experiences. But encounters with journalists can also be stressful or challenging for victims. These guidelines are designed to help victims and survivors of and witnesses to MVIs in the short- and long-term aftermath of a MVI to make informed choices about the media. For the purpose of these guidelines, the term “media” refers to news and educational print and broadcast media but not entertainment, direct mail, telephone, or fax; and the term “victim” incorporates victims and survivors of MVIs; witnesses to these mass crimes; and their loved ones.

In the immediate aftermath of an MVI, media mobilize and gather on the scene along with first responders. Many of the traditional guidelines for crime victims and survivors about how to deal with the news media – including autonomy, personal choice, and protection of their privacy – may compete with the demands of news gathering when an MVI occurs and in its immediate aftermath:

- The MVI may be an active crisis event with protective perimeters still being established when the media converge on the site, which allows for access to victims and witnesses that may be unwanted or intrusive.
- People who are directly affected and highly distressed may be compromised in their abilities to give informed consent to media interviews, yet are

often thrust into this position because the media are physically present asking questions.

- Photographic and film images of highly distressed victims who flee the MVI may be immediately published and broadcast, sometimes with inadequate consideration of their privacy or safety concerns.
- The physical scene surrounding an MVI is often a chaotic atmosphere, offering few safeguards to survivors and witnesses until the emergency Response Center with privacy and safety protections is established.
- The sheer volume of news media outlets, journalists, trucks and equipment that swarm the area around which the MVI occurs can be overwhelming and further traumatizing to people who have just experienced an MVI, and their loved ones who show up to try and locate them.

Emergency response professionals, including agencies’ public information officers, are well aware of the news media’s need for timely, accurate information during and following an MVI. They are also increasingly aware of the need to protect the privacy of victims, survivors and witnesses without jeopardizing the media’s goal of reporting about the MVI. Support for MVI victims who wish to speak to the media is often provided by personnel at the Response Center, Family Assistance Center and/or Resiliency Center to help coordinate media relations in the immediate-, short- and long-term aftermath of a MVI.

### Responsible Reporting and Informed Consent After MVIs

Even in the high-stress environment of an MVI, it is possible to distinguish between responsible, ethical news gathering and irresponsible or exploitative practices. Responsible media professionals will always:

- Identify themselves
- Prioritize the safety of victims ahead of news gathering
- Check the accuracy of victims’ names and other information when circumstances permit

- Seek permission for an interview beyond gathering basic facts
- Accept a victim's refusal to be interviewed
- Respect a victim's request to not be identified by name
- Confirm the accuracy of rumors or evolving

information before publishing, broadcasting or sharing on social media

While journalists facing deadline pressure may make errors of fact or judgement, responsible news organizations will promptly correct errors.

## News Media Engagement: Victim Autonomy and Choice

It is *always* the victim's choice whether or not to participate in an interview, whether in the breaking-news phase of a mass violence incident (MVI) or the long-term aftermath. In making this decision, it's important to be aware of potential consequences of your choice, both negative and positive:

- **Your personal safety.** An environment for media interviews that is private and safe is very important, as well as the option to have a family member or victim service professional (VSP) accompany you to the interview.
- **Your privacy and confidentiality.** Once you are identified by name, often accompanied by photographic and broadcast images, it becomes part of the public record. This is an important choice that, once made, cannot be changed.
- **Potential trauma and stress.** Media interviews can be stressful to victims. This is understandable because during the course of the interview you will likely be talking about what you might have seen, heard, or experienced during the mass violence incident. These images or thoughts may serve as reminders of the trauma, and you may even feel as though you are reliving the experience. However, you can limit the amount of potential stress by being prepared; being

accompanied by a family member, friend or VSP; and establishing any boundaries you need for the interview. Talking to journalists can sometimes ease the trauma by validating your personal experiences; or it can add to problems by asking you to relive a traumatic experience. While careful preparation can ease some potential stress, you should be aware of how the trauma of victimization can be either increased or decreased by speaking to the media.

- **Increasing awareness about the impact of MVIs.** Any time you speak publicly about your experiences as an MVI victim, it helps everyone understand the devastating impact of MVIs on victims, their families and friends, and the communities in which they occur. Such public awareness can increase support for you and other victims of the MVI, and for efforts to prevent additional MVIs from occurring in the future.
- **The impact on any criminal case(s) related to the MVI.** Anything you say in the media can be used in a criminal investigation. There may be times when it is not advisable to give interviews, such as during a trial, or when it is against court rules to give interviews, such as when a judge issues a "gag order" during a trial.

## Tips for Crime Victims and Survivors: Guidelines for Media Interviews

These guidelines can help you think about and plan for your potential interactions with the news media.

1. You should plan for media interviews. Often the most effective media interviews are those that are carefully considered in advance, with attention paid to the key points that you want to make. You should think about and outline what you want to say in order of priority to ensure that your key messages are conveyed concisely and to the point. Victim Service Professionals (VSPs) can help you plan and even conduct a "mock interview" with you so that you better understand the process and gain experience in fielding questions.

2. You can have a VSP or support person accompany you to media interviews. It's helpful to have another person whom you know and trust join you for media interviews. They can provide moral support, tend to your personal comfort, and help you cope with any stress reactions you may have.

3. You should expect to be treated with respect by the news media, whether reporters, photographers or camera crews. While media interviews can be stressful to victims, they should always be conducted in a manner that is courteous and respectful. You and your VSP or support person(s) should discuss

- strategies about how to respond if they are not. It may make sense to have a pre-arranged signal that you can use to alert your VSP or support person(s) to end the interview if you are experiencing stress, or if certain boundaries are crossed.
4. You do not have to speak to the media and can say “no” to requests for interviews, even if you have previously granted interviews. You should never feel obligated to speak about the MVI or your personal victimization. An important aspect of regaining control over your life following a MVI is making decisions that are best for your life, and your needs at any given time. You should never feel pressured to grant an interview.
  5. You can select the date, time, and location for a media interview. You can take charge of the process by granting interviews that fit within your life, your schedule, and how you are feeling. However, be aware that the media often work on tight deadlines, so it’s a good idea to try and meet their scheduling needs to the degree possible.
  6. You can select the platform or process for a media interview. Media interviews can be conducted in-person or over the telephone. They can also be conducted using a variety of online applications that allow you to participate in broadcast interviews from the privacy of your own home or any other place where you feel safe.
  7. You can select a spokesperson or advocate of your choice to speak on your behalf to the media. You can choose to have a family member, friend, faith community leader, or VSP represent you in the media, either as your principal spokesperson or in cases where it is not possible to conduct an interview. Choose somebody you trust and establish clear guidelines for representation (such as key points you want to make and issues that you consider “off limits” for interviews).
  8. You can release a written or oral statement through a spokesperson instead of an interview. The benefits of a written or oral statement are that the media get at least part of the information they are seeking; your feelings and opinions are clearly conveyed; and there is no margin of error for inaccuracies.
  9. You can avoid a stressful atmosphere by speaking to only one reporter at a time. For some victims, a press conference or environment with multiple journalists present can be overwhelming. VSPs can help you schedule individual interviews at the time and location of your choosing. In high-pressure situations with multiple news outlets looking for interviews, you or VSPs can also request “pool coverage,” with journalists nominating one reporter who shares the interview or notes or footage with colleagues.
  10. You can establish “ground rules” or boundaries for all media interviews. VSPs can help you consider any “ground rules” that can facilitate a more effective interview and avoid discussing issues that may be potentially traumatic to you. Examples include: your desire for a support person to be present; topics that are “off limits;” any limitations on visual depictions of your face or visual image; and an agreement to take breaks during the interview or end it if needed.
  11. You can refrain from answering any question that makes you uncomfortable. You do not need to answer a question just because it is asked. If a question appears to be insensitive to you or makes you uncomfortable, you or your support person can simply state that you are unwilling to answer the question, or ask that the question be rephrased.
  12. You can end an interview at any time. Remember that it is your choice to participate in a media interview. If an interview becomes too stressful, it is your option and choice to end it.
  13. You can audiotape or videotape all interviews to document the accuracy of what you say. Smart phone technology makes it simple to audiotape or videotape media interviews (which also provides you with a personal record of the full interview before it is edited).
  14. You can ask in advance what the story will be about. If you have an idea about the scope of the story, you can better prepare for an interview. Most reporters will give you or your support person a general idea of what the story is about. However, you need to be aware that editors and producers almost always have the last say about what the story will include from the interview.
  15. You can request a specific reporter. In the course of intense media interest in MVIs, you may identify a reporter with whom you are comfortable and, to the contrary, reporters with whom you are uncomfortable. You can ask a VSP for advice about which reporter should be granted an interview. Choosing a specific reporter is another element that can help you regain control following the MVI.
  16. You can refuse an interview with a specific reporter, even if you have granted interviews to other reporters. You can refuse an interview with a reporter who has been insensitive or who has been inaccurate in conducting previous interviews.
  17. You can and should exclude young children from interviews. Young children are particularly vulnerable to the traumatic effects of a crime. They rely on adults for support and decision-making, and to protect them from further harm. They cannot make a responsible “choice” to be included in an interview and, particularly in times of crisis, should not be exposed to media attention. The parent or caretaker of young children can decide if he or she wants to represent the child in an interview.
  18. You can demand a correction when inaccurate information is reported. If you feel that information is

not accurate or that you were misquoted or taken out of context, it's important to raise these concerns with reporters and their editors or producers. Mistakes are usually unintentional and can be corrected.

19. You can conduct a television interview using a silhouette or a newspaper interview without having your photograph taken. Your right to privacy should not preclude you from granting media interviews, since modern technology can often protect your privacy without preventing you from speaking to the media.

20. You can completely give your side of the story related to your victimization. Your perceptions and recollections about the MVI and its impact on you and others are highly personal and important to share.

21. You can file a formal complaint against a journalist. If you have a problem with any news coverage resulting from a personal interview, you may first want to talk with the reporter about your complaint. If you do not get satisfaction, you can send a formal complaint to their editors and producers, as well as publishers and owners.

## Preparing for News Media Interviews

Thorough preparation for media interviews can help ensure the quality of the interaction and the accuracy of information that is shared. It can also reduce the potential for overwhelming distress. Victim service providers (VSPs) are available to help you prepare in advance for media interviews and provide guidance about how to maintain control and personal autonomy throughout the interview process.

### Establish Personal Goals for the Media Interview

The most important part of preparation is establishing your goals for the interview:

- What do you want to say?
- Are there specific messages or points you want to convey?
- What do you want the reading, listening or viewing audience to know about your experience?
- Are there any specific topics you do not want to discuss?

### Learn About How the News Media Operates

- Learn all you can about the media and interview process. A VSP can educate you about the news media, their goals and objectives. The more you understand the interview process, the better your interview will be.
- Learn how the media operate. While you will deal directly with a reporter, there are also editors, managing editors, photographers, and headline writers who contribute to print stories; and editors, news directors, producers, and camerapersons who contribute to broadcast stories. Figures 1 and 2 depict the “hierarchy” of print (newspaper and magazine) and broadcast (television) news media.
- Fact checkers. News media outlets have people that they employ called “fact checkers.” Their function is to clarify or correct any misleading or inaccurate statements before the story is finalized. You may be

called by someone in this position and it is important that you listen carefully and clarify any comments you made during the interview that may have been incorrectly interpreted.

### Understand “Editing”

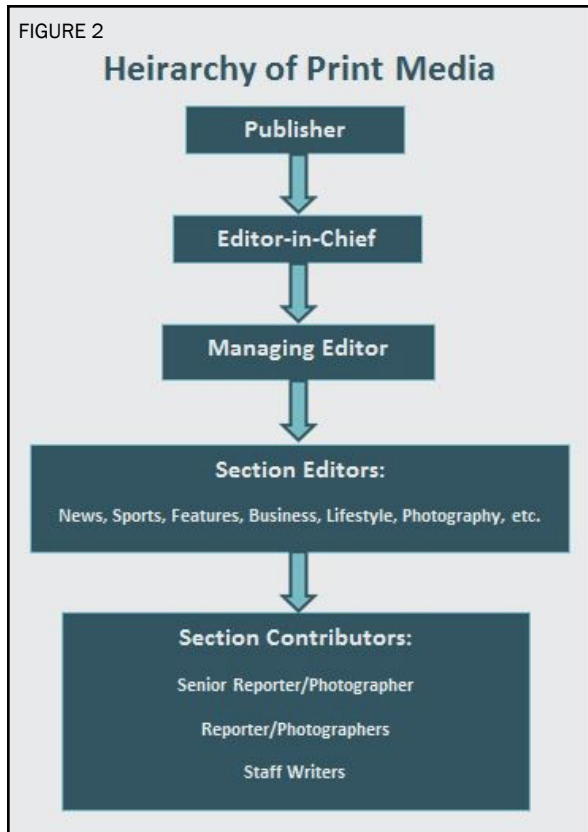
It's important for you to understand that the reporter to whom you speak is only one person among several who are responsible for editing an article or producing a news broadcast. It is an on-going process that begins when a story is assigned and ends only when it is published or broadcast. Editing can be done by a reporter, editor, copy editor, producer, or news director.

FIGURE 1





FIGURE 2



Editing helps make sure that a story is accurate, clear, understandable, and objective, and that space and time constraints do not affect the quality or factual information in a story. Editing focuses on accuracy, style, spelling and grammar, and length of the article or broadcast, as well as lack of bias.

When you understand the editing process, you will also understand how important it is to:

- **Be concise.** Longer statements are more likely to be edited than those that are brief and to the point.
- **Be accurate.** Talk about what you know, and avoid responding to hypothetical questions.
- **Speak plainly.** Think about the interview as a “conversation” and speak in a conversational manner.

### Identify and Address Logistics of the Interview

- **Learn what you can about the person conducting the interview.** A VSP or support person can provide you with the journalist’s name, media affiliation, type of publication or radio/television station, its audience, and the style of interviewing. You can also use Internet search engines to find past stories done by the journalists, both print and broadcast.
- **Determine if you want a support person to accompany you.** As noted earlier, it can be helpful

to have a family member, friend or VSP with you to provide support and help address and reduce any stress reactions you may have. If you choose to have a support person, inform the reporter ahead of time.

- **Confirm the logistics of the interview in advance.** You will want to know the date, time, location, length of interview, and name of the reporter. Plan to arrive at least 30 minutes in advance of the interview. For a telephone interview or television interview conducted remotely from the studio, in addition to being ready in advance, make sure you have the reporter’s telephone number in case of technical or other difficulties.
- **Determine the format of the interview.** Is it live or taped? In-person, over the telephone, or using an online video application? For national television networks, where will the interview take place (i.e., your home, a local television studio), and where will the interviewer be located? What is the anticipated length of the interview? For broadcast media, are there other guests or will you be the only interviewee?
- **Determine the scope of the topics to be discussed.** Your support person or VSP can find out what the reporter wants to talk about and provide you with a general framework for the interview (while recognizing that other topics may be discussed).
- **Determine if there will be a pre-interview.** Broadcast media often require a pre-interview or an informal discussion with a producer before the on-camera or on-air interview. It’s an opportunity to discuss and confirm basic facts and details, obtain correct spelling of names, establish ground rules, and answer any questions you may have. When conducted close to the time of the interview, it can also be an opportunity to warm up and get comfortable prior to the actual interview. Note, however, that questions may be asked during the interview that were not discussed during the pre-interview.
- **Negotiate ground rules, if any.** Decide if you would like to establish any “ground rules” for interviews. This could include whether you can ask questions of the journalist to clarify any issues or concerns. You might want to specify the length of the interview, the presence and role of a support person, topics that are “off limits,” and your ability to end the interview at any time. It’s important to know that journalists may also have ground rules that they want honored. Reporters have conventions such as “off the record” and “only on background” that dictate what they can and cannot use in their stories. However, this is an area where confusion and errors can occur. Crime victims should operate under the assumption that anything they say can be included in the story.
- **Determine any personal privacy concerns.** Do you want to be interviewed without being identified by name or being photographed or filmed? How will the person speaking on behalf of a child victim

be identified so that the child is not directly or indirectly identified? Your support person or VSP can convey these concerns to the interviewer.

- **Discuss taping the interview for your own records.** You can advise the interviewer that you will be audiotaping or videotaping the interview via Smart Phone or recorder. This provides you with documentation of the complete, unedited interview, and can also help avoid any inaccuracies in what is reported.
- **Provide information and context to the reporter.** He or she will likely want to know specific details about where you were during the MVI; what it was like being in such a horrific environment; the impact it has had upon you and your family; and how you are

doing at the time of the interview. Remember that you do not have to answer any questions that make you feel uncomfortable or that you do not wish to answer!

- **Rehearse in advance of the interview.** Use the questions identified above to discuss possible answers. Your support person or VSP can role play the role of the reporter so that you can gain mastery of the process. Practice and constructive feedback can help you feel more confident and concise in your responses to interview questions.
- **Carefully review “Tips for Crime Victims and Survivors: Guidelines for Media Interviews.”** This will help increase your confidence and reduce opportunities for stress.

## Additional Tips for Media Interviews

Victim Service Providers (VSPs) can offer you some basic tips to prepare for media interviews. Their past personal experiences and knowledge of the specific news medium or reporter involved can be helpful.

Below are some additional tips for managing media interviews:

- **Relax and be yourself.** Your level of personal comfort will improve your interview experience.
- **Be sincere and honest.** Your personal credibility is your most important asset. And your personal feelings and perceptions of what happened and its impact on you and your loved ones are what will make the news story truly powerful and memorable.
- **Know what you want to say.** Be prepared with two or three key points you want to make and find a way to make them early in the interview. For example: “The one thing I really want to say is...,” or “My most important message is...” Return to those messages and repeat them in different forms whenever you can.
- **Speak slowly and clearly.** Think about the question, then think about your answer.
- **Keep your answers brief and succinct.** You can follow a brief answer with more details, but make sure what you feel is the most important information is conveyed simply and to the point. Consider preparing and practicing specific quotations you feel are important in advance.
- **Once you make your point, stop talking.** Don’t worry about silence. It is not your job to fill it. Talking beyond your stopping point makes it harder to edit your quotes. It is also when many people say things they wish they hadn’t.
- **Send your messages.** You can reinforce your key points by repeating them.

- **Listen to the entire question before answering it.** Take the time needed to formulate your response. In broadcast interviews, overlapping your answer with the interviewer’s question can make it difficult for editors.
- **Make sure you know what is being asked.** If you don’t understand a question, ask for clarification.
- **Refuse politely.** If an interviewer’s question makes you feel uncomfortable, politely say, “I’m not comfortable answering that question.”
- **Don’t overextend.** If you don’t know the answer to a question, simply say so. If you feel you can’t respond, give a brief reason, such as, “I’ll be able to answer that once I know more about...”
- **Never say, “No comment.”** You can say, “I’m unable to answer that question at this time” or “I don’t have enough information to fully address your question.”
- **Avoid going “off the record.”** Simply assume that everything you say is “on the record” and speak accordingly.
- **Avoid distractions.** Do not use hand gestures that may block your face or expressions that detract from the content of the interview. Don’t wear jangly or shiny jewelry to broadcast interviews. Avoid tapping your fingers or your feet.
- **Correct errors.** If inaccurate information is presented in the course of an interview, present the facts to correct it in a positive manner.
- **Avoid fatigue.** If you need to take a break (except during live interviews), ask for one.
- **Don’t feel guilty about being human.** Always remember that what happened to you was very traumatic and is likely still distressing to you. It’s okay to show emotions during an interview!

## During the Interview

- Your personal comfort level—both physical and emotional—will directly affect the actual interview. When you are well prepared, you will feel a greater sense of confidence and control.
  - Recognize that interviews can be stressful. Remember to breathe during the interview! You can use stress reduction techniques—such as deep breathing, physical stretching, visual imagery, or listening to your favorite soothing music—to relax immediately prior to interviews.
  - Your support person or VSP can help plan for a comfortable physical environment. If the interview is conducted at your home or office, you can choose the place where you feel most comfortable talking. If you do a visual broadcasted interview, consider if there are any pictures or personal items you do not want to have broadcast and temporarily remove them from view. Your support person or VSP can arrange the physical space to avoid clutter, have a box of tissues on hand, ensure there is appropriate light and space, and provide for electrical outlets or extension cords for the media. The goal is to have an interview setting that is quiet (no external noise, cell phones turned off, etc.). A bottle of water should be provided for both you and the interviewer.
  - If the interview is conducted in a studio or other environment, your support person or VSP can work with media professionals to address physical comfort needs (see above). VSPs can explain, review, and discuss key interview logistics with you such as:
    - The person who is conducting the interview and how they would like to be addressed
    - Different personnel responsible for production, light, sound, and makeup
    - Use of lavalier microphones and conducting sound checks (your VSP should explain any boundaries on personal touching)
  - Guidelines for speaking directly to the interviewer or camera(s)
  - If and how visuals will be used
  - If and how other guests will be involved
- If the interview is conducted from a remote location, you should determine in advance:
- The length of the interview
  - Whether it is live or tape-recorded
  - Arrangements for the interviewer and you to speak prior to the actual interview, in person or by telephone, to enhance your familiarity and comfort with each other
  - The equipment and logistics related to remote interviews—such as cameras, microphones, earpieces, and sound checks—to ensure that you are comfortable with the equipment and process
  - Where you should look during the interview, and how to know where to look if multiple cameras are used

## Follow-Up

- Following an interview, you may seek feedback from your support person and/or VSP about your interview style and the information you conveyed. It's important to first assess how you felt about the interview. Constructive feedback can help you improve your interview techniques and gain confidence for the future.
- Your support person or VSP should determine, to the degree possible, when a story will be published or aired and inform you. If you want to document your interview(s), it's helpful to prepare a scrapbook or audio/video library.
- If you have time, it's always a good idea to send a "thank you" text, email or note to the journalist who interviewed you. It's important to validate and support their interest in covering MVIs and the personal impact on victims, and collective impact on communities in which they occur.

## What to Wear For a Broadcast Interview

When you are participating in a broadcast interview, it's very important to dress – first and foremost – for your personal comfort. If you are wearing a new outfit, try it on ahead of the interview to make sure you are comfortable in both sitting and standing positions. Remember that you want viewers to focus on what you say, not what you wear!

In the aftermath of MVIs, there are often t-shirts or sweatshirts with a theme color, logo and (sometimes) a hashtag (#BostonStrong) that are always appropriate to wear to memorialize the MVI.

Here are some additional tips about how to dress for broadcast interviews in a way that helps you to look your best:

- Dress in a simple manner that will not distract from what you have to say.
- Wear clothes that are neatly ironed.
- Shine your shoes before the interview.
- Solid pastel shirts, blouses and dresses usually look good on-camera. Many experts recommend blues and greens for your primary color.

- If you are wearing a blazer or suit, one with slim lapels looks best on-camera.
- It helps to wear an outfit with pockets, in case there is a lavalier microphone so it's easy to place the small receiver.
- Avoid the following:
  - Any jewelry (earrings, necklaces, bracelets, watches) that dangle and make noise when you move, or interfere with your microphone
  - White (which tends to glow on camera) or black (which tends to come off as severe)
  - Fabrics that feature stripes, checks or intricate designs (which are quite distracting)
  - Vests
  - Short skirts or dresses for women – they should be at least knee-length or lower
  - Low-cut blouses or dresses for women
  - Any products that make your hair shiny

## Media Guidelines for Homicide Family Survivors

If you are a survivor of a loved one who was murdered in the MVI, there are additional, important issues to address:

- **Portrayal of your loved one.** How do you want your loved one remembered? It's important to depict exactly who the homicide victim was in order to convey what is missing in your life, and your devastating sense of grief and loss. Here are some thoughts:
  - The victim's role as a grandparent, parent, sibling, son, daughter, etc. and what they meant to your family.
  - Personal and professional accomplishments across the span of their lifetime.
  - What they enjoyed doing, i.e., any hobbies, volunteer activities, faith affiliations, etc.
  - Their favorite music, food, quotation or saying, etc.
  - Any personal anecdotes from family members and friends about the victim that humanize them, and let people know exactly what was lost as a result of this senseless crime.
- **Provide visuals.** Do you have favorite photographic options (for print media), for example, a simple photograph of the homicide victim alone, along with visuals that show the person with other family members, engaged in favorite activities, at work, etc.? For broadcast media, you can help carefully curate a brief video that documents the victim's life, likes, and accomplishments, or share a few snapshots which together paint a portrait.
- **Access to others.** The media may want to speak to other family members, professional colleagues, and friends who knew and loved the homicide victim. Your support person or victim service provider (VSP) can help you identify and provide contact information for such persons to the media.
- **Issues with young people.** For younger homicide victims, information about the child's personality and favorite activities, subjects they enjoyed in school, and hobbies are all important to convey. Your support person or VSP can also help you identify a favorite teacher or coach who can also talk about the child.
- **Decisions about media coverage of wakes, funerals or memorial events.** It is up to you to decide if you want media coverage of these important and highly personal events. A VSP can make your wishes clear to the news media, and help obtain security to protect the privacy of you and your loved ones, as needed and upon request.

*Content was developed by the National Mass Violence Victimization Resource Center, with support from the U.S. Department of Justice, Office for Victims of Crime. See [www.nmvvrc.org](http://www.nmvvrc.org) for original document.*

# Additional Resources

## Evidence-Based Treatments and Evidence-Based Practices

### Disentangling the Terminology

Several terms are used interchangeably, and often inaccurately, to describe a mental health treatment as being effective. You've probably heard 'evidence-based practice' or 'empirically supported treatment,' for example. Sometimes these terms are used interchangeably, but it turns out they are not synonymous, which can make it quite confusing. Let's sort it out.

Evidence-based practices (EBPs) integrate available research evidence and clinical expertise and apply them to trying to solve the problems of a particular group of patients to achieve the best possible outcomes (APA Presidential Task Force on Evidence-Based Practice, 2006). These practices are based on someone's reasoning and logic about what is likely to be effective, but the practice hasn't actually been subjected to a careful scientific analysis.

In contrast, Evidence-based or empirically supported treatments (EBTs, ESTs) are therapeutic interventions that have scientific data to indicate that they are effective in achieving a desired outcome. Most researchers and professionals agree that at least two rigorous research studies, specifically randomized controlled trials, are needed for a treatment to be labeled as an EST.

### Randomized Controlled Trial

- Randomized Controlled Trials (RCT) are the gold standard in scientific research studies.
- An RCT involves comparing the outcomes of one treatment intervention to something else, like another treatment, or a waitlist control group (i.e., clients who are placed on a waiting list for a period of time and then receive the treatment).
- Clients are "randomly assigned" to the active treatment vs. comparison treatment group. Randomization is key to ensuring that the two groups are similar to one another.
- A treatment is considered to be effective if clients in the active treatment condition achieve significantly better outcomes than those in the comparison group.

### Why We Should We Care About EBTs & EBPs

- EBTs have been rigorously tested and demonstrated to be effective.
- EBTs can shorten recovery time and result in better outcomes than usual care or no treatment at all.
- A failure to use proven treatment interventions can impede recovery and in some cases, increase the risk of harm.

### Selecting an EST for Problems Related to a Mass Violence Incident (MVI)

While there are a number of interventions that claim to treat problems related to traumatic events, not all of them are evidence-supported or even evidence-based. So, how to choose?

- Several organizations have websites or online databases that provide descriptions of interventions for symptoms related to a traumatic event, such as an MVI, and some of these do include ratings for the level of research support:
- The California Evidence-Based Clearinghouse for Child Welfare ([www.cebc4cw.org/](http://www.cebc4cw.org/)) promotes effective implementation of EBPs for children and families involved in the child welfare system. This site includes a searchable database of programs and the available research evidence. This includes ESTs that target trauma-related mental health and behavioral problems.
- The National Center for PTSD ([www.ptsd.va.gov/understand\\_tx/choose\\_tx.asph](http://www.ptsd.va.gov/understand_tx/choose_tx.asph)) includes brief descriptions of ESTs for posttraumatic stress disorder specifically.
- The American Psychological Association (<https://www.apa.org/ptsd-guideline/index>) provides a clinical practice guideline for the treatment of posttraumatic stress disorder, which includes a listing of interventions that are "strongly" and "conditionally" recommended.



- The Cochrane Collaboration ([www.cochrane.org](http://www.cochrane.org)) publishes results of extensive high-quality, up-to-date systematic reviews of the available research literature to inform decisions in health care.
- The Campbell Collaboration ([www.campbellcollaboration.org](http://www.campbellcollaboration.org)) also produces systematic reviews for evidence-based policy and practice.
- The National Child Traumatic Stress Network ([www.nctsn.org](http://www.nctsn.org)), funded by the Substance Abuse Mental Health Services Administration, publishes fact sheets and information about a variety of ESTs for trauma-related mental health and behavioral problems for youth and their families.

### Interventions for Problems Related to an MVI

To date, the most effective treatments for trauma-related mental health problems are cognitive behavioral therapies (CBT). CBT involves a combination of cognitive therapy, which works to change the way a person thinks, and behavioral therapy, which aims to change the way a person acts. Changing thoughts and behaviors helps people feel differently, which often improves mood.

#### Empirically Supported Treatments

While several different treatments address mental health problems and symptoms of distress after a traumatic event, such as an MVI, the ones with the most research support are listed below.

- **Cognitive Processing Therapy** is a 12-session cognitive behavioral treatment for trauma-related symptoms. It teaches clients how to identify and challenge upsetting thoughts related to a traumatic event in order to feel better. Studies have demonstrated effectiveness for adults, with preliminary evidence support for adolescents.
- **Complicated Grief Treatment** is a 16-session, evidence-based approach to address complicated bereavement and promote the natural adaptive response process for adults. There have been several RCTs to support its effectiveness for persistent complex bereavement disorder in adults.
- **Eye Movement Desensitization and Reprocessing (EMDR)** is an individual therapy comprising 6-12 sessions, usually delivered 1-2 times per week. In EMDR, clients are taught to engage in back-and-forth movements (e.g., eye movements, finger tapping) while thinking about the upsetting trauma-related memory. There is some controversy about whether the back and forth movements are critical for positive treatment outcomes, as most research has found that the active component of EMDR is the exposure component. While the evidence

for EMDR is strongest for adults, there is some research indicating its effectiveness for youth post-trauma symptoms.

- **Prolonged Exposure** is a cognitive behavioral therapy to treat posttraumatic stress disorder that involves repeated recounting of the trauma measures (imaginal exposure) and teaches the client to gradually approach trauma-related fears, memories, situations, and other triggers (in vivo exposure) that are often avoided after experiencing a traumatic event, such as an MVI. Extensive research supports its use with adults, and preliminary data indicate it may be effective for older adolescents.
- **Trauma-Focused Cognitive Behavioral Therapy (TF-CBT)** has extensive research support for reducing symptoms of posttraumatic stress, depression and behavior problems among youth and young adults, ages 3-18. TF-CBT is a components-based, short-term (12-25 sessions) treatment that includes skills to regulate emotions, behaviors, and thoughts; process trauma-related cues and memories; enhance safety; improve parenting skills and strengthen family relationships. TF-CBT is also an EBT for traumatic grief among children and adolescents, with components enhanced to target traumatic loss and bereavement.

#### Evidence-Based Treatments

The interventions below have preliminary support for their effectiveness in addressing post-trauma symptoms, without the extensive empirical support of those listed previously.

- **Child and Family Traumatic Stress Intervention** is a brief (5-8 sessions) intervention for youth, ages 7-18, that reduces the risk for posttraumatic stress disorder. It is designed to be delivered in the immediate aftermath (30-45 days) of a traumatic event.
- **Cognitive Behavioral Intervention for Trauma in Schools** is a skills-based, group intervention, delivered in the schools, that targets symptoms of posttraumatic stress, depression and anxiety among children exposed to traumatic events. The average length of treatment is 10 sessions.
- **Grief and Trauma Intervention for Children** is a treatment intervention that uses cognitive behavioral and narrative therapy strategies to help children following exposure to violence, death of a loved one, and disasters. Studies indicate that the treatment has resulted in significant improvements in posttraumatic stress, depression, and traumatic grief.
- **Grief Recovery with Individualized Evidence-Based Formulation Approach** is a modular-based approach, delivered over 12-20 sessions, which is guided by existing evidence-based strategies to address mental health problems and concerns (posttraumatic stress, depression, complicated bereavement) following a violent loss.

- **Psychological First Aid (PFA)** is an evidence-informed, modular approach to help youth, adults, and families in the immediate aftermath of a disaster or MVI. PFA focuses on addressing immediate and ongoing safety needs and providing comfort to survivors.
- **Restorative Retelling (RR)** for violent loss is a structured group intervention developed to improve coping skills, integrate commemoration of the deceased, and approach traumatic memories. There is initial evidence for the utility of RR in reducing trauma, depression, and prolonged grief symptoms among adults who have experienced violent loss.
- **Skills for Psychological Recovery (SPR)** is an evidence-informed modular approach designed to be implemented after the period where PFA has been utilized or in cases where more intensive interventions are needed. SPR teaches skills to address ongoing distress and coping strategies following an MVI or other disaster.
- **Trauma and Grief Component Therapy for Adolescents** is designed to address trauma, bereavement and traumatic bereavement in older children and adolescents. It is a modular-based flexible intervention that can be customized to meet the individual needs of the client. It can be delivered individually, as well as in a group format.

## Grief and Bereavement Suggested Reading List

The following is a reading list for providers who offer counseling or grief-related services to the bereaved.

### For Adults Who Have Lost a Loved One

| Title   | Author(s)   | Publisher                             | Published |
|---|---|---------------------------------------|-----------|
| Psychological Interventions for Individuals Bereaved by Homicide: A Systematic Review                             | Alves-Costa, Hamilton-Giachritsis, Christie, van Denderen, Halligan | Trauma, Violence, & Abuse             | 2019      |
| Treating Trauma and Traumatic Grief in Children and Adolescents   | Cohen, Mannarino, Deblinger   | Guilford Press                        | 2006      |
| Techniques of Grief Therapy: Creative Practices for Counseling the Bereaved                                       | Neimeyer  | Routledge                             | 2012      |
| Techniques of Grief Therapy: Assessment and Intervention  | Neimeyer  | Routledge                             | 2015      |
| Treating Traumatic Bereavement: A Practitioner's Guide  | Pearlman, Wortman, Feuer, Farber, Rando                             | Guilford Publications                 | 2014      |
| Retelling Violent Death   | Rynearson   | New York: Routledge                   | 2001      |
| Group Work with Adolescents After Violent Death: A Manual for Practitioners                                       | Salloum   | New York: Routledge                   | 2012      |
| Trauma and Grief Component Therapy for Adolescents: A Modular Approach to Treating Traumatized and Bereaved Youth | Saltzman, Layne, Pynoos, Olafson, Kaplow, Boat                      | Cambridge University Press            | 2017      |
| Complicated Grief Treatment Manual  | Shear   | Columbia Center for Complicated Grief | 2015      |
| Grief Counseling and Grief Therapy: A Handbook for the Mental Health Practitioner                                 | Worden  | Springer Publishing Company           | 2018      |

## Informational Videos, Webinars, and Testimonials for Working with Adults:

| Title   | Author(s)                 | Producer,<br>Production Date       | Link  |
|---|---------------------------|------------------------------------|---|
| Losing a loved one to homicide: What we know from research and practice [Recorded Webinar]  | Bastomski, Duane          | Office for Victims of Crime, 2018  | Accessible at no cost:<br><a href="https://www.youtube.com/watch?v=xNcEXT5PH1c">https://www.youtube.com/watch?v=xNcEXT5PH1c</a>   |
| The surviving victims: Guiding the families of homicide victims through the criminal justice process [Recorded Webinar]                                     | Bunting                   | Bureau of Justice Assistance, 2019 | Accessible at no cost:<br><a href="https://bja.ojp.gov/media/video/14416">https://bja.ojp.gov/media/video/14416</a>   |
| Individual and collective trauma: Coping with homicide due to gun violence in African American communities [Recorded Webinar]                               | Sharpe                    | 2017                               | Accessible at no cost:<br><a href="https://dartcenter.org/resources/individual-and-collective-trauma-coping-homicide-african-american-communities">https://dartcenter.org/resources/individual-and-collective-trauma-coping-homicide-african-american-communities</a> |
| Introduction to complicated grief treatment. NYC CBT Lecture Series. [Recorded Webinar].  | Shear, Skritskaya, Turret | 2016                               | Accessible at no cost:<br><a href="https://www.youtube.com/watch?v=ZJQdLihzUo">https://www.youtube.com/watch?v=ZJQdLihzUo</a>   |
| Aftermath of a Murder: Survivor Stories; Supporting Loss by Homicide  | Weibe                     | YouTube, 2014                      | Accessible at no cost:<br><a href="https://www.youtube.com/watch?v=LDx7VLjrP5s">https://www.youtube.com/watch?v=LDx7VLjrP5s</a>   |
| Complicated grief after suicide bereavement and other causes of death: Results of NIMH and AFSP study on optimizing treatment for complicated grief (HEAL). | Zisook                    | 2017                               | Accessible at no cost:<br><a href="https://www.youtube.com/watch?v=bjLBxjFmDfA">https://www.youtube.com/watch?v=bjLBxjFmDfA</a>   |

## Informational Videos, Webinars, and Testimonials for Working with Children

| Title  | Author(s)                                   | Producer,<br>Production Date       | Link  |
|--|---|------------------------------------|---|
| The surviving victims: Guiding the families of homicide victims through the criminal justice process [Recorded Webinar].                                   | Bunting                                     | Bureau of Justice Assistance, 2019 | Accessible at no cost:<br><a href="https://bja.ojp.gov/media/video/14416">https://bja.ojp.gov/media/video/14416</a>   |
| Treating childhood traumatic grief (CTG) using components of trauma-focused cognitive behavioral therapy (TF-CBT; Part One). [Recorded Webinar Series].    | Hayes, Fox, Hartwig.                        | 2019                               | Accessible at no cost:<br><a href="https://www.youtube.com/watch?v=6n_YWn4wWt8">https://www.youtube.com/watch?v=6n_YWn4wWt8</a>   |
| Treating childhood traumatic grief: Implementing the grief-focused components of trauma-focused cognitive behavioral therapy (TF-CBT). [Recorded Webinar]. | John  | 2014                               | Accessible at no cost:<br><a href="https://www.youtube.com/watch?v=nmDwCFiQVS4">https://www.youtube.com/watch?v=nmDwCFiQVS4</a>   |
| The courage to remember: Training video on child traumatic grief [Video]   | The National Child Traumatic Stress Network | 2005                               | Accessible at no cost:<br><a href="https://www.nctsn.org/resources/courage-remember-training-video-child-traumatic-grief">https://www.nctsn.org/resources/courage-remember-training-video-child-traumatic-grief</a> |

Additional trainings specific to mass violence and terrorism are offered through the [National Mass Violence Victimization Resource Center](#).

Additional trainings specific to mass violence and terrorism offered through the [Office for Victims of Crime](#).

# Vicarious Trauma and Compassion Fatigue Suggested Reading List

The following is a reading/resource list for first responders related to trauma, vicarious trauma and compassion fatigue.

## For First Responders

| Title   | Author(s) | Publisher         | Published |
|---|-----------|-------------------|-----------|
| Mindfulness for Warriors: Empowering First Responders to Reduce Stress and Build Resilience                             | Colegrove | Mango Publishing  | 2020      |
| Increasing Resilience in Police and Emergency Personnel: Strengthening Your Mental Armor                                | Conn      | Routledge         | 2018      |
| Bulletproof Spirit, Revised Edition: The First Responder's Essential Resource for Protecting and Healing Mind and Heart | Willis    | New World Library | 2019      |

## Informational Videos, Webinars, and Testimonials for First Responders

| Title  | Author(s)   | Producer, Production Date                                       | Link  |
|--|---|---|---|
| Compassion Fatigue: When Caring Hurts (basic information and hotline for assistance) | International Association of Fire Fighters                | International Association of Fire Fighters, 2021                | Accessible at no cost: <a href="https://www.iaffrecoverycenter.com/blog/compassion-fatigue-caring-hurts/">https://www.iaffrecoverycenter.com/blog/compassion-fatigue-caring-hurts/</a>  |
| The Vicarious Trauma Toolkit: Compendium of Resources                                | Office for Victims of Crime                               | Office for Victims of Crime, 2020                               | Accessible at no cost: <a href="https://ovc.ojp.gov/program/vtt/compendium-resources">https://ovc.ojp.gov/program/vtt/compendium-resources</a>  |
| Understanding Compassion Fatigue: Tips for Disaster Responders                       | Substance Abuse and Mental Health Services Administration | Substance Abuse and Mental Health Services Administration, 2014 | Accessible at no cost: <a href="https://store.samhsa.gov/product/Understanding-Compassion-Fatigue/sma14-4869">https://store.samhsa.gov/product/Understanding-Compassion-Fatigue/sma14-4869</a>  |
| Surviving the Job: Emotional Self-Care During COVID-19 for First Responders          | International Association of Fire Fighters                | International Association of Fire Fighters, 2020                | Accessible at no cost: <a href="https://www.youtube.com/watch?v=fbUirI7QJjo">https://www.youtube.com/watch?v=fbUirI7QJjo</a>  |
| First Responder PTSD: What to look out for and how to get help                       | Lt. Gerald Richmond (Rt)                                  | 2019  | Accessible at no cost: <a href="https://www.youtube.com/watch?v=82BDvprJFR4">https://www.youtube.com/watch?v=82BDvprJFR4</a>  |
| 911 Dispatcher Discusses Vicarious Trauma and Burnout                                |   | 2019  | <a href="https://www.ems1.com/mental-health/articles/video-ushering-in-better-mental-health-for-first-responders-ac9zN4onSwHV5Jhh/">https://www.ems1.com/mental-health/articles/video-ushering-in-better-mental-health-for-first-responders-ac9zN4onSwHV5Jhh/</a> |

The following is a reading/resource list for victim advocates and practitioners related to vicarious trauma and compassion fatigue.

## For Victim Service Providers

| Title  | Author(s) | Publisher                              | Published  |
|--|-----------|--|--|
| Vicarious Trauma and its Impacts on Advocates, Therapists and Friends                                  | Anderson  | Research and Advocacy Digest, 12, 1-16 | 2004   |
| Vicarious Trauma and Resilience (Course used for prior continuing education credit)                    | Berthold  |  | Accessible at no cost: <a href="https://ovc.ojp.gov/sites/g/files/xyckuh226/files/media/document/vt_vt_and_resilience_training-508.pdf">https://ovc.ojp.gov/sites/g/files/xyckuh226/files/media/document/vt_vt_and_resilience_training-508.pdf</a> |
| Compassion Fatigue: Coping with Secondary Traumatic Stress Disorder in Those Who Treat the Traumatized | Figley    | Routledge                              | 2013   |

| Title  | Author(s)                                    | Publisher  | Published, Link  |
|--|--|--|--|
| Trauma Stewardship: An Everyday Guide to Caring for Self While Caring for Others                                 | Lipsky and Burk                              | San Francisco, CA: Berrett-Koehler                 | 2009, also available: <a href="https://www.youtube.com/watch?v=uOzDGrcvmus&amp;feature=emb_title">https://www.youtube.com/watch?v=uOzDGrcvmus&amp;feature=emb_title</a>  |
| The Compassion Fatigue Workbook: Creative Tools for Transforming Compassion Fatigue and Vicarious Traumatization | Mathieu                                      | Routledge  | 2012   |
| Professional Burnout, Vicarious Trauma, Secondary Traumatic Stress, and Compassion Fatigue                       | Newell and MacNeil                           | Best Practices in Mental Health, 6(2), 57-68       | 2010   |
| Victim Advocate's Guide to Wellness: Six Dimensions of Vicarious Trauma-free Life                                | Phoenix                                      | Create Space Independent Publisher                 | 2014   |
| Vicarious Trauma in Clinicians: Fostering Resilience and Preventing Burnout                                      | Quitangon                                    | The Psychiatric Times, 36(7), 18-19                | Accessible at no cost: <a href="https://www.psychiatristimes.com/view/vicarious-trauma-clinicians-fostering-resilience-and-preventing-burnout">https://www.psychiatristimes.com/view/vicarious-trauma-clinicians-fostering-resilience-and-preventing-burnout</a> |
| Help for the Helper: The Psychophysiology of Compassion Fatigue and Vicarious Trauma                             | Rothschild                                   | W.W. Norton and Company, Inc.                      | 2006   |
| Compassion Satisfaction, Compassion Fatigue, and Burnout: A Replication Study with Victim Advocates              | Singer, Cummings, Boekankamp, Hisaka, Benuto | Journal of Social Service Research, 46(3), 313-319 | 2020   |

### Informational Videos, Webinars, and Testimonials for Victim Service Providers

| Title  | Link  |
|--|---|
| Beyond the Cliff: TedX Talk with Laura van Dernoot Lipsky                                  | <a href="https://www.youtube.com/watch?v=uOzDGrcvmus&amp;feature=emb_title">https://www.youtube.com/watch?v=uOzDGrcvmus&amp;feature=emb_title</a> |
| Drowning in Empathy (Compassion Fatigue); The Cost of Vicarious Trauma with Amy Cunningham | <a href="https://www.youtube.com/watch?v=ZsaorjIo1Yc&amp;feature=emb_title">https://www.youtube.com/watch?v=ZsaorjIo1Yc&amp;feature=emb_title</a> |

The following is a reading/resource list for providers who serve first responders related to trauma, vicarious trauma and compassion fatigue.

### For Professions who Serve First Responders

| Title  | Author(s)  | Publisher   | Published, Link  |
|--|--|---|--|
| First Responders: Behavioral Health Concerns, Emergency Response, and Trauma   | Substance Abuse, Mental Health Services Administration | Disaster Technical Assistance Center Supplemental Research Bulletin | 2018   |
| First Responder Resilience: Caring for Public Servants   | Glenn  | Rising Phoenix Press. ISBN: 928-1-946329-56-1                       | 2017   |
| Secondary Traumatization in First Responders: A Systematic Review  | Greinacher, Derezza- Greeven, Herzog, Nikendei         | European journal of psychotraumatology, 10(1), 1562840.             | 2019   |
| Treating Posttraumatic Stress Disorder in First Responders: A Systematic Review  | Haugen, Evces, Weiss                                   | Clinical psychology review, 32(5), 370-380                          | 2012   |
| First Responders: Compassion Fatigue; Burnout; PTSD  | Lindenfield  | Designs and Patent Act of 1988. ISBN: 978-1986143721                | 2018   |
| The Role of Moral Suffering (Moral Distress and Moral Injury) in Police Compassion Fatigue and PTSD: An Unexplored Topic | Papazoglou and Chopko                                  | Frontiers in Psychology, 8, 1999                                    | 2017   |
| The Vicarious Trauma Toolkit: Compendium of Resources  | Office for Victims of Crime                            | Office for Victims of Crime   | 2020, Accessible at no cost: <a href="https://ovc.ojp.gov/program/vtt/compendium-resources">https://ovc.ojp.gov/program/vtt/compendium-resources</a> |



# Prosecution-based Mass Violence Response Toolkit

## **A Guide for Victim Advocates Responding to Mass Violence Incidents When the Offender will be Prosecuted**

By Lisa Teesch-Maguire and Amanda George-Wheaton Office of the District Attorney, 18th Judicial District Colorado The Aurora, Colorado Movie Theater Shooting Prosecution Team (2020).

This toolkit provides an additional resource of methods and examples to provide services and assistance to victims of mass violence incidents during the criminal justice process and was developed by the Aurora, Colorado Movie Theater Shooting Prosecution Team.

<https://www.trynova.org/wp-content/uploads/2020/07/Mass-Violence-Prosecution-Victim-Advocate-Toolkit.pdf>

