

PROTECTING AND SERVING VICTIMS—THEIR WAY, NOT OURS



REIMAGINE JUSTICE

Melissa Nelson, State Attorney, Florida's Fourth Judicial Circuit
Kevin Thom, Sheriff, Pennington County, South Dakota

As a prosecutor and a sheriff, we have seen countless and compelling moments where the best of our work has translated into positive victim support in the aftermath of harm. But we have also witnessed how the system fails victims. We recognize that the limitations of traditional tools at our disposal and the framework of our institutions can exasperate victims in their attempts to navigate the criminal justice system. Those experiences guide us in identifying problems and recommending important next steps for practitioners in the pursuit of justice, safety, and healing for all victims.

There is strong evidence for our concerns about justice for victims. First, victims of crime remain a highly underserved population in our country. According to the 2018 National Crime Victimization Survey, more than half of violent victimizations and over 60 percent of property crimes were not reported to police (Morgan and Oudekerk 2019). Low crime reporting rates indicate a failure within the justice system to address victims' needs adequately. And in 2018, even among those who did report, only 11 percent of victims of violence received direct assistance from victim-service agencies, public or private. This low service uptake poses a major challenge for the efficacy of the criminal justice system. Second, surveys show that all too many victims of crime carry a negative view of the system's ability to deliver "justice." Third and finally, the criminal justice reform movement often pits criminal justice reform as antithetical to supporting the needs of victims, yet there is no inherent conflict between

the healing of victims and the criminal justice reform agenda. Victims should be able to play a central role in reform conversations.

In this paper, we describe the need for law enforcement and prosecutors to better serve victims. Based on our own experiences and inquiry, this paper is a compilation of lessons learned, best practices examined, and recommendations for practitioners.

RECOMMENDATIONS FOR LAW ENFORCEMENT AND PROSECUTORS

1. Provide training and develop policies focused on the treatment of victims in law enforcement and prosecutors' offices.
2. Make internal changes to law enforcement and prosecutors' offices to facilitate best practices to support victims.
3. Offer comprehensive victim options and services.
4. Ensure that victim services are widely accessible, and expand outreach and impact of services where gaps or opportunities exist.
5. Create metrics to track interactions with victims.
6. Implement restorative justice practices in the aftermath of harm.
7. Ensure victims have a seat at the table in criminal justice policy discussions.



Supported by the John D. and Catherine T. MacArthur Foundation