

THE
SQUARE ONE
PROJECT

REIMAGINE JUSTICE

**EXECUTIVE SESSION
ON THE FUTURE OF
JUSTICE POLICY**

JUNE 2021

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PROTECTING AND SERVING VICTIMS— THEIR WAY, NOT OURS

The Square One Project aims to incubate new thinking on our response to crime, promote more effective strategies, and contribute to a new narrative of justice in America.

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

05

**CONTEXTUALIZING
"VICTIM" IN
THE CRIMINAL
JUSTICE SYSTEM**

07

**WHERE ARE WE
NOW AND HOW
DID WE GET HERE?**

13

**WHERE DO WE
GO FROM HERE?**

15

**THE ROLES OF
LAW ENFORCEMENT
AND PROSECUTORS**

17

**LAW ENFORCEMENT:
CONTINUED SUPPORT
FROM THE FIRST
INTERACTION**

22

**PROSECUTORS'
OFFICES: REFRAMING
TRADITIONAL VIEWS OF
JUSTICE FOR VICTIMS**

28

**RECOMMENDATIONS
FOR LAW ENFORCEMENT
AND PROSECUTORS**

39

ENDNOTES

41

REFERENCES

46

ACKNOWLEDGEMENTS

46

AUTHORS' NOTE

47

**MEMBERS OF THE
EXECUTIVE SESSION
ON THE FUTURE
OF JUSTICE POLICY**

Not too long ago, I observed a witness testifying during the sentencing phase of a murder trial. The witness, whom I will refer to as Jane Doe, had come to tell the court that she had also been attacked just a few years earlier by the defendant. While testifying, Jane shook uncontrollably—it appeared she had never fully processed nor recovered from the previous incident.

I learned that when Jane reported her own attack years before to law enforcement, her claims were initially doubted. She was left feeling responsible for her own victimization.¹ Ultimately, the case in which Jane was the victim proceeded and the defendant quickly pleaded guilty to attacking her. But Jane, the victim in the case, was never consulted about the case's progression nor its resolution. She was not notified about the defendant's incarceration or later release, nor did she receive any services like medical treatment or psychological consultation. Although ostensibly "justice was done" through the defendant's conviction and sentence, Jane had not experienced justice. She had never been informed of the outcome of her case, and the lack of healing and continued trauma were demonstrated in her pain and physical reaction on the stand, years later.

Unfortunately, many victims relay experiences like Jane Doe's. In these situations, not only is their potential to experience recovery, satisfaction, and catharsis hindered, but they can also experience further harm through their interactions with the criminal justice

system. In the aftermath of harm, victims are in a sensitive place—suffering from both physical and psychological wounds. Law enforcement and prosecutors, usually among the initial actors a victim may interact with after a crime, and considered the face of the criminal justice system, should pay close attention to a victim's state of mind, because it is an early opportunity in a case to provide support. When victims feel they are not being listened to or adequately served by prosecutors and law enforcement, they are less likely to report future crimes and more likely to show contempt for the criminal justice system in the future (Hotelling and Buzawa 2003:19–21; Tyler and Fagan 2008:264–265; Yoon 2015:67–68).

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.

In this paper, we describe the need for law enforcement and prosecutors to better serve victims. This paper is intended to be a compilation of lessons learned, best practices examined, and recommendations for practitioners. We begin by setting a foundation with an introduction to whom the term “victim” refers to in the context of the criminal justice system. Then, we provide a brief overview of the origin of the victims’ rights movement in the United States and significant developments over the last

century. Our exploration of the limitations, innovations, and potential of the criminal justice system to provide safety and justice for victims is based on our on-the-ground experiences as a sheriff and a state attorney. We conclude our paper with recommendations and suggestions for how criminal justice systems should change to better support and serve victims. Elevating and including victims’ voices central to policy development and modification, providing victims with tangible support in the form of robust victim services, implementing restorative justice practices in the aftermath of harm, and working in partnership with a diverse range of community stakeholders and government actors can ensure that victims’ needs are met. □



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

CONTEXTUALIZING “VICTIM” IN THE CRIMINAL JUSTICE SYSTEM

The term “victim” is complicated and has various applications.* It is important to note that a majority of victims of crime never enter the view of the criminal justice system.

This fact is partly due to crime reporting—57 percent of victims of violent crime do not report crimes. According to the 2018 National Crime Victimization Survey, more than half of violent victimizations and over 60 percent of property crime were not reported to police (Morgan and Oudekerk 2019). Of the violent crimes that were reported, 46 percent were considered “cleared,” meaning they were closed based on the arrest, charging, and referral of a suspect for prosecution or “exceptional means” (Gramlich 2020).² While we may think of the criminal justice system as a place to offer protection to and services for victims, regardless of how comprehensive, it will only ever reach a small fraction of victims.

In addition to underreporting of crime, victims experience systemic barriers to accessing services. In 2018, only 11 percent of all victims of violence received direct assistance from victim-service agencies, public or private (Morgan and Oudekerk 2019:10). Within the court system, the rationale for victims receiving services is often linked to their participation in the prosecution where eligibility of services can depend upon greater involvement in criminal court (Alliance for Safety and Justice 2019:6). Furthermore, victim compensation programs may preclude people from eligibility if they have any role in the crime, or if they have ever been convicted of a crime (Santo 2018).³ □

* We note that some victims prefer using the term “survivor,” as they feel it is more reflective of what they have gone through and how they are dealing with the aftermath of the trauma. This is a personal choice by the individual that should be respected. We have chosen to use the term “victim” because it is the term used by most state, tribal, and federal laws and constitutions.

WHERE ARE WE NOW AND HOW DID WE GET HERE?

Throughout the past half century in the United States, we have witnessed a strong victims' rights movement that has shaped the way our country responds to victims of crime.

Some notable rights that have been achieved for victims include the right to be informed about available legal options, including legal rights and the right to case-specific information; the right to be present during criminal proceedings; and the right to be heard, including meaningful participation during a trial (i.e., a victim impact statement)—all of which have been adopted by all 50 states and the District of Columbia. Additionally, the victims' rights

movement has expanded the scope of victim services and compensation options, aimed at repairing the harm victims experience as a result of a crime or the criminal justice process. The work of the federal and state governments, specifically related to victim compensation, victim services, and the aforementioned victims' rights, illustrates the changes that have been implemented. But there remain shortcomings.

VICTIMS COMPENSATION

Victim compensation efforts, which focused on providing pathways to reimbursement for victims of crime for out-of-pocket expenses arising from the crime itself and during the criminal justice process, began in California in the mid-1960s. Widespread implementation of victim compensation resulted after passage of the Victims of Crime Act of 1984 (VOCA), a critical piece of legislation that provided a federal

framework of support for victims and enabled the expansion of many victim services and assistance programs across the country.

The VOCA grant program supports the provision of direct services, assistance, and compensation to victims and survivors. Federal VOCA funds are distributed to each of the states based on a formula (Office for Victims of Crime 2020a). The states are



AT THE FEDERAL LEVEL, FUNDING OF THE VOCA GRANT PROGRAM MUST BE PRIORITIZED

then responsible for administering these funds, and facilitating compensation via state or local government agencies, registered nonprofit corporations, or a combination thereof, to victims and next of kin. During federal fiscal year (FY) 2019 alone, the Department of Justice reports that VOCA grants served over seven million victims and paid more than \$399 million in compensation claims (Department of Justice Office of Public Affairs 2020). In FY 2018, support in the form of compensation, direct services, and other types of assistance was provided to victims of crime by 6,837 organizations that received VOCA victim assistance funds and 53 administering agencies (Office for Victims of Crime 2020b).

It is the experience of both of our offices that eligibility for both accepted crime victims and types of claims for reimbursement is inconsistent from state to state. Under the VOCA Program Final Rule, updated in 2016, states are not required to submit plans for allocation of funding, but are encouraged to develop a funding strategy and documented method for decision making (Office for Victims of Crime 2016). These eligibility criteria are largely left to states' discretion, with guidance from the Final Rule. This discretion has led to significant variation in offered compensation on a state-by-state basis.

For example, victim specialists in the State Attorney's Office have found from firsthand experience that compensation claims

associated with victim travel to and from hearings from a loved one's DUI manslaughter were approved in the state of Mississippi, but not in Florida. States' discretion leads to inconsistency in both policy and practice, and presents an opportunity in unequal access to services for victims across the country.

At the federal level, funding of the VOCA grant program must be prioritized. Congress currently has an opportunity to demonstrate commitment to crime victims and survivors by averting catastrophic cuts to the VOCA funding. Deposits into the VOCA fund are from monetary penalties associated with federal criminal convictions. These deposits fluctuate annually based on the number of cases prosecuted by the Department of Justice. Deposits into the fund have significantly decreased in the last three years, as demonstrated by a \$6.6 billion deposit in 2017 followed by a \$445 million deposit in 2018, marking historical lows reflective of deposit amounts in 2003 (New York State Office of Victims Services N.d.). The decrease in annual deposits is caused in part by the lack of monetary penalties that result from increased use of deferred prosecutions and non-prosecution agreements. These monetary penalties, which would otherwise be collected under costs of prosecution and directed to the VOCA fund, are instead being redirected to the general treasury (New York State Office of Victim Services N.d.). This shrinking income has caused smaller disbursement allocations

to the states—by almost 80 percent in some cases (Morgan and Oudekerk 2019).⁴ In turn, these cuts are already leading to decreased availability of funds to administering agencies, which translates to fewer direct services provided to victims, and more demanding eligibility requirements.

Funding of the VOCA program is of paramount importance to the protection and support of the interests of victims. Especially during times of economic uncertainty, underscored by the COVID-19 pandemic, dedicated and reliable funding of victim services is essential to the preservation of justice.

VICTIM SERVICES

The expansion of victim services, including social support and access to healthcare services, coincided with the women’s movement, which emphasized the urgency for the recognition of rights and protections for women and children. As a result, physical spaces of refuge for battered women began to emerge in the

1970s, including victim assistance programs that specialized in crisis intervention and rape crisis centers for victims of sexual assault. Recognizing signs of intentional violence became common practice for clinicians and trained law enforcement officials in order to direct victims of crime into the appropriate social supports (Herman 2010).

VICTIMS’ RIGHTS AT THE FEDERAL LEVEL

In 1983, the International Association of Chiefs of Police, the world’s largest professional association for police chiefs, established a Victims’ Rights Committee and adopted a “Crime Victims’ Bill of Rights” to promote the needs of victims in law enforcement practice across the country (Office for Victims of Crime 2018b:5). In 1990, Congress passed the first federal victims’ bill of rights under the Crime Control Act to encourage (but not require)

application of the protections that existed in different states and municipalities. It guaranteed victims several basic rights, but did not go as far as to make the provision or enforcement of those rights mandatory (Office for the Victims of Crime 1998:27; Davis, Anderson, Whitman, and Howley 2009). The Crime Victims’ Rights Act in the Justice for All Act of 2004 strengthened federal crime victims’ rights (Davis, Anderson, Whitman, and Howley

2009). It also provided mechanisms to enforce the rights of victims, additional funding for victim assistance programs, and funding designated for DNA to address national backlogs (Office for Victims of Crime 2018b:17). As the federal government

has continued to address facets of victims' rights and services in pursuit of establishing a baseline for the nation, specific provisions and protections have also developed in individual states with varying degrees of national adoption.

VICTIMS' RIGHTS AT THE STATE LEVEL

Only a handful of states had laws enumerating the rights of victims before the 1980s, when victims' rights began progressing at the state level as a result of two simultaneously 1982 developments: the passage of the Victim and Witness Protection Act, and the release of President Reagan's Victims of Crime Task Force's final report (Davis, Anderson, Whitman, and Howley 2009). Many of these state laws started as advisory documents, and were expanded as the victims' rights movement gained prominence. By the 90s, all 50 states provided crime victims basic rights and protections, and 32 states had amended

their constitutions to include some form of these rights. Added protections at the state level offer an extra implication of both permanency and enforceability. Many of these state legislative and constitutional efforts have attempted to address the shortcomings of the federal efforts, which lack specified services, to increase victims' protections and services. Most widely recognized are the campaigns led by the families of crime victims to honor crime victims through the expansion of victims' rights and protections in the criminal justice system. Marsy's Law and Megan's Law are two well-known examples. □



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MARSY'S LAW

In 1983, Marsy Nicholas was murdered by her former boyfriend in California. A week later, Marsy's killer confronted Marsy's mother and brother shortly after her funeral—her family had not been notified of his release from jail on bail, as it was not a required policy at the time (Marsy's Law 2021a.). Following this confrontation, Marsy's family, including her brother Henry Nicholas, led a campaign to pass a state constitutional amendment that would require, among other things, that victims of crime be notified when the defendant in their case is released from jail or prison. In 2008, Proposition 9 or "The California Victims' Bill of Rights Act: Marsy's Law" was enacted, setting the precedent for certain rights and protections for victims including the right to be present at any public proceedings and to be heard at proceedings involving sentencing, release, or plea (Quinton 2018). Critics of Marsy's Law express concern that this could have the result of complicating fair trials in a number of ways, such as interfering with defendants' due process rights,

limiting information that could prove innocence, and creating delays in processing and release; and they argue that most states provide adequate victims' rights without the enactment of Marsy's Law (Quinton 2018). However, supporters assert that California has not experienced substantial systemic issues in the decade since Marsy's Law was added to its constitution (Quinton 2018). The organization and its campaign for Marsy's Law is notable because it advocates for the inclusion of victims' rights in all state constitutions rather than statutes, with supporters asserting that presence in the constitution lends more significance to the provisions as they are appropriately enshrined into state constitutions (Marsy's Law 2021b). Opponents express concern that this creates a conflict of constitutional rights and undermines the interests of both defendants and the state of having governmental power checked in criminal cases (Quinton 2018). As of January 2021, 12 states have enacted versions of Marsy's Law (Ballotpedia N.d.).⁵

MEGAN'S LAW

In July 1994, a recently released person who had previously been incarcerated for committing a sexual offense raped and murdered seven-year-old Megan Kanka in New Jersey. Widespread outrage turned into activism around the lack of provisions to notify individuals of the presence of people who had committed sex offenses within their community (Zgoba, Witt, Dalessandro, Veysey 2008:3). New Jersey lawmakers responded to this appeal by passing Megan's Law, which requires sex offenders' registration with local police following release from

jail and public notification of the presence of any registered sex offenders in the area (Zgoba et al. 2008:3). Critics of Megan's Law express concerns about the effectiveness of the law in preventing future crimes (Zgoba, Jennings, and Salerno 2018). Over the following decade, Megan's Law was adopted into federal law, which required all 50 U.S. states and territories to publish registry information. Additionally, states may subscribe to additional provisions to further ensure registration and notification of people who commit sex offenses.

WHERE DO WE GO FROM HERE?

Although we acknowledge the expansion and achievements of the victims’ rights movement above, we also recognize that the criminal justice system has an opportunity to better serve victims by adopting trauma-informed best practices on a broader scale.

The gap in reported versus actual victimizations and victims’ low utilization of available services indicate failures in the criminal justice system. Victims’ dissatisfaction and negative experiences with the justice system and support services also suggest that our conceptions of what justice looks like for victims and what we can offer them must improve. Victims must be given a more active role and voice not only in their individual experiences, but also in the broader conversations about criminal justice system improvement.

Finally, as reflected in a national survey of victims’ opinions and desires, victims of crimes overwhelmingly support investments in community-centered prevention and rehabilitative services over punishment and longer sentences of incarceration (Alliance for Safety and Justice 2016). This focus on alternatives to incarceration increases both accountability and healing; and furthermore, prioritizing community-based solutions empowers communities, while giving crime victims a role in combating systemic inequities that lead to cycles of crime in vulnerable communities. □



VICTIMS MUST BE GIVEN A MORE ACTIVE ROLE AND VOICE NOT ONLY IN THEIR INDIVIDUAL EXPERIENCES, BUT ALSO IN THE BROADER CONVERSATIONS ABOUT CRIMINAL JUSTICE SYSTEM IMPROVEMENT

THE ROLES OF LAW ENFORCEMENT AND PROSECUTORS

Responding to the needs of victims more effectively will require that every public and private actor in the criminal justice system—including law enforcement and prosecutors—review their interactions with victims to ensure they are addressing victims’ needs within a continuum of care and services.

Such an inspection will help identify the current system’s shortfalls and opportunities to more efficiently respond to victims’ needs.

Since law enforcement and prosecutors’ offices are positioned as many victims’ primary links to the criminal justice system, these institutions and those who serve

within them are uniquely situated on the frontlines to provide better support to victims. Yet, in 2016, the Alliance for Safety and Justice found that only one in three victims received assistance with victim’s services, and 16 percent of services were coordinated through a district attorney or prosecutor’s office (Alliance for Safety and Justice 2016:11). □

LAW ENFORCEMENT: CONTINUED SUPPORT FROM THE FIRST INTERACTION

Most often, law enforcement is the first criminal justice system stakeholder to connect with a victim or their family in the aftermath of harm. This initial contact sets the stage for a victim’s experience and impression of the criminal justice system.

How a victim and their family are treated at this initial contact can have significant positive or negative consequences in how they move forward from the traumatic incident. For many victims, this event may be the first time they have had contact with law enforcement; for others already familiar with the system and system actors, they may already have strongly held beliefs about law enforcement and/or the criminal justice system. Regardless of whether we are serving a victim whose interaction with law enforcement is a first,

or one whose experience is vast, every victim and family member must be treated with human dignity—achieved through respect, professionalism, and compassion in all interactions with victims and their families.

Not every law enforcement interaction or investigation turns into a prosecutable case. Thus, it is critical that victims are made aware of their legal rights⁶ and the services available to them at the first point of contact with the criminal justice system.

IN PRACTICE: SPECIALIZED VICTIM SUPPORT IN SOUTH DAKOTA'S PENNINGTON COUNTY SHERIFF'S OFFICE

I have been the Sheriff in Pennington County for 11 years, and the incident below illustrates the numerous and complex needs that victims may have in the aftermath of harm.

In December of 2019, the Rapid City Police Department and Pennington County Sheriff's Office responded to an active shooter at an apartment complex in Rapid City. A 29-year-old man was firing rounds in his apartment. The shooter then went down the building's hallway with a rifle. A 64-year-old man happened to step out of his apartment, and, while standing next to his apartment door, was shot and killed by the shooter. The shooter then fired upon law enforcement and was killed by law enforcement.

The 64-year-old man was killed in front of his wife and three grandchildren, who were present in the apartment. They all suffered tremendous trauma from the incident. Two of our Victim Specialists were called to the scene and immediately began working with the family. In the following days, the Victim Specialists provided investigative updates to the family. The deceased man, who was a husband, a father, and a grandfather, was the sole financial provider for his wife and grandchildren. The Victim Specialists contacted the Social Security Administration regarding income changes, which can often be a bewildering and time-consuming process.

They also worked with the family to provide housing, emergency food assistance, and mental healthcare. To help the family with housing, the Victim Specialists found them emergency respite lodging; they procured emergency funds for moving, storage, and housing deposit expenses; they contacted the family's apartment manager regarding the lease so the family could move; and they worked with community partners on housing options. They worked with the family on the Crime Victims Compensation Application and made referrals for trauma counseling options.

The parents of the deceased shooter lived in the same apartment building. Our Victim Specialists also engaged with them and provided services to their family.

As the incident was occurring, for safety reasons, law enforcement officials evacuated people from other apartments in the complex. Two of the people evacuated were an elderly couple. The 84-year-old husband died of a heart attack in the parking lot of the apartment complex. Our office offered support to his family.

There are many victims in this case, but no criminal prosecution occurred since the shooter was deceased. However, the needs of the victims did not simply go away just because there was no criminal prosecution.



IN RECOGNIZING THE ROLE LAW ENFORCEMENT CAN PLAY IN IMPROVING VICTIM SERVICES, WE MUST ALSO RECOGNIZE LIMITATIONS THAT CAN BE MITIGATED THROUGH PARTNERSHIP WITH COMMUNITY ORGANIZATIONS

At the Pennington County Sheriff's Office, I have two Victim Specialists who respond with our Deputies and Investigators at the time of an incident. This collaborative approach provides immediate access to victim and family services. The Victim Specialist Program, the only of its kind in South Dakota, is largely funded through a VOCA grant administered through the State Victim Services Program. The program was established in 2016 as full-time Victim Specialist positions within the Pennington County Sheriff's Office Criminal Investigations Division.

Victim Specialists are on call 24 hours, seven days a week, to respond to victims of crime and their families, as well as victims of non-criminal traumatic situations as soon as possible after a crime or incident occurs. Victim Specialists provide ongoing direct assistance, resources, and services necessary to aid victims in crisis and to speed their physical and emotional recovery, in addition to advising and assisting victims in applying for South Dakota Crime Victims' Compensation when applicable. The Victim Specialist positions are shared between the Pennington County Sheriff's Office and Rapid City Police Department. They respond for both agencies to calls for service and investigations involving victims and their families. If an incident

turns into a prosecutable case, the victim is then provided services by the State's Attorney's Office and its Victim Assistance Program Advocates.

Annually, the Pennington County Victim Specialist Program serves approximately 500 victims of crime. However, this number does not reflect all of the family members who may be provided services in a single case. Often, there may be one victim legally, but multiple family members who are considered secondary victims and also assisted at the time of the incident.

In South Dakota, Pennington County has set the standard for Victim Specialist programs. I share our office's practice with the understanding that other jurisdictions' implementation of a similar program may be complicated for a variety of reasons. The lack of such a program does not mean law enforcement officers are not compassionate about victims and their families in the wake of a crime, but rather is indicative of limited time and resources to address non-emergent victim needs and the potential opportunity for other organizations and social sectors to get involved in providing support and care to victims.

In recognizing the role law enforcement can play in improving victim services, we must also recognize limitations that can

be mitigated through partnership with community organizations. Our Pennington County Victim Specialists share an office space with a Victim Advocate from a local domestic violence shelter, Working Against Violence Incorporated (WAVI). We have built a strong relationship with WAVI, and, with their assistance and other community partners' collaboration, the Pennington County Sheriff's Office created a comprehensive resource guide for victims and their families. The guide helps link victims to services, vital for their care and healing, and includes 60 options for potential services available in

the community for victims and their families. The partnership with WAVI bolsters our ability as law enforcement to address the diverse and continuing needs of victims.

Our Pennington County Victim Specialists and partnership with local organizations is an example of how we have applied principles of preserving human dignity, offering immediate and continued support, and recognizing the diverse needs of victims and their families in our job as law enforcement. While there is more that can be done, this approach marks our county's significant investment in serving victims of crime.

SERVING WHERE NEEDED

Following law enforcement's initial interaction with victims and their families, officers may continue to interact with impacted individuals under diverse circumstances ranging from requesting participation in investigation to transporting victims to medical care or the prosecutor's office to returning stolen property. It is crucial

that these interactions are characterized by officers' continued commitment to respect, professionalism, and compassion. To this end, it is important for law enforcement (and prosecutors) to hold themselves accountable for positive outcomes and positive experiences in the interactions between victims and the justice system. □

PROSECUTORS' OFFICES: REFRAMING TRADITIONAL VIEWS OF JUSTICE FOR VICTIMS

I was elected as the State Attorney for Florida’s Fourth Judicial Circuit in 2017. In this position I work with over three hundred attorneys, staff, and investigators to advance justice in Clay, Duval, and Nassau counties.

I draw the following recommendations for improving the criminal justice system’s interactions with victims from my experience as State Attorney, as well as my two decades of experience as an assistant state attorney and lawyer.

The criminal justice system can stretch out the consequences of a harmful incident for months or even years, delaying closure and healing while also serving as a constant reminder of a painful time in the victim’s life. This is especially so when the victim is a witness and must meet with the prosecution, answer questions about the incident, and confront the accused in court—whether they want to or not. It is well-known, but worth repeating, that most crimes occur between people who know each other or who are members of the same community. In 2017, 54 percent of violent victimizations were

committed by non-strangers of the victim (Bureau of Justice Statistics 2019).⁷ From 1993 to 2008, between 73 to 79 percent of homicides reported to the FBI were committed by individuals known to the victims (Bureau of Justice Statistics 2012).⁸ Incarceration and procedural rules may also prevent communication between the victim and defendant, which can interrupt the natural process of reconciliation. Communities, especially those centered around faith traditions, often have customs for facilitating apology and repair that the criminal justice process may delay or inhibit (Bibas and Bierschbach 2004:85, 92, 114). For prosecutors, part of centering victims’ voices in criminal justice reform and practice is first recognizing where the traditional bounds and requirements of the system might diminish victims’ voices and needs, and then acting to address those limitations.

INTEGRATING RESTORATIVE JUSTICE AS AN ALTERNATIVE TO TRADITIONAL CRIMINAL JUSTICE SYSTEM METHODS

The criminal justice system is charged with protecting people from harm and securing justice in the aftermath of harm, but sometimes the core tools at our disposal—the powers to arrest and to convict—fall short in providing a solution that leads to protection and pathways to healing for everyone.

In the right cases, prosecutors should explore alternatives to the criminal justice system, including restorative justice options. Restorative justice is a practice that focuses on repairing the harm caused to a victim through the victim and defendant's meaningful participation in a process that holds the defendant accountable without focusing solely on punishment (Fair and Just Prosecution 2017:1). The implementation of restorative justice practices has been shown to engender forgiveness, reduce instances of vigilante revenge, and provide a host of other psychological and social benefits (Fair and Just Prosecution 2017). Moreover, the benefits of restorative justice practices can have broader, systemic impact—studies have shown that schools with a culture of addressing violence through restorative justice have lower rates of harmful behavior.⁹

Furthermore, restorative justice practices can be implemented under various models and methods, which allows for prosecutors and practitioners to utilize formats best suited to their jurisdictions and the victim's situation (Krinsky and Phares 2020:40). In her argument for the integration of restorative justice into prosecutors' practices, Miriam Krinsky, the founder of Fair and Just Prosecution, describes a sampling of implemented restorative justice practices to illustrate the breadth and adaptability of options (Krinsky and Phares 2020: 40–44). Among them, she highlights Neighborhood Courts, implemented in San Francisco in 2012 as a pre-charge diversion option for non-violent cases; the Peacemaking Program, run by the Red Hook Community Justice Center in Brooklyn with advisement from Navajo peacemakers as the curriculum is based on Native American tribal approaches to peacemaking; and Washington, D.C.'s Office of the Attorney General's in-house restorative justice program, which applies to juveniles and young adults and provides an option for conferences facilitated by restorative justice specialists with victims that culminates in an agreement between

parties of what actions the offender may take to repair the harm (Krinsky and Phares 2020: 40–44). A common thread among the varied practices is the attention to the voices of victims and the potential for their more comprehensive involvement through the prioritization of their consent and willing participation. As restorative justice practices aim to reduce the footprint of the criminal justice system in people’s lives, we must also work to ensure that the remaining impact on victims of crime prioritizes their healing and moving forward (Krinsky and

Phares 2020: 32; 44). According to a 2017 report from the Vera Institute of Justice, 80 percent to 90 percent of victims who have participated in restorative justice practices reported satisfaction with the process and results (Sered 2017:16). Furthermore, the expansion of restorative justice as an option for victims is reflective of recognizing the diverse perspectives and needs of victims (Sered 2017:16). As prosecutors, we are well-positioned to be leaders in the implementation of restorative justice practices. □



THE IMPLEMENTATION OF RESTORATIVE JUSTICE PRACTICES HAS BEEN SHOWN TO ENGENDER FORGIVENESS, REDUCE INSTANCES OF VIGILANTE REVENGE, AND PROVIDE A HOST OF OTHER PSYCHOLOGICAL AND SOCIAL BENEFITS

IN PRACTICE: RESTORATIVE JUSTICE IN JACKSONVILLE, FLORIDA

The story of the Farah family, a family victimized by the murder of their loved one, provides insights into what victims want outside of a traditional justice system response and what healing and restoration can look like. In their situation, the unavailability of the traditional response opened the doors to a very different process, yet fully focused on responding to victims' voices and supporting their needs.

THE FARAHS' STORY

Recently, my office caught a major break in a murder case that sat cold for 44 years. Modern technology enabled us to match fingerprints that were not useable decades ago and identify the perpetrator with great confidence. At the resolution of the case, the family of the victim walked away with answers and relief.

Here's the twist: we did not secure a conviction. In fact, the case did not even go to trial. After we made the fingerprint match but before we could move forward with the case, our key witness died.

Without a viable prosecution strategy, prosecutors regrouped and focused on what we could do for the victim's family. Our efforts culminated in a restorative justice circle where the victim's widow and four children were able to speak with their father's killer—addressing accountability and unanswered questions—in a way that would not have been possible through traditional criminal justice proceedings.

On May 22, 1974, Nadya, the mother of four small children, was notified that her husband, Freddie, had been murdered in the store they owned and worked. The case went cold fast. Days turned into years. The years into decades. For 40 years, the family sought answers to no avail.

Then, in 2017, the automated fingerprint identification (AFIS) system turned up a hit on a man named Johnie Miller, recently arrested in New Orleans. All of a sudden, we had a viable case. The events of the tragic shooting were still fresh in the memory of an eyewitness. The eyewitness was able to recount each step that the shooter had taken, including that the shooter had left three items on the counter—a box of cake mix, a soda, and a can of icing. However, she could not identify the face of the perpetrator. Pristine latent fingerprints collected from two of the items and the 2017 fingerprint hit provided the missing link in our case.

In the intervening years, Johnie Miller had become a well-known street performer in New Orleans. When he was arrested and extradited to Jacksonville, the case received significant media attention. Johnie publicly professed his innocence. His supporters started a GoFundMe account to assist with his legal defense costs and dozens of people donated thousands of dollars to it, echoing Johnie's claims of innocence and condemning his prosecution. But I was confident in our case—the evidence was old, but reliable.

Then, our eyewitness died unexpectedly. Our case was gone as suddenly as it had arrived. We explained to the Farahs how the eyewitness' death stymied

the State's case. Freddie's family, who had waited almost a half century to see his killer held accountable, now faced the fact there would be no accountability through the traditional route. It was this reality that prompted the possibility of engaging Johnie in a restorative justice dialogue.

As I considered the state of the case, a conversation between both parties—if they each agreed—emerged as the best chance for the Farahs reach some kind of resolution. We developed a plan for a restorative justice circle, which would engage the Farahs and Johnie Miller in a conversation about what happened 44 years ago. The dialogue would allow the Farahs to ask questions and express the emotions and pain they had lived with since losing Freddie Farah. It would also provide the opportunity for Johnie Miller to tell the Farahs what he had done—all outside of a courtroom and its restrictions. We presented the plan to the Farahs, who consented to moving forward in this way, and then to Johnie Miller, who agreed to take part.

When the day arrived, Nadya Farah and her family sat down at a library table. Her daughter, Christine, sat to her left and her son, Bobby, to her right. They sat across from Johnie Miller and hoped for answers to their decades-old questions. Johnie answered them. He did not try to minimize or excuse what he had done. He had been just 16 years old at the time. Johnie knew Freddie Farah and Freddie was kind to him, frequently offering Johnie snacks from behind the counter for no charge. On the day of the murder, Johnie had decided he was going to rob Freddie, but things did not go as planned. Johnie shared that over

the course of his life, he was remorseful for what he had done, offering small acts of kindness to children in honor of Freddy—a sort of private penance for his crime. In a powerful moment, Nadya—who had not planned to speak — told Johnie that she forgave him.

After the meeting, I thought about what I had witnessed—reckoning, remorse, regret, forgiveness, and relief. It was different from the feeling of walking out of a courtroom after a conviction. The outcome was also different: in exchange for his agreement to this unusual meeting, Johnie would be freed. Instead of a lengthy prison sentence, Johnie's punishment had been just over a year in the county jail.

What was achieved in that small meeting could never have happened in a courtroom. No matter the outcome of a trial, the Farahs never would have received the whole, unambiguous truth. Perhaps "justice" meant something different than what our culture has decided it is or should be.

We found ourselves in this unique setting as a last resort. Our hand had been forced by the unexpected death of our central, critical eyewitness. The meeting between Johnie Miller and the Farah family was a hopeful attempt to give some measure of closure to the family.

This case illustrates the way the criminal justice system, or an alternative to it, can work for victims—how it can be productive and restorative, rather than merely punitive. If we want to serve victims, this mindset should be a priority of criminal justice reform, policy, and practice.

RECOMMENDATIONS FOR LAW ENFORCEMENT AND PROSECUTORS

In the following section, we provide specific recommendations that prosecutors and law enforcement can adopt to center victims' voices in reform, policy, and practice.

RECOMMENDATION 1

PROVIDE TRAINING AND DEVELOP POLICIES FOCUSED ON THE TREATMENT OF VICTIMS IN LAW ENFORCEMENT AND PROSECUTORS' OFFICES

Because law enforcement officials often serve as a victim's first line of contact with the criminal justice system, it is imperative that police are intentional about reducing harm and that they are trained to provide clear and compassionate communication with victims about their rights and the services that are available to them (Jones Tapia 2021). In 2018, the New York Police Department released "The 101: The NYPD and Victim Assistance," which provides an overview of the programs and initiatives the department implemented over the course of four years to enhance officers' victim response. These reforms were adopted following a top-to-bottom review of all interactions between units of the NYPD and crime victims

with a mandate to recommend ways to improve those interactions. Among the 101 highlighted practices, the department underscored its updated officer training, which focuses on interactions with victims of crime, emphasizing the need to understand the impacts of trauma, the challenges victims may face, and assisting victims in safety planning. The NYPD also increased its training for detectives so they are better equipped to provide specific service information to victims in addition to simply providing contact numbers (New York Police Department 2018:19). The NYPD's emphasis on training for recruits and detectives illustrates the important role law enforcement plays in initial interactions with victims.

A prosecutor's office also has many interactions with victims as cases work their way through the criminal justice system. Staff should have the knowledge base to appropriately respond to victims given their specific experiences and guide victims to services relevant to their needs. My office in Jacksonville, Florida is currently implementing a multi-faceted victim initiative that aims to implement office-wide training for staff,¹⁰ broaden the services and options available to victims directly through our office,¹¹ institute structural changes that bolster our victim response and accountability,¹² and integrate criminal justice and community stakeholders into our framework to build a broader foundation of support for victims. We have listed some of our offices' approaches to training and policies below:

- Train attorneys and investigators on how best to work with and support victims, given the sensitive nature of their experiences. Emphasize trauma-informed training through lectures, experiential learning events, and implicit bias conversations that focus on victims' experiences and needs. Provide all staff trauma-informed training annually.
- Distribute research and anecdotes about crime victims' interactions with law enforcement.
- Prohibit heavy-handed tactics for securing victim participation.
- Track frequency and milestones of communication with victims to ensure adequate information and opportunities for engagement are being relayed.
- Create a policy that protects victims' sensitive information and requires informed consent if the information is to be used or disseminated.

RECOMMENDATION 2

MAKE INTERNAL CHANGES TO LAW ENFORCEMENT AND PROSECUTORS' OFFICES TO FACILITATE BEST PRACTICES TO SUPPORT VICTIMS

The structure and culture of our offices reflects our priorities in the criminal justice system. An office that prioritizes victims should consider the following practices:

- Provide victims with access to information, such as court dates and victim services opportunities, to encourage victims' continued participation in the criminal justice process.
- Retain diverse staff in law enforcement and prosecution offices who specialize in victim services.
- Include victim satisfaction assessments as part of employees' performance metrics.
- Educate everyone who works with victims on effective navigation of the administration of victim services.
- Establish mechanisms for victims to securely report misconduct or other problematic behavior by a prosecutor's office or law enforcement.

RECOMMENDATION 3

OFFER COMPREHENSIVE VICTIM OPTIONS AND SERVICES

Victims have a range of service needs, many unrelated to the disposition of their cases, and those needs may vary depending on the type of crime and the victim's demographics (Newmark 2006:2). Service needs include emotional and psychological recovery, concrete and tangible needs, and information or advocacy assistance within

the justice and other systems (Newmark 2006:2). The crime may have led to injuries, bills, or missed time at work, which resulted in financial hardship. This magnification of harm is especially possible when the victim is the family breadwinner or childcare provider. The incident may result in PTSD, and victims may need mental health or psychological

counseling. The incident may also lead to civil legal consequences like loss of housing, family court proceedings, or protection orders.

In April 2016, the Alliance for Safety and Justice commissioned a national survey of crime victims and found that two out of three victims did not receive help following the crime incident, and those who did were “far more likely to receive it from family and friends than the criminal justice system” (Alliance for Safety and Justice 2016:4). Of these respondents, only one in 10 victims reported receiving assistance from a prosecutor’s office, and one in four received it from a law enforcement agency (Alliance for safety and Justice 2016:11). In an Illinois Criminal Justice Information Authority study, victims’ most commonly reported needs were for physical medical care, psychological and emotional support, both emergency shelter and longer-term housing, food and utilities assistance, and criminal justice advocacy (Vasquez and Houston-Kolnik 2017). In a similar but older study, out of the respondents who interacted with law enforcement, a prosecutor’s office, and courts, about 20 percent were “not satisfied” with their experience and attributed their dissatisfaction to a variety of reasons including discontent

with case outcomes, agencies’ failures to respond to their needs, cultural misunderstandings, and inefficiencies in the system (Newmark 2006:22).

Prosecutors’ and other law enforcement offices have a number of opportunities to strengthen victim services offerings in ways that will make it easier and more comfortable to access those services.

- Develop comprehensive victim services portfolios that provide or facilitate the provision of psychological counseling, medical treatment, civil legal aid, and financial support. These resources are especially important for low-income victims who, but for provision of immediate physical and mental health treatment through government assistance, would not receive it at all.
- Perform a thorough review of existing services in order to identify gaps in services and the potential for establishing new services based on the needs of victims in the community.
- Develop services with attention to the unique needs of specific victim groups and nuances in responding to different cultures.

RECOMMENDATION 4

ENSURE THAT VICTIM SERVICES ARE WIDELY ACCESSIBLE, AND EXPAND OUTREACH AND IMPACT OF SERVICES WHERE GAPS OR OPPORTUNITIES EXIST

Based on our experiences, we have compiled some changes that could lead to marked improvements in victims' interactions with the justice system:

- **Design forms and communications that are easily understandable for all victims.** For example, translating forms from “legalese” to plain English and other languages spoken by victims would serve a broader population. For those victims who do not have permanent home addresses, sending important information via email or SMS text provides an alternative (and sometimes more reliable) avenue for communication. Relatedly, provide translators to support victims in accessing services.
- **Encourage victims to obtain needed services.** Law enforcement and prosecutors' offices can help destigmatize and demystify the prospect of obtaining services by providing moral support and warm hand-off referrals. For example, King County's prosecutors in Washington state have adopted the practice of walking victims down the hall to the civil legal aid office and making introductions (Satterberg and Wright 2018).
- **Advocate for more inclusive access to services.** Given that substantive changes to the victims' compensation system must come through policy and legislation at the state or regional level, prosecutors and law enforcement might proactively offer legislators and other elected officials their on-the-ground perspective and experience, informed by interactions with victims and community work, to impress upon lawmakers the importance of and need for such access.
- **Maintain contact with victims throughout their cases.** In order to provide effective services and support to victims, it is crucial that our offices consistently uphold these relationships throughout the entire lifespan of cases. Offer SMS text and email modes of communication, if feasible in your jurisdiction, to accommodate the prevalence of these methods in the world today. Audit all victim services

literature to ensure phone numbers, email addresses, and other contact information are correct. In addition to content, review communication templates for tone, so that offices seem approachable and trustworthy to victim readers and their families. Offices should develop mechanisms to ensure that an audit is conducted annually.

- **Raise awareness of available services within the community.** Law enforcement officers often engage with the community in a variety of events like sporting and cultural events. These are opportunities to build relationships with members of the community and educate residents on the portfolio of victim services that exist in the area. Law enforcement could also consider spearheading or partnering with other organizations to create public awareness campaigns and informational materials to assist victims in navigating the process.
- **Pursue partnerships with community organizations to increase victim outreach and impact.** Law enforcement is uniquely positioned to take advantage of this early opportunity to mobilize a host of services and support—from within our offices, across other state agencies, and in the local community—on victims' behalf. Further, there are many instances in which referring care to other agencies

outside of the purview of law enforcement and prosecutors could better serve the needs of victims. Beyond law enforcement offices, we can—and must—work collaboratively with other social service sectors including housing, health, and employment to marshal critical resources that can help victims rebuild their lives while upholding their human dignity.

It is important to engage with area social service organizations in order to coordinate and leverage existing resources and also ensure that channels are in place for other agencies to support the countless victims with whom our offices do not interact.

Partnerships may take the form of collaboration and strong relationships with local victim service providers, like the practice of the Pennington County, South Dakota Sheriff's Office in partnering with WAVI in order to provide more immediate support and options to victims. Partnerships and relationships are also important in strengthening community trust and respect for the many cultures and people that comprise the communities we serve. Common Justice, an alternative to incarceration program based in New York City, also runs a national learning collaborative, called HealingWorks, which focuses specifically on building community networks and services to support young men of color who experience violence

and trauma (Common Justice 2021). The collaborative recognizes that this population is underserved in traditional settings and victim-service agencies, and seeks to provide training and education to these organizations so they may better support these young men within their organizational frameworks. HealingWorks also bolsters resources for more informal community programs, such as churches

and schools, that tend to be effective and more often the providers of services and support to young men of color and their communities. Common Justice brings experts, practitioners, community partners, and young men together for working groups and an annual conference that bolsters collaboration and learning in the field of providing better support and healing (Common Justice 2021).

RECOMMENDATION 5

CREATE METRICS TO TRACK INTERACTIONS WITH VICTIMS

It is difficult to know which policies work well and which could be improved without reliable records detailing victims' experiences with prosecutors' and law enforcement offices. Systems that solicit feedback from victims and document services and outcomes are vital to the creation of a more supportive and comprehensive system.

Improvements in accountability and the development of metrics may consist of focus groups, surveys, frequent interactions with victims, training staff to be mindful of the special circumstances victims face,

and being open to feedback and reform that would make victims' criminal justice system experiences better.

- Create feedback loops or victim advisory panels as effective mechanisms to gauge and quantitatively measure services.
- Collect demographic information about victims' age, gender, ethno-racial background, and sexual orientation to better enable offices to provide specific and appropriate interventions and support.

RECOMMENDATION 6

IMPLEMENT RESTORATIVE JUSTICE PRACTICES IN THE AFTERMATH OF HARM

In appropriate cases, prosecutors should consider alternatives to the criminal justice system, including restorative justice options. The implementation of restorative justice practices has

significant psychological and social benefits that have been shown to engender forgiveness and reduce instances of vigilante revenge (Fair and Just Prosecution 2017).

RECOMMENDATION 7

ENSURE VICTIMS HAVE A SEAT AT THE TABLE IN CRIMINAL JUSTICE POLICY DISCUSSIONS

Criminal justice policy discussions must include and center the voices of victims by including them in policy discussions addressing their healing, safety, and justice. □

RESPONDING TO COVID-19 AND INNOVATION IN THE CRIMINAL JUSTICE SYSTEM

The COVID-19 pandemic has disrupted many traditional practices throughout the country and the impacts of this unprecedented season will continue to ripple through our industries and institutions. As practitioners in the field, we have recognized certain adaptations in the criminal justice system that have the potential to continue as permanent components of our operations in order to better serve and support individuals engaged in the criminal justice system. In particular, the introduction and widespread integration of virtual court proceedings has the potential to provide victims with enhanced flexibility and protection when they take part in or wish to remain involved in the criminal justice process.

In May 2020, the United States Supreme Court held oral arguments over teleconference that were accessible to the public for the first time (Barnes 2020). From California to Texas to Pennsylvania, jurisdictions across the country implemented protocols and processes for hearings and trials to be held over Zoom and other remote-conferencing platforms (Rickard and Naqui 2020). The Michigan Supreme Court approved a Virtual Courtroom Directory that offers a simple way to find virtual hearings on YouTube as they are being conducted on Zoom (Michigan Court System 2020; Wingblad 2020). The directory is searchable by county, judge, or hearing officer. While the rapid integration of remote-conferencing was based in an emergency response, the new technological capabilities could be adapted to remain for victims even under courts' more normal functioning. Attending hearings and trials can present a number of logistical, economic, and emotional burdens for victims—securing time off work, finding childcare, locating parking, and preparing to be in the same room as someone who caused them harm. The option to engage over video- or tele-conference could provide an important participation option for victims going forward. As system stakeholders, we can propose and advocate for such measures.

Throughout the months of COVID-19 safety restrictions, prosecutors and law enforcement implemented other practices that could have long-term and widespread benefits, including online processes for obtaining domestic violence protection orders¹³ and partnerships with local landlords to provide temporary housing for survivors of domestic violence during COVID-19.¹⁴ While these innovations and partnerships were established during a time of unique, collective community concern, they are representative of steps we can continue to take as criminal justice stakeholders to better support victims of crime.

The COVID-19 pandemic also highlighted the importance of e-notification systems in informing victims and their families of updates and changes in dynamic court schedules. As hearings and trials were cancelled, pending, and rescheduled across the country, effective communication with all parties is key. In early 2020, Florida implemented a statewide notification system, eNotify, for tracking criminal cases and providing SMS text and email notifications related to court proceedings (Rivero 2020). Like other jurisdictions that utilize digital notifications, we have found that email and text tend to be more efficient methods of communication when notifications by mail may never reach the intended recipient due to process delays or out-of-date addresses. Transitioning to an electronic notification system provides an additional method of communication that gives victims the information they need in a simple, prompt, and easily accessible manner.

While there are certainly improvements to be made and concerns to be addressed, the adaptations motivated by COVID-19 should not be written off as temporary emergency measures as we assess and shape the future of our criminal justice system.

CONCLUSION

At a time where criminal justice reform, criminal justice reinvestment, and system changes are under serious consideration, we should be sensitive to crime victims, their families, and how such discussions and reforms may impact them. In addition to law enforcement and prosecutorial offices making the necessary changes we have listed above to improve their interactions with victims, it is also crucial that we work closely with victims to reflect upon and adapt our practices. Too often victims are not given due

consideration in and input on system changes. We must ensure that victims are central to discussions about the ways we can improve the criminal justice system. Law enforcement and prosecutors have a role to play in ensuring this inclusion occurs. Rather than attempt to speak or decide for them, we can do more to ensure that victims are empowered, rather than harmed, by the criminal justice system. In doing so, we take steps to ensure that our criminal justice system advances toward true justice and safety for all. □



**WE MUST ENSURE THAT VICTIMS
ARE CENTRAL TO DISCUSSIONS
ABOUT THE WAYS WE CAN IMPROVE
THE CRIMINAL JUSTICE SYSTEM**

ENDNOTES

1 Women reporting crimes, in particular domestic and sexual abuse, are often disbelieved or treated skeptically. This reaction creates a barrier to reporting crimes and can be psychologically damaging to those who do report. See Stephens and Sinden 2000; Hagerty 2019.

2 Exceptional means include the death of the suspect or a victim's refusal to cooperate with prosecution.

3 As of 2018, Arkansas, Florida, Louisiana, Mississippi, Ohio, North Carolina, and Rhode Island limited victim compensation and banned compensation for victims with convictions of certain crimes. See Santo 2018.

4 Percent changes calculated from FY 2018, 2019, and 2020 Office of Victims of Crime annual allocation reports as well as from estimates in the U.S. Senate's FY 2021 CJS Appropriations Bill, see Office for Victims of Crime 2018a; Office for Victims of Crime 2019; Office for Victims of Crime 2020c; United States Senate Committee on Appropriations 2020.

5 The 12 states where Marsy's Law has been enacted: California, Florida, Georgia, Illinois, Nevada, North Carolina, North Dakota, Ohio, Oklahoma, South Dakota, Kentucky, and Wisconsin. See Ballotpedia N.d.

6 Federal legal rights of victims include the right to be reasonably protected from the accused, the right to notice of public court or parole proceedings involving the crime and notice of release or escape of the accused, the right not to be excluded from public court proceedings (barring a contrary ruling of the court), the right to be reasonably heard at any public proceeding in the district court, the right to confer with the attorney of the Government assigned to the case, the right to full and timely restitution, the right to proceedings free from unreasonable delay, the right to be treated with fairness and respect, and the right to be informed of any plea bargain or deferred prosecution. 18 U.S.C. § 3771. Local jurisdictions may have specific provisions relevant to victims' rights and it is important that victims are made aware of these rights as well.

7 The Bureau of Justice Statistics defines "non-stranger" as an offender who is either related to, well known to, or casually acquainted with the victim. See Bureau of Justice Statistics N.d.

8 Specifically, homicides in which the relationship between the victim and offender was known.

9 Restorative Response Baltimore runs Community Conferencing in Baltimore schools. The service is an alternative to suspension and expulsion that engages students and their family members or supporters in dialogue about what occurred, how they were affected, and ways to repair the harm and move forward so the incident does not occur again. See Restorative Response Baltimore 2017a. Community conferencing has been shown to improve school culture with administrators noting that ongoing disputes have been resolved through community conferencing methods when previous methods did not have the same success. See Fair and Just Prosecution 2017:4-5; Restorative Response Baltimore 2017b.

10 Staff trainings include education in Florida's eNotify system for victims to receive court notifications by text or email, trauma-informed training, and gender non-conformance and sensitivity training.

11 Proposed potential services include transportation support provided by local shuttles, pet therapy, and specialized victim response teams and protocols.

12 We hired a restorative justice specialist to conduct a pilot program providing victims with opportunities for restorative justice in certain cases. Our victim support materials are being revised to improve accessibility and comprehension. Additionally, we are creating a victim satisfaction survey and Victim Satisfaction Specialist position to foster accountability in our actions.

13 Washington's King County released a new online process for obtaining domestic violence protection orders online during Washington's COVID-19 response. The new process addresses reducing in-person mandates and recognizes that coming to the courthouse may serve as a barrier for those in fear of violence from a partner, regardless of whether there is a pandemic. See Satterberg 2020.

14 San Francisco's District Attorney Chesa Boudin, law enforcement, and Mayor London Breed worked with Veritas Investments, the city's largest landlord, to provide furnished temporary housing to survivors of domestic violence during the COVID-19 crisis. See Bay City News Service 2020.

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ACKNOWLEDGEMENTS

We are grateful to Katie Bauman and Ethan Lowens for researching, drafting, and outlining this paper; to Elizabeth Adetiba, Cindy Cribbs, Madison Dawkins, Anamika Dwivedi, Rachel Krul, Evie Lopoo, Linzee Ott, Abbey Stamp, and Jeremy Travis for contributing content, edits, and feedback on its drafts; and to Susan Herman, Katharine Huffman, Vivian Nixon, and Nneka Jones Tapia for reviewing our words. Additionally, we thank the Square One Project for partnering with us and the opportunity to bring awareness of better ways to support and serve victims of crime.

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