

# **PROSECUTION-BASED MASS VIOLENCE RESPONSE TOOLKIT**

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

**Prepared by  
Lisa Teesch-Maguire  
and**

**Amanda George-Wheaton  
Office of the District Attorney,  
18<sup>th</sup> Judicial District Colorado  
The Aurora, Colorado Movie Theater Shooting  
Prosecution Team**

**With financial assistance from the U.S.  
Department of Justice Anti-Terrorism and Mass  
Violence Grant**

Contact Information: 6450 S. Revere Pkwy., Centennial, CO 80111 Office: 720-874-8500

**PROSECUTION BASED MASS VIOLENCE RESPONSE TOOLKIT**  
**A Guide for Victim Advocates Responding to Mass Violence Incidents When the Offender will be Prosecuted**

**Purpose of this Mass Violence Response Toolkit**

This toolkit serves as a guide for victim advocates to suggest effective methods to provide services and assistance to victims of mass violence incidents where the perpetrator of the crime has been apprehended by law enforcement and will be prosecuted. This toolkit contains suggestions and checklists to assist advocates throughout the lengthy process from immediate crisis response, throughout the entire criminal justice process, and continuing through post-trial advocacy.

- I. Victim Advocate Response**
  - A. Guiding Principles for Advocates
  - B. Responding on the Day of the Crime (or ASAP thereafter)
  - C. Advocacy During the First Several Days and Weeks Following the Crime
  - D. Pre-Trial Advocacy
  - E. Preparing for Victims to Attend Court Proceedings
  - F. Advocacy During Trial
  - G. Post-Trial Advocacy
- II. Templates: Sample Spreadsheets, E-mail, Checklists, Forms & Other Documents**
- III. Resources**
  - A. Colorado (Specific)
  - B. National (General)
- IV. Victim Advocate Self-Care**

**VICTIM ADVOCATE RESPONSE**

**GUIDING PRINCIPLES FOR ADVOCATES**

1. Always support the victims. No victim blaming.
2. Support a broad-based, inclusive victim group.
3. Update victim contact information (including e-mail) every time you speak with them.
4. Encourage victims to enroll in victim compensation and counseling/therapy every chance you get.
5. Reach out to the victims to let them know you are there for them as often as you can.
6. Repeat information at least seven times.
7. Treat all victims with fairness, respect, and dignity every time you speak with them.
8. Be mindful of anniversary dates and triggering traumatic events.

9. Set reasonable expectations.
10. Care about the victims. They can tell.

## RESPONDING ON THE DAY OF THE CRIME (OR ASAP THEREAFTER)

### Identifying Victims

- **Early in the process, devote as many resources as possible to verifying good contact information for each victim—especially e-mail addresses.**
- First responder law enforcement officials, advocates, and victim compensation specialists should have preprinted Discoverable Victim Contact Information Sheets (see *sample Discoverable Victim Contact Information Sheet – TEMPLATE A*) on hand. First responder advocates should help fill out the contact sheets for victims, if possible, or ask victims to fill them out and collect them as soon as complete. Check each sheet to ensure that information is legible. Victims are overwhelmed during this process and may not do this on their own.
  - **IMPORTANT:** If nothing else, first responders should **get the name, e-mail address, and phone number for each victim they contact.** Even though the situation will be chaotic, it is vitally important for all law enforcement personnel and advocates who are interacting with victims to verify the correct spelling of each name and e-mail address. Double checking this information will take more time at the outset, but it will save everyone a great deal of time later in the process.
  - **Discoverable Victim Contact Information Sheets should ask for the following:**
    - Full Legal Name (as it appears on victim’s driver’s license, passport, or birth certificate);
    - Date of Birth;
    - Relationship to Victim (Self or \_\_\_\_);
    - Victim’s Full Legal Name;
    - E-mail;
    - Cell Phone;
    - Home Phone;
    - Work Phone;
    - Physical Address;
    - Mailing Address (if different than physical address); and
    - Preferred Method of Communication.
- Ask that all first responders request to take pictures of the driver’s licenses of any victims they come into contact with at the scene, even if the victims have already filled out a Discoverable Victim Contact Information Sheet. This is a simple way to verify victims’ names, birth dates, and either a current or past address.

- Request that all law enforcement personnel who interview victims **at the scene** clearly state in their reports whether they recorded the interviews and/or took photographs of the victims and/or collected evidence from the victims. This information will help advocates and prosecutors to identify victims later and better provide services if there is a large victim group.
- Ask that all law enforcement personnel **dispatched to emergency rooms** request to take pictures of victims who are:
  1. Waiting for injured family members or friends; and
  2. Receiving treatment.
    - If possible, law enforcement should ask victims who have not been admitted to the hospital to write their names and birthdates on a white board, chalk board, or a piece of paper (if available) and take a picture of that person standing next to/holding the white board, chalk board, or piece of paper. This information will help advocates and prosecutors to identify victims later and better provide services if there is a large victim group.
    - If a victim has been admitted to the hospital, with permission, law enforcement should photograph the victim's wrist band and face, if possible, so that it is clear who is being photographed. Take photographs of each victim's injuries after photographing their wristbands so it will be easier to match injuries to names/faces.

### Assisting Victims in the Immediate Aftermath

- Each jurisdiction should designate an emergency response location (i.e. a high school, convention center, or other public building) where victims who are not injured can be taken voluntarily to:
  - Provide their contact information to law enforcement and advocates;
    - When obtaining contact information, law enforcement and advocates should:
      - Check each Discoverable Victim Contact Information Sheet (see *sample Discoverable Victim Contact Information Sheet – TEMPLATE A*) they collect to ensure that the information is complete and legible; and
      - Request to take pictures of the driver's licenses of any victims they come into contact with, even if the victims have already filled out a Discoverable Victim Contact Information Sheet. This is a simple way to verify victims' names, birth dates, and either a current or past address.
  - Voluntarily be interviewed by law enforcement;
  - Voluntarily wait for information about missing or injured family and friends;
  - Voluntarily wait if the police cannot allow them to re-enter their homes because the crime occurred in or near their residence;
  - Receive Victim Compensation Information Packets; and

- Receive help from an advocate or victim compensation specialist to fill out a Victim Compensation Application.
- Victim Compensation Information Packets should be available in both English and any other language that is common in the area (for instance, Spanish). These packets should include:
  - Victim Compensation Application;
  - Lost Wage Form;
  - Victim Compensation Brochure; and
  - Business cards or important contact information sheets for victim compensation specialists.
- At each designated emergency response location, telephones/cell phones and, if possible, computers, tablets, cell phones, or other devices with internet capability should be made accessible to victims who need to contact family members or friends not involved in the incident.
- The Red Cross and/or other community crisis response teams should be notified to respond to the emergency response location(s) as soon as possible to begin assisting victims. These organizations should be notified of **all** locations where victims will be so they can provide immediate crisis support (i.e. on-site counseling, water and snacks for anyone in shock or for those waiting a long time for information, services for people who have been displaced from their homes as a result of the crime, assistance for minors who cannot get in touch with their family members, etc.).
- During the immediate aftermath of a mass violence incident, while victims are waiting for information about family and friends who may have been injured or killed, advocates can best serve victims by:
  - Offering comfort to victims in ways that are not intrusive (i.e. by not interrupting private family moments, by not constantly asking whether victims are “okay,” etc.);
  - Providing information and updates as often as possible to victims who are waiting at the emergency response location(s)—they may be waiting for a long time;
  - Answering questions to the best of their ability; and
  - Making sure that victims' physical needs are met (i.e. providing snacks and water, passing out blankets, etc.).

## ADVOCACY DURING THE FIRST SEVERAL DAYS AND WEEKS FOLLOWING THE CRIME

### Priority Administrative Tasks

- Create a Master List (see *sample Master List – TEMPLATE B*) to maintain all contact and additional information you receive for each victim. Enter all information provided in

the Discoverable Victim Contact Information Sheets (*see sample Discoverable Victim Contact Information Sheet – TEMPLATE A*) into the Master List as soon as possible. Have one person administer the spreadsheet to avoid duplication or errors. Share this information with other law enforcement partners.

- If there is a large victim group, it is extremely unlikely that you will have received a completed Discoverable Victim Contact Information Sheet for every victim who was present when the crime occurred. To capture the names and contact information for additional victims, collect all police reports as soon as they are available and assemble a team of people—as many advocates and other office staff as can spare some time—to comb through each police report. Compare the names you find in the reports to the Master List. If a name does not already appear on the Master List, update the Master List with that name and any additional information about that person that you can pull from the police report (i.e. victim’s full name, date of birth, contact information, etc.). It may also be helpful to record the discovery number of the page on which you found the information for future reference.
  
- Advocates assigned to the case will need office cell phones with e-mail capability to use for:
  - Making calls while at Court;
  - Texting victims; and
  - Communicating with attorneys and other advocates from the Courtroom.
    - Attach business card holders to the advocates’ office cell phones so they can easily carry business cards for themselves, prosecutors, and the Victim Compensation Program to hand out to victims at Court proceedings.

### Victim Outreach

- Within the first week after the crime, the victims’ rights attorney, prosecutor, and/or lead victim advocate assigned to work with victims in the case should send the first of many **e-mails and hard copy mailers** to the victims to:
  - Introduce himself/herself;
  - Let the victims know that they can expect to receive phone calls from the advocates who will be assisting them;
  - Explain who has confidentiality with victims and who does not (*see sample E-mail to Victims Explaining Confidentiality – TEMPLATE C*);
  - Ask for their complete contact information, if they have not already provided it;
  - Tell the victims about Victim Compensation and provide them with electronic and hard copies of the Victim Compensation Information Packet;
  - Encourage victims to seek counseling and therapy and offer to send them referrals in their community;
  - Ask victims if they want to receive case updates;

- If victims want updates, give updates as they become available. If victims do not wish to receive updates, let them know that they can contact you at any time if they change their minds.
  - Tell victims that they are free to speak with the media if they so choose; however, any comments victims make to the media or post on social media (i.e. Facebook, Twitter, Instagram, etc.) could be used in Court;
  - Additionally, make victims aware that by putting themselves in view of the public, they might be more easily identifiable and easier for conspiracy theorists and supporters of the defendant to find and harass; and
  - Let the victims know that they might be subjected to conspiracy theorists and/or supporters of the defendant who might harass them mercilessly.
    - **If victims are being harassed, instruct them to:**
      1. Reach out to local law enforcement first and to their victim advocate(s) immediately thereafter;
      2. Screenshot any harassing messages they receive; and
      3. Protect their e-mail and social media profiles by increasing their security settings.
- Visit as many injured victims who are hospitalized as possible to establish a rapport with them. They will not be thinking of the criminal case at that point, but introducing yourself to them in person early on will help build the trust that they will need in order for you to best help them.
- Contact the immediate family members of homicide victims to express your condolences and offer your assistance and information (*see sample First E-mail Offering Assistance and Information – TEMPLATE D*). Also, attempt to locate a tangential family member who can act as your contact person early on while the family is grieving and not ready to speak with the District Attorney’s Office yet. This will assist you in building closer relationships with the family members of homicide victims later.
- Contact injured victims and other victims to offer your assistance and information (*see sample First E-mail Offering Assistance and Information – TEMPLATE D*).
- Employ a team of advocates to make the first of many rounds of telephone calls to victims individually. Fill out a new Victim Telephone Contact Sheet (*see sample Victim Telephone Contact Sheet – TEMPLATE E*) each time you speak with a victim. Victim Telephone Contact Sheets will help you stay on track during calls. During each round of calls, advocates should leave messages for anyone they do not reach. **Telephone calls are an effective way to:**
  - Check in with victims and assess their needs;
  - Make sure the victims know their legal rights;
  - Give victims information about Victim Compensation;
  - Encourage victims to seek therapy and counseling and offer to send them referrals;

- Explain to the victims that they DO NOT have confidentiality with advocates, prosecutors, or prosecution investigators. This means that all information victims send or e-mail to advocates or the prosecution team may be used in open Court someday;
  - Explain to the victims that they DO NOT have confidentiality with Defense Initiated Victim Outreach Specialists (DIVO's), defense attorneys, or defense investigators either. Therefore, all information victims send or e-mail to DIVO's or the defense team may be used in open Court someday;
  - Provide victims with case updates;
  - Notify victims about any upcoming court dates;
  - Ask victims if they will need any special accommodations if they decide to attend Court dates (i.e. foreign language or sign language interpreter, space for a wheelchair in the Courtroom, wheelchair assistance in the Courthouse, etc.);
  - Confirm all contact information (advocates should confirm all contact information every time they speak with victims);
  - Let victims know about upcoming webinars or upcoming meetings;
  - Discuss victims' rights with the media;
  - Tell victims to call you if they hear anything about the case in the news so that you can verify the truth (this is the best way to get ahead of bogus news stories);
  - Let the victims know that they can contact the team if they have any questions or concerns;
  - Ask victims if they have opinions/concerns about anything that is happening in the case; and
  - **Most importantly, tell victims everything and ask for victim input about ALL issues concerning them.** Every time. No exceptions. Although the District Attorney alone makes the ultimate decisions about how to prosecute a case, it is meaningful and empowering for victims to be asked for their opinions. Keep track of the victims' opinions in spreadsheets so that the victims' rights attorney and prosecution team can easily present those opinions to the Court. It is very unlikely that every victim in a large case will be satisfied with every decision the District Attorney's Office makes, but if victims feel that their opinions have been heard, taken into account, and conveyed to the Court, they will feel better about the criminal justice process than if they are not consulted at all.
    - When asking victims for their feedback about issues concerning them leading up to trial, it is helpful to ask victims whether they are opposed, not opposed, or have no opinion about each matter. Just a few of the many issues that may arise include:
      - Whether the prosecution should seek the death penalty (if available in your jurisdiction);
      - Whether the Judge should allow a change of venue; and
      - Whether cameras should be allowed in the courtroom.
- When making the early telephone calls to victims, if possible, do not discuss the possibility that the prosecution team may want to interview them and/or that they may be

asked to testify. Simply let them know that you are concerned for them, that you want to help, and that you are not calling because you want something from them.

- **NOTE:** Understandably, victims may be suspicious when receiving calls from people they do not know—as far as they know, callers could be with the media or people trying to scam or harass them. If you contact victims who do not believe that you are who you say you are, tell the victims that you understand their concerns and encourage them to call the main office number and ask for you so you can continue your conversation. Give the victims the main office number and tell them that they can Google the telephone number or look it up in the phone book to confirm that the number belongs to a legitimate government entity.
- Find a way to organize all victim information. For example, one way to do this is to create a hard copy folder or electronic folder for each victim. These folders should contain all contact information for each victim. Use these folders to keep track of telephone and electronic communications with each victim individually.
  - If you come across the name of a victim that you do not know how to pronounce, politely ask the victim to clarify the pronunciation for you and **make a note of the phonetic pronunciation of the name in the victim’s folder and in the “Additional Information” section of the Master List** (see *sample Master List – TEMPLATE B*). This notation will be helpful to other advocates who may call the victim in the future and this attention to detail will show the victim that you care.

## REFERRALS AND RESOURCES FOR VICTIMS

Trauma survivors need more assistance and help navigating the judicial system. Many victims miss work or lose their jobs because they are unable to function as they did before the crime due to emotional trauma and/or physical injury. Victims may need a range of services—from therapist referrals to contact information for organizations that provide food or rent assistance. Be creative in addressing their needs. Ask victims if they need therapy referrals or any other resources every time you speak with them. If you learn that a victim needs referrals and/or resources, please help them by **doing the research for them**. It can be difficult for victims to reach out for help, so make the process as easy as possible by providing them with the information they will need in order to take the next step. Send the information you gather to victims via e-mail and regular mail if possible. Be clear and concise in your instructions so that they will know exactly what they need to do in order to utilize the resources available to them.

### Therapists, Counselors, Psychologists, Psychiatrists

**If possible, send four to six therapist/counselor referrals to victims you assist with referrals.** By doing so, victims are more likely to find therapists/counselors that are a good “fit” for them. (See *sample Therapist/Counselor Referrals E-mail – TEMPLATE F*).

Regardless of whether you locate possible referrals by using your office's Provider List of local therapists/counselors who work with Victim Compensation, or use Psychology Today or Google to find referrals, it is important that you confirm each therapist's information before sending his/her name to any victims.

- **For each possible referral, call the provider to confirm that the provider:**
  - Is licensed and has no pending or founded regulatory complaints;
  - Has experience working with trauma survivors or homicide family members, if appropriate;
  - Has experience working with and will work with the age group and gender of the victim(s) for whom you are seeking referrals (for instance, some providers will not work with young children, men, the elderly, etc.);
  - Has room in his/her practice for new clients;
  - Has not changed his/her contact information—be sure to confirm the provider's office address, telephone and fax numbers, website, and e-mail address;
  - Will accept Victim Compensation as payment; and
  - Will accept EAP (Employee Assistance Plans) or insurance as payment.

**It is helpful to explain to victims that choosing the “right” therapists or counselors for them is a very personal decision and that every therapist/counselor is not necessarily the right “fit” for each individual person.**

- Explain to victims that if therapy or counseling is not working for them, it could be for a variety of reasons, including that they have not yet found the best therapists/counselors for them. If therapy or counseling is not working for victims so far, it does not mean that therapy/counseling will not work for them once they find the best therapists/counselors for them.
- Give victims a list of questions they can ask therapists/counselors to help decide if a particular therapist or counselor is the right service provider for them (*see sample List of Questions for Therapists/Counselors – TEMPLATE G*).
- Explain to victims the importance of EMDR (**eye movement desensitization and reprocessing** therapy) and other alternative counseling techniques for trauma survivors (i.e. animal therapy, music therapy, etc.).

If you know that certain victims are already working with therapists/counselors, let those victims know that you can provide additional therapist/counselor referrals for them in the future if:

- They relocate and cannot continue working with their current therapists/counselors due to distance;
- They simply do not feel that their current therapists/counselors are the right “fit” for them; or
- Their current therapists/counselors retire, relocate, or close their practices.

If your office does not already maintain a Provider List of local therapists/counselors who: 1) work with trauma victims, and 2) will accept Victim Compensation, develop a Provider

List so that you will not need to start from scratch each time you need additional referrals. Make the Provider List available to all advocates in your office and update it regularly.

### Additional Resources

Victims may only try to reach out for assistance one time. If they receive incorrect information, you may have lost the one opportunity you had to help them. **Before** sending information to victims about the following resources, be sure to call each organization directly to verify information (do not rely on the internet, it is often incorrect) to confirm:

1. The organization's contact information (address, telephone number, e-mail address, website, and hours of operation);
2. Whether there are any qualifications or restrictions for receiving services or assistance;
3. Whether there is a waiting list to receive services or assistance;
4. Instructions for applying for services or assistance; and
5. The name of a good, qualified contact person who can answer any questions victims may have.

- **Resources Victims May Need:**

- Food banks;
- Rental assistance;
- Clothing assistance;
- Utility assistance;
- Housing assistance (i.e. organizations that maintain lists of low income/reduced rent apartments);
- Transportation assistance and Regional Transportation District assistance for the disabled;
- Organizations that provide free or low cost home renovations for disabled victims;
- Community organizations and government agencies that help people fill out paperwork for SSI/SSDI benefits, Medicaid, food stamps, etc.;
- Organizations that assist physically and/or mentally disabled people generally;
- Domestic violence shelters;
- Homeless shelters;
- AA Meetings;
- Grief Support Groups;
- Suicide Hotlines;
- Organizations that match service animals with victims;
- Groups that provide food and/or toys to children during the holidays;
- Employment resources (i.e. county job corps, temp agencies, groups that help job seekers acquire clothing suitable for interviews, and organizations that provide workshops about finding employment and/or assist with resume building, etc.); and/or
- Other/additional resources not referenced in this list.

## PRETRIAL ADVOCACY

### Continuing Victim Outreach Efforts

When contacting victims, use multiple forms of communication to increase the probability that they will receive the information you are trying to give them. Once you get to know the victims, you will have a better sense of their preferred methods of communication. For instance, some victims may only answer calls they receive on their cell phones even if you have home and work telephone numbers for them as well. Others may choose to communicate via e-mail or text message only. Regardless of their preferences, continue using multiple forms of communication to reach victims because contact information can change frequently, and victims may not send you their most updated information each time they change a telephone number, create a new e-mail address, or move.

- **Ways to Communicate with Victims:**
  - E-mails;
  - Telephone calls;
  - Text messages;
  - Hard copy letters and information packet mailers;
  - Voluntary Teleconference Webinars;
  - In person meetings;
  - Briefing sessions before and after Court hearings;
  - Automated Notification System (i.e. the “Stream List,” also known as “Reverse 911 Calls,” to notify victims about last-minute court cancellations or events. If you have not used an automated notification system previously, speak with your IT Department to set this up.); and
  - Password-protected Website specifically for victims to access helpful information, review case updates, provide contact information changes, report harassment by conspiracy theorists and supporters of the defendant, and attend webinars.
  
- **Communication Plan:**
  - The victims’ rights attorney, prosecutor, or lead victim advocate assigned directly to working with the victims should send victims e-mails almost daily—certainly weekly—to update victims about the case;
  - The prosecution team and advocates should send several hard copy letters or mailings per year to reach victims who do not read e-mail (see note below regarding postage); and
  - Advocates should call all victims to check in and ask victims how they are doing, offer referrals and resources, and give updates:
    - At least once per month;
    - If they have case updates or information to share that is particularly sensitive or upsetting; and
    - Around times of the year that can be difficult for victims, including:
      - Around the holiday season;

- After other mass violence incidents have occurred; and
- Each year on or near the date of the crime.
  - **IMPORTANT:** When speaking with victims, avoid calling this date the “anniversary” of the crime. Some victims may consider this phrase offensive.
- **NOTE REGARDING POSTAGE FOR HARD COPY LETTERS/MAILINGS:** If your office will receive grant funding to assist with costs associated with your case, keep track of the hard copy letters or mailings that will be paid for using grant money instead of prosecution funds. If, for instance, your team sends victim compensation information packets and applications, therapist/counselor referrals, or other information to individual victims in between times when mass mailings are sent to the entire group of victims, one easy way to track this information—both for grant purposes and for Victims’ Rights Act documentation—is to make two photocopies of each envelope before mailing them. Be sure that your photocopies are clear and show the name and address of the victim-recipient as well as the postage date and cost. Place one of these copies in the victim’s Victim Folder and keep the other copy for accounting purposes. It is helpful to create a spreadsheet to track all postage that will be covered by grant funding. This spreadsheet should include the date of the mailing, the postage cost, and the name of the victim(s) associated with the cost.

### Frequent E-mails to Victims

**Victims are very confused and overwhelmed by all of the different points of contact in the criminal justice system. It is important for e-mail communications to come from one person and for the messages to be consistent. This person could be the lead victim advocate, the prosecutor, or the victims’ rights attorney assigned as the main point of contact for victims.**

In addition to the individual e-mail exchanges that will occur between the prosecution team, advocates, and the victims, save time by creating e-mail templates containing general information that pertains to all victims. By using pre-prepared templates, the sender can simply copy and paste the main template message and fill in any specific or pertinent information for the receiving victim. Save e-mail templates on a shared computer drive where everyone on your team can access them to ensure that consistent messages are being sent to victims each time. E-mail templates are particularly useful during trial when time to create new messages that are thoughtful, informative, and clear will be limited. Some examples of template e-mails that can be helpful to prepare in advance include:

- E-mail containing instructions detailing how a victim can request a taxi ride to Court, if this service is available in your jurisdiction (*see sample Taxi Request E-mail – TEMPLATE H*); and
- E-mails containing information about attending the Preliminary Hearing, subsequent hearings, and trial respectively.

- These e-mails should include the dates and times of the proceedings, the address of the Courthouse and which room to report to once they arrive, information about Courthouse security, what to expect when they attend Court proceedings, and any other information that could be helpful or important for victims to know in advance. (See *sample E-mail Regarding Hearings / Trial Attendance – TEMPLATE I*).

### Monthly Telephone Calls to Victims

Advocates should call all victims at least once per month. Victims respond in a variety of ways to receiving calls from advocates following a mass violence incident, but by following a few simple guidelines, telephone calls can be an excellent way for advocates to:

- Reach as many victims as possible;
- Get to know the victims and their needs;
- Encourage victims to apply for Victim Compensation and seek therapy; and
- Disseminate information about the case.

### **Calling Guidelines:**

- Before calling each victim, consult the Master List (*see sample Master List – TEMPLATE B*) and the person's Victim Folder to see if there is any information you should know before calling, for instance:
  - The victim's age;
    - If the victim is a minor, only contact the victim's parent(s) or guardian(s) unless you have specific permission from the parent(s) or guardian(s) to contact the minor victim directly.
  - The proper pronunciation of the victim's name if it is a name you are not familiar with; and/or
  - To determine if the victim has requested previously that advocates not contact him/her with case updates. If so, abide by that victim's wishes and do not call.
- Document every call or contact you have with each victim by making notes in the Victim Folder and Master List.
- If you determine that a victim 1) does not speak English at all, or 2) has limited English language skills and does not feel comfortable conversing in English, then use a translation service when contacting the victim if you cannot speak that victim's primary language.
- If you have multiple telephone numbers for a victim, try calling every number you have every time you call.
- If you do not reach a victim in person, leave messages at every number you have called for that victim.

- When you reach a voice mail system or answering machine:
  - Identify yourself;
  - Let the victim know that you are calling to check in to see how they are doing and to see if you can offer the victim any therapy/counseling referrals or other resources. This will let the victim know that you do not want anything from him/her—you are simply calling to see if you can help in any way; and
  - Note in the Victim Folder what the voice message or answering machine greeting says (if there is a greeting). For instance, if the greeting says, “Hi, you’ve reached the Smith Residence,” make a note of the greeting so that you and other advocates will have a sense as to whether that phone number belongs to the victim you tried to call.
  
- Even if you do not connect with certain victims after multiple calls, keep trying. It can take some victims years to realize that they need therapy and to ask for help. Accordingly, years after the crime, you can reach victims who have never answered before, but have finally decided that they need information about Victim Compensation so they can seek therapy. Always keep calling and leaving messages.
  
- When victims answer your calls:
  - Identify yourself;
  - Briefly explain why you are calling; and
  - Ask the victims if they have a couple minutes to talk. This simple courtesy goes a long way, and often victims will say that they do have a minute or two to chat.
  
- Fill out a new Victim Telephone Contact Sheet (*see sample Victim Telephone Contact Sheet – TEMPLATE E*) each time you speak with a victim. Victim Telephone Contact Sheets will help you stay on track during calls to ensure that you:
  - Cover all updates you intend to give;
  - Remember to offer therapy referrals and other resources; and
  - Confirm all contact information every time you speak with a victim.
  
- If you know the name of a victim but do not have any contact information for that person, use The Lost One (TLO) or another law enforcement search engine or Google to try and locate a telephone number for that victim. If your search yields several possible telephone numbers, call them all. This is an excellent way to contact victims who might otherwise have slipped through the cracks.
  - If you are not certain that the number you are calling belongs to the victim you are trying to reach, consider in advance what you plan to say if you will need to leave a message. Protect the victim’s privacy as much as possible.
  - As you make calls to numbers you have found using TLO, make notes directly on the TLO printout for each individual and keep the TLO printout in that person’s Victim Folder for future reference and for Victims’ Rights Act documentation.

- Keep a list of feedback you receive from victims when making calls so that you can pass on that information to your entire team if appropriate.

### **Additional Outreach Shortly Before Jury Selection Begins**

In a high profile case, the Judge may decide to send jury summons to a larger group of citizens than normal to ensure the timely selection of an unbiased jury. The more jury summons issued, the greater the possibility that a victim from your case could receive one. Understandably, receiving a jury summons can be extremely upsetting to a victim. Therefore, it is important to alert victims to this possibility before jury summons are sent by the Court.

A month or so before the Court issues jury summons, begin contacting victims and provide them with instructions detailing who to contact if they receive a summons and what information you will need them to provide you with if they receive a summons. In addition, once the potential juror list becomes available, work with the Court to compare that list to your Master List of witnesses and victims to determine if any known victims will receive a summons. If so, contact those victims as soon as possible to let them know.

### **Another Important Way to Educate the Public**

If the victim group includes school-aged minors, ask a therapist/counselor or a group of therapists/counselors to meet with the teachers and classmates of student victims in their various school communities to discuss trauma, common reactions to trauma, and symptoms exhibited by trauma survivors. Trauma reactions can take many forms and can last for years after a mass violence incident or other traumatic event. To the untrained eye, trauma reactions can look similar to behavior problems in student victims, thus leading to negative responses from their teachers and classmates. Therapist/counselor led trainings can help teachers and classmates of student victims learn to identify and distinguish trauma reactions and respond in ways that are sensitive and helpful to student victims. Encourage schools to schedule this type of training annually.

## **PREPARING FOR VICTIMS TO ATTEND COURT PROCEEDINGS**

For many victims and their support people, the idea of being in the same room as the defendant, hearing information about the crime that changed their lives, and possibly needing to testify is both terrifying and extremely stressful. Advocates may be able to ease some of the stress victims feel by offering them additional support and by taking steps to prepare them for Court in the months and weeks leading up to trial. Preparing for victims—especially large groups of victims---to attend Court proceedings is a huge undertaking. However, with early planning, attention to detail, and a victim-focused plan in place, advocates can help victims feel supported and give them a sense of what to expect as they participate in the judicial process.

## Preparing Victims to Testify

- **Help Prosecutors Create a Comfortable Space In Which to Interview Victims Who Will Testify**
  - Offer to help schedule victim preparation interviews for your victims' rights attorney and/or prosecutors;
    - Let victims know that they can bring support people (one or two per victim) with them to their interviews.
    - When scheduling interviews, once again encourage victims to speak with a therapist/counselor if they are not already working with someone and offer to find them referrals.
    - If you do not believe that a victim has returned a completed Victim Compensation application or is working with a therapist/counselor, prepare the following items for the victims' rights attorney and/or prosecutors to give to the victim at his/her interview:
      - A Victim Compensation Info packet;
      - A list of therapists/counselors who:
        1. Work near the victim's home address;
        2. Have experience working with trauma survivors; and
        3. Have room in their practices for new clients; and
      - A list of questions the victim can ask therapists/counselors to help decide if a particular therapist or counselor is the right service provider for him/her (*see sample List of Questions for Therapists/Counselors – TEMPLATE G*).
  - Interview rooms should be private, set at comfortable temperatures, and contain tissues, water, and snacks for the victims;
  - If some victims cannot meet in person for the preparation interview (i.e. out-of-state victims), schedule web conference calls for them. As with in-person interviews, encourage victims to have a support person with them for the interview and offer to find them therapist/counselor referrals where they live; and
  - If feasible, discuss child-care options for victims if they need to meet with you.
  
- **Court Tours**
  - Provide a Court tour for any victim who wants one before trial begins.
  - As you confirm Court tour appointments, send victims e-mails containing the times and dates of their appointments and any other information they may need. For instance, the address of the Courthouse, instructions for getting through security, where to meet the advocate who will be giving them the tour, etc. (*see sample Court Tour Confirmation E-mail – TEMPLATE J*).
    - **Points to Cover During Each Court Tour:**
      - Security;
        - Show all security check points and explain what will happen as each person goes through security stations (i.e.

bags will be x-rayed, people entering the building will walk through a metal detector and may be wanded by security, etc.).

- Locations of main and overflow parking lots and bus stops;
- Locations where media will be stationed;
- The main entrance to the Courthouse and alternate entrances that can be used to avoid coming in contact with the media if they so choose;
- The victim check-in area where they will sign in each day;
- The victim waiting room;
  - Explain that this room is for victims, their support people, prosecutors, and victim advocates only. No defendants, defense counsel, defense investigators, or media are allowed in the victim waiting room. If you do not have a space like this available in your courthouse, see if it would be feasible to create such an area before hearings begin.
- Elevators, bathrooms, cafeteria, vending machines, and designated smoking areas;
- Locations where counselors and/or therapy dogs will be located if the victim wants to see them;
- The Courtroom and overflow Courtroom(s), if any;
- Show the victim where cameras will be located in the courtroom, if any;
- Explain where the following people will sit in the Courtroom:
  - Defendant;
    - Also explain the security measures that will be in place to protect victims (i.e. the defendant will be handcuffed and/or shackled to the ground, sheriff's deputies and/or other security personnel will be seated near the defendant, etc.) so that the victims understand that they will be safe from harm while testifying.
  - Defense team;
  - Prosecution team;
  - Judge;
  - Jurors;
  - Victim's support people;
  - The media;
  - The public; and
  - Sheriff's Deputies;
- If the victim is a testifying witness, allow him/her to sit at the witness stand to get a feel for it and show him/her:
  - How to use the microphone in the courtroom;
  - Where tissues are located; and

- Where water and cups are located on the witness stand.
  - Remind victims that, if they become upset and need a moment to collect themselves while testifying, it is okay to ask the Judge for a moment, drink some water, and take some deep breaths before continuing with their testimony.
- Remind victims that the Courthouse is a public place. This means that anyone could be listening to their conversations when they are not in the victim waiting room. Remind victims of this every time they attend Court.
- Explain to victims that members of the public have a right to be in the Courtroom for any public trial. Therefore, there is always the possibility that a member of the public might have an outburst or try to cause a scene. If this happens, sheriff's deputies and other security personnel who are stationed in the Courtroom will respond swiftly to bring the Courtroom back to order.
- Explain and review any important Court decorum rules.

### [Making Travel Arrangements for Out-of-State Victims and Their Support People](#)

If you receive approval for—and funding to cover—travel costs for out-of-state victims who wish to attend Court proceedings, you will need to research your options regarding travel agencies, airlines, hotels, and/or rental car companies even before you begin making reservations.

### [Privacy for Victims and Their Support People](#)

Discuss privacy concerns with your contact person from each business (i.e. each travel agency, hotel, airline, and/or rental car company) you work with when making victim travel arrangements. Only work with a business if you feel confident that its staff will respect the victims' privacy and be more interested in protecting the victims than in divulging to the media or the public that they have had any dealings with the case.

### [Selecting Hotels](#)

Some considerations to keep in mind when selecting the hotel(s) where victims and their support people will stay while attending Court proceedings include:

- **Privacy for the victims**
  - In speaking with the hotel manager, do you trust that all levels of hotel staff will be diligent about protecting the victims' privacy and not reveal to the media or the

public at large that victims of a high profile criminal case are staying at their hotel?

- Would the hotel be willing to book the victims under pseudonyms?
- Will the hotel be willing to bill the government directly and not require a credit card for incidentals if the victim does not have a credit card?
- **Room rates**
  - Can the hotel manager offer you a reduced, government, or group rate for each reservation you make?
  - Has the hotel worked with other tax exempt organizations in the past, and does the hotel staff understand the importance of ensuring that each bill reflects your office's tax exempt status?
- **Location**
  - How far away from the Courthouse is the hotel?
  - Will it be easy for victims to get to Court from the hotel if they are driving or plan to use public transportation?
  - Does the hotel offer a free shuttle service that victims can use to get to the Courthouse if they do not have other transportation?
  - Is the hotel located near restaurants, grocery stores, and other services that the victims may need while staying at the hotel? Will the hotel shuttle take the victims to these places as well as the courthouse?
- **Amenities**
  - Does the hotel offer complimentary breakfast and/or an evening snack buffet for guests?
    - Complimentary food is especially helpful to victims who may be operating on tight budgets.
  - Do the hotel's rooms include kitchenettes or a micro fridge and microwave?
    - Extended stay hotels are an excellent option for victims who plan to attend as many Court dates as possible. Extended stay hotels generally offer rooms that are similar to small apartments in that they include kitchens and additional living space beyond that included in a standard hotel room.
  - Does the hotel allow pets? If so:
    - Is there a weight limit or a limit regarding the number of pets allowed per room?
    - Does the hotel charge a pet fee?
    - Will the hotel consider waiving the pet fee for victims in your case?

## Working with the Hotels

**After you have selected one or more hotels to work with, schedule face-to-face meetings with your direct contact people from each hotel to:**

- Provide your contact person and his/her team with your office's tax exemption information so they do not charge taxes on any reservations you make for victims;

- Each time you make a reservation, remind your contact person that your office is tax exempt to ensure that your invoices will be issued correctly and that the hotel does not accidentally overcharge for any reservations.
- To streamline the process, create a plan detailing who the hotel contact person in charge of making reservations is so that advocates will know who to call and/or e-mail to make reservations for victims;
  - Additionally, if possible, designate one advocate or other staff member from your team to be responsible for making all hotel reservations. By assigning one team member to work with hotel contact people, you can minimize confusion, avoid making duplicate reservations, and ensure consistency.
- Make sure that hotel staff understands that they may not make or change any reservations being billed to your case without approval from your office. If someone other than a member of your team contacts the hotel to make a new reservation or to change an existing reservation to be billed to your case, the hotel staff person receiving the request should contact your office to request approval before processing the request;
- Discuss how invoices should be formatted and what information needs to be included (i.e. victim's name or code name, check-in date, check-out date, total cost for that victim) for accounting purposes; **and**
- Ask your contact people to mail and/or e-mail all hotel invoices to a designated person within your office immediately after victims check out of the hotel. Stress to your contact people the importance of sending your office an invoice for every victim, every time. This will allow you to check hotel invoices on a rolling basis, find any billing errors that may have occurred, and work with your contact people to ensure that those errors are corrected as quickly as possible.

## Working with Rental Car Companies

**After you have selected one or more car rental companies to work with, schedule face-to-face meetings with your direct contact people from each company to:**

- Provide your contact person and his/her team with your office's tax exemption information so they do not charge taxes on any reservations you make for victims;
  - Each time you make a reservation, remind your contact person that your office is tax exempt to ensure that your invoices will be issued correctly and that the car rental company does not accidentally overcharge for any reservations.
- Explain to your contact person and his/her team which charges your office **can** pay for (i.e. the rental fee and insurance) and which charges your office **cannot** pay for (i.e. rental car upgrades, gas, tolls);
- To streamline the process, create a plan detailing who the rental car company contact person in charge of making reservations is so that advocates will know who to call and/or e-mail to make reservations for victims;
  - Additionally, if possible, designate one advocate or other staff member from your team to be responsible for making all car rental reservations. By assigning one team member to work with the car rental contact people, you can minimize confusion, avoid making duplicate reservations, and ensure consistency.

- Make sure that car rental company staff understands that they may not make or change any reservations being billed under your case without approval from your office. If someone other than a member of your team contacts the car rental company to make a new reservation or to change an existing reservation to billed under your case, the car rental company staff person receiving the request should contact your office to request approval before processing the request;
- Discuss how invoices should be formatted and what information needs to be included (i.e. victim's name or code name, rental check-out date, rental return date, total cost for that victim) for accounting purposes; **and**
- Ask your contact people to mail and/or e-mail all car rental invoices to a designated person within your office immediately after victims return their rental cars. Stress to your contact people the importance of sending your office an invoice for every victim, every time. This will allow you to check car rental invoices on a rolling basis, find any billing errors that may have occurred, and work with your contact people to ensure that those errors are corrected as quickly as possible.

## Tracking Travel Expenses

### Before you begin making travel arrangements:

- Create a Victim Travel Arrangements and Expenses form (*see sample Victim Travel Arrangements and Expenses form – TEMPLATE K*) for every victim you will make travel arrangements of any kind for, including minors. This sheet will help you stay organized;
- Create a Travel Expenses Spreadsheet (*see sample Travel Expenses Spreadsheet – TEMPLATE L*) to track costs. Update this spreadsheet as you receive invoices; **and**
- Schedule a meeting with your office's accountant or financial officer to discuss and agree upon the best method for documenting travel expenses and organizing back-up documentation.
  - Creating a plan and adhering to a uniform documentation strategy will help immensely when reconciling travel expenses for accounting purposes.
- If your office will receive grant funding to pay for victim travel arrangements, clearly mark on the Victim Travel Arrangements and Expenses form which costs will be paid for using grant money and which costs are considered prosecution expenses. Keep track of grant costs and prosecution costs separately to simplify the accounting process.
- If you plan to make flight reservations through a travel agency, instruct your travel agents to include each victim's name in their description of charges so that when the travel agency bills your office credit card, each victim's name will appear on the credit card statement and can be easily identified for accounting purposes. Your travel agents should also include the victim's name in the description of charges for any service or transaction fees the travel agency charges if those fees appear separately and are not included in the total cost of the plane ticket. Make sure your travel agency has your tax-exempt ID.

- Each time your team receives a credit card statement:
  - Write the name of the victim(s) associated with each charge next to the amount or highlight the victim's name if it already appears in the charge description; and
  - If your office will receive grant funding to pay for victim travel arrangements, indicate whether each charge is a "Grant Cost" or a "Prosecution Cost."

## Making Reservations:

**As early as possible before making travel arrangements for out-of-state victims and their support people, you will need to call and/or e-mail victims to:**

- Gather their personal and travel information (see instructions below), which you will need in order to make their reservations; and
- Discuss the conditions that the victims agree to by asking you and your team to make their travel arrangements for them.
  - Let the victims know that, barring an emergency that prevents them from traveling and barring any continuance of the hearing that is beyond anyone's control, the District Attorney's Office/your source of grant funding can only pay for the travel expenses of victims who attend Court proceedings. If victims request that you make travel arrangements for them, but do not attend the Court proceedings after their travel arrangements have been made, the victims may be required to reimburse the funds.
- **Gather the following personal and travel information for each victim/support person who will be traveling via airplane:**
  - Full legal name as it appears on the identification each person will show to airport security personnel;
  - Date of birth;
  - The name and location of the airport from which each person plans to fly;
  - The dates and times that each person would prefer to fly to and from your jurisdiction;
    - Be clear with victims and their support people that you will do your best to book flights as close to their ideal travel times as possible, but that you cannot make any guarantees due to budget restrictions and flight availability.
  - The number of nights for which victims/support people would like hotel rooms. It is important to confirm this information before making reservations because some victims/support people may choose to stay with family or friends who live in your jurisdiction instead of a hotel.
  - Whether victims/support people would prefer to have a rental car, if possible and feasible, or use shuttle/taxi cab services.

## Hotels

**Before making hotel reservations for victims and their support people:**

- Ask victims and support people if they need special accommodations (i.e. a wheelchair accessible room with a roll-in shower, a room located on the first floor of the hotel, a crib for the hotel room if traveling with an infant, etc.) so you can request appropriate rooms and accommodations; **and**
- Explain to victims and support people that your office will pay for their hotel room(s); but will not pay for room upgrades without prior approval or for incidentals, such as room service, in-room pay-per-view movies, and mini-bar purchases. Be very clear with victims and support people that they alone are responsible for any charges they incur beyond the cost of the room. Explain this information to victims and their support people verbally and in writing via e-mail or hard copy letter if they do not have access to e-mail.

## Flights

**Before making flight reservations for victims and their support people:**

- Ask victims and support people if they need any special accommodations such as wheelchair assistance through the airport; **and**
- If victims tell you that they have “service animals” that will need to fly with them, you will need to have a conversation with those victims to determine if the animals are trained, certified service animals or untrained pets before booking their tickets. Airlines have strict rules that govern whether animals are permitted to fly in the passenger cabin of an airplane and may refuse to allow victims to bring their animals on board if they are not certified service animals. Before purchasing a ticket for a victim who wants to bring a “service animal,” contact the airline directly and ask what type of documentation a passenger would need to provide in order to prove that his/her animal is a certified service animal that would be allowed to fly in the passenger cabin. If a victim’s animal does not meet the requirements, then he/she will need to make other arrangements because the animal will not be allowed in the passenger cabin.

## Rental Cars

**Before making rental car reservations for victims and their support people:**

- Confirm that the person who will be driving the vehicle:
  1. Has a valid driver’s license;
  2. Has access to a major credit card that can be placed on file with the rental car company to cover any charges your office cannot pay for; and
  3. Is old enough to rent a rental car.
    - Very few rental car companies will rent vehicles to people under the age of 25.
- Ask victims and support people if they need special accommodations (i.e. larger vehicles that can fit larger families, larger vehicles to accommodate people who have injuries that prevent them from riding comfortably in vehicles unless they can stretch out their legs, etc.); **and**

- Explain to victims and support people which rental car charges your office **can** pay for (i.e. the rental fee and insurance) and which charges your office **cannot** pay for (i.e. rental car upgrades, gas, tolls). Be very clear with victims and support people that they alone are responsible for any charges beyond the rental and insurance fees. Explain this information to victims and their support people verbally and in writing via e-mail or hard copy letter if they do not have access to e-mail.

## Checks to Prepare Before Victims Arrive for Court Proceedings:

### Mileage

- Give mileage reimbursement checks to each non-local victim who drives to Court proceedings. To determine the reimbursement amount, ask the victim for the address from which he/she will be driving and use Google maps or another mapping service to calculate the total number of miles the victim will be driving roundtrip, then multiply that number by the per mile reimbursement rate.
- When possible, ask your office's accounting department to issue mileage reimbursement checks in advance so you can give the checks to the victims when they attend Court. The victims might not have money for gas otherwise.
- Have victims and their support people sign their respective Victim Travel Arrangements and Expenses forms (*see sample Victim Travel Arrangements and Expenses form – TEMPLATE K*) when they accept their mileage checks to confirm receipt and for accounting purposes.

### Per Diem

- Give per diem checks to each non-local victim to help cover the victim's food costs while he/she is in town for Court proceedings.
- If possible, ask your office's accounting department to issue per diem checks in advance so you can distribute the checks to victims upon their arrival at Court. Victims may need these funds immediately to be able to purchase food.
- If it would create a hardship for a victim to have to wait to cash a per diem check, if possible, provide per diem to that victim in the form of cash upon that person's arrival at Court.
- Have victims and their support people sign their respective Victim Travel Arrangements and Expenses forms (*see sample Victim Travel Arrangements and Expenses form –*

TEMPLATE K) when they accept their per diem checks/cash to confirm receipt and for accounting purposes.

## Travel Confirmations

Send traveling victims and/or support people confirmation e-mails containing information about their travel arrangements (see *sample Travel Arrangements Confirmation E-mail – TEMPLATES M*). If a victim/support person does not have access to e-mail, fax or mail a hard copy travel confirmation letter to him/her.

### **In each confirmation e-mail/hard copy confirmation letter:**

- Assign all traveling victims and/or support people an advocate from your team who can act as a contact person in case any problems arise while they are traveling. Give those victims and/or support people the name and contact information (i.e. work cell phone number, office telephone number, and work e-mail address) for their designated contact person;
  - Any advocate acting as a travel contact person should keep copies of all travel confirmations and reservations for each of their assigned victims and/or support people on hand so that they can assist them if necessary.
- Remind victims that you have not disclosed their travel itineraries or hotel information to anyone in order to protect their privacy;
- Request that victims and support people keep their travel information private in order to protect their own privacy and the privacy of other victims who may be staying at the same home hotel and/or have similar travel dates;
- Let victims know that your team has spoken extensively with hotel staff about the importance of protecting victims' privacy and explain the measures that hotel staff will be taking to protect victims' privacy; **and**
- If victims want to set up interviews with the media, ask the victims to meet the media somewhere other than the hotels where they are staying. Even though it is possible that members of the media may be staying at the same hotels as victims, it is helpful to try minimizing publicity whenever possible to protect the privacy of victims who do not want the media or the public at large to know where they are staying.

## Logistics and Preparing for the Preliminary Hearing, Subsequent Hearings, and Trial

Preparation for the preliminary hearing and the trial is very similar—even if the trial does not begin until years after the preliminary hearing has taken place. Regardless of which phase you are preparing for actively, you can create a safe and supportive environment for victims who choose to participate in the judicial process by planning early and in detail.

### **As early as possible before the preliminary hearing and in the months leading up to trial:**

- **Work with the Court to:**

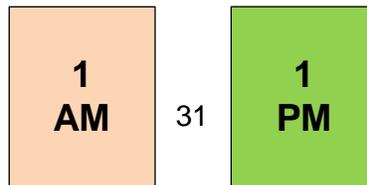
- Find space that can be used as an overflow Courtroom if you expect more victims and support people to attend than can fit in the actual Courtroom.
  - If you anticipate that more victims and support people will attend Court on certain days than can fit in available Courtroom space, consider requesting the use of the Jury Assembly Room or the largest room available in your Courthouse as an Overflow Courtroom.
  - Rooms that are not actual Courtrooms, such as Jury Assembly Rooms, can be very useful on high-attendance Court dates because victims sitting in these rooms may have more freedom to:
    - Move around;
    - Access restrooms
    - Speak quietly with victim compensation specialists or advocates if they need assistance; and
    - Take breaks from watching the proceedings without being disruptive to the Court or other victims.
  - Additionally, Jury Assembly Rooms and other meeting rooms often have access to kitchenettes, which are great places to set up coffee and water stations, refrigerators, and microwaves for victims to use if they want to bring a packed lunch or snack to Court.
    - If the overflow Courtroom space has a kitchenette, but does not already contain a refrigerator and/or microwave, consider renting those appliances to use in the space for the convenience of victims and support people who want to pack lunches and snacks.
- Obtain closed circuit televisions and any other necessary audio/video equipment that can be used in overflow Courtroom(s) during all proceedings. The overflow Courtroom(s) should have at least two televisions (or more depending on the size of the room)—one that will show the live feed from the Courtroom and one that can be used to display evidence as it is presented.
  - The prosecution team should determine in advance which pieces of evidence will or will not be shown on the evidence television screens in the overflow Courtroom(s) so that victims who do not want to see graphic images (i.e. autopsy photographs, crime scene photographs, etc.) can avoid seeing such images but still watch the proceedings from the overflow Courtroom(s).
- Find a time that would be agreeable to Court Administrators—preferably the day before any Court proceedings that large numbers of victims are expected to attend, such as the preliminary hearing and trial—for advocates to prepare the Courtroom and overflow Courtroom(s).
- Create a contact list for any Court personnel the advocates may need to reach when Court is in session, such as:
  - Sheriff's deputies and other security personnel;
  - Court Administrators;
  - Court Communications or Media Director;
  - Court IT Department employees;

- Custodians; and
    - Emergency medical services.
  - Obtain copies of the Court's emergency plans for how to proceed in the event of a weather or police emergency. Familiarize yourself with these plans and distribute them to all advocates who will be assisting you in case such an emergency arises.
- **Work with the Sheriff's Office to:**
  - Discuss security procedures that will be in place on days when Court is in session.
  - Request that deputies provide extra security for victims, including:
    - Placing a second security checkpoint outside the Courtroom and requiring all victims, media, and members of the public to submit to a second security screening before entering the Courtroom;
    - Stationing plain clothes sheriff's deputies in the Courtroom in addition to the uniformed deputies;
    - Stationing sheriff's deputies in the overflow Courtroom; and
    - Escorting all victims to their vehicles or alternate modes of transportation after attending court appearances to ensure that members of the public and/or the media do not attempt to engage victims as they leave Court without the victims' permission, and to ensure that the victims are not harassed by supporters of the defendant or conspiracy theorists as they leave Court.
  - Determine what items will be allowed in the Courtroom (i.e. purses, larger bags, snacks, drinks, etc.).
    - If purses will not be permitted in the Courtroom, let victims and support people know in advance so that they can leave their purses at home or in their vehicles when attending Court. Alternatively, if purses are not permitted in the Courtroom, allow victims and support people to leave their purses in a secure location while they are in the Courtroom and/or overflow Courtroom (i.e. with the advocate stationed at the sign-in table).
    - Even if purses and other items are permitted, encourage victims to take only what they absolutely need into the courtroom. This will help to keep the security lines moving quickly.
- **Work with a local mental health services organization to:**
  - Enlist volunteer trauma therapists/counselors who will attend Court each day of the preliminary hearing and trial as support for victims.
  - Create a plan detailing:
    - How many trauma therapists/counselors should be present each day;
      - More trauma therapists/counselors may be needed at Court during:
        - The preliminary hearing;
        - The first several days of trial;

- On trial days when the prosecution will be presenting particularly sensitive or upsetting information;
    - The day the verdict is announced; and
    - If the jury reaches a guilty verdict, during victim impact statements and sentencing.
  - What time trauma therapists/counselors should arrive at Court each day and what time they should leave;
    - If they cannot be present all day, plan for them to be present during times when victims are most likely to utilize their services, for instance:
      - Before Court begins in the morning;
      - During scheduled Court breaks and lunchtime; and
      - Immediately after Court adjourns for the day.
  - Where therapists/counselors should be stationed in the Courthouse; and
  - Boundaries for therapists/counselors.
    - Should they be permitted to sit in the Courtroom or overflow Courtrooms with victims?
    - Should they be permitted to walk to the courtroom and wait for victims to leave?
    - Should they be permitted to listen to the trial (if it is being televised or otherwise broadcasted) on personal devices while they are waiting?
- **Work with a local facility therapy dog organization to:**
    - Enlist volunteer facility therapy dog handlers who are willing to bring their therapy dogs to all Court dates.
      - Ensure that they are experienced and accredited;
      - Make sure that they are insured and/or licensed; and
      - If possible, find handlers with therapy and/or advocacy experience.
    - Create a plan detailing:
      - What time the facility therapy dogs and their handlers should arrive at Court each day and what time they should leave;
        - If they cannot be present all day, plan for them to be present during times when victims are most likely to utilize their services, for instance:
          - Before Court begins in the morning;
          - During scheduled Court breaks and lunchtime; and
          - Immediately after Court adjourns for the day.
      - Where the facility therapy dogs and their handlers should be stationed in the Courthouse;
      - Which entrances and exits they should use when attending Court;
      - Where the handlers can take the facility therapy dogs outside for bathroom breaks and the best way to reach those locations; and
      - Boundaries for the facility therapy dogs and their handlers.

- Should facility dogs and their handlers be permitted to sit in the Courtroom or overflow Courtrooms with victims?
  - Should facility dogs and their handlers be permitted to escort victims to the Courtroom before they testify?
  - Should handlers be permitted to listen to the trial (if it is being televised or otherwise broadcasted) on personal devices while they are waiting?
- **NOTE:** Advocates should instruct facility therapy dog handlers to avoid allowing the dogs to have contact with supporters of the defendant and defense attorneys. This precaution is necessary to ensure that victims feel secure in their interactions with the dogs and their handlers.
- Ask representatives from your Victim Compensation Program to attend each day of the preliminary hearing (or at least before and after court or during lunch breaks) and trial to answer victims' questions, help victims apply for Victim Compensation, and offer victims therapy referrals and other resources.
- Ask victim advocates from your jurisdiction who are not assigned to your case and, if necessary, victim advocates from nearby jurisdictions, to help by providing additional coverage during the preliminary hearing and during trial when attendance is expected to be high and as needed.
- Call and e-mail victims to:
  - Ask if they would like to be added to your Automated Notification System (i.e. the "Stream List," also known as "Reverse 911 Calls") to notify victims about last-minute court cancellations and key events during the trial (for instance, when the jury reaches a verdict);
    - If added to the "Stream List," victims can receive automated messages via telephone/cell phone calls, text message, and/or e-mails.
  - Let victims know that they may attend Court proceedings if they wish;
  - Ask victims to let you know in advance, if possible, when they plan to attend Court (so you will know how many advocates, therapists and counselors, and facility therapy dogs will need to be on hand for support);
  - For security purposes, ask victims to provide you with the names and birthdates of any support people they plan to bring with them to Court;
  - Tell them the date of the proceedings and the time they should arrive;
  - Explain Court security procedures and let them know what items are NOT permitted in the Courthouse and Courtroom/overflow Courtrooms;
  - Give them the Court's address and tell them where to go to sign in each day;
  - Remind them to bring photo identification so they can sign in; and
  - Tell victims who will be testifying that they should be prepared to stay all day on the day they are scheduled to testify because sometimes the Court experiences delays for one reason or another. Tell victims that they should make themselves as comfortable as possible by:

- Wearing comfortable, Court appropriate clothing;
  - Dressing in layers since temperatures inside the Courthouse can fluctuate;
  - Bringing the following items with them to Court:
    - A book/magazine or work to pass the time as they wait if they are sequestered or do not wish to watch the proceedings;
    - Money (cash) for lunch, change for vending machines, or a packed lunch/snack;
    - Writing utensils;
    - Water bottle; and
    - Any medications they may need.
- Make arrangements for special accommodations for any victims who need:
    - Foreign language interpreters;
    - Sign language interpreters;
    - Space in the Courtroom to fit wheelchairs;
    - Wheelchair assistance moving through the Courthouse;
    - Hearing or sight accommodations; or
    - Any other special accommodations that will help victims comfortably attend Court proceedings.
  - Order supplies (*see sample Supplies Checklist – TEMPLATE N*).
  - Create Courtroom tickets to distribute to victims who want to sit in the Courtroom
    - Count the number of seats in the Courtroom that will be available for victims to use during proceedings.
      - Do not include in your count the number of seats that will need to be used by advocates or law enforcement.
    - Number each ticket.
    - Only create as many numbered tickets as there are seats available for victims. For instance, if there are fifty seats available for victims to use, create tickets that are numbered 1 through 50.
    - To ensure as many victims as possible have a chance to sit in the Courtroom, create two sets of numbered tickets for each day—an “AM” batch of tickets and a “PM” batch of tickets. These will help you stay organized as you switch victims out of the Courtroom after the morning session and bring in a new group of victims for the afternoon session if necessary.
    - Make “AM” tickets a different color than “PM” tickets so they are easily identifiable.
    - Create at least five sets of laminated AM and PM courtroom tickets—enough tickets for one week (Monday through Friday).
    - Examples of Sample Ticket Appearance:



- If your Courthouse has an onsite cafeteria, work with the proprietor or manager of the cafeteria to create a flat rate lunch special for the victims, which the victims can order when they sign-in to Court each morning during the preliminary hearing and trial.
- If your courthouse does not have an onsite cafeteria, work with outside catering vendors or restaurants to deliver food to the courthouse.
  - For example, victims get to choose one item from each of the following three categories for \$8 even, which includes tax:
    1. Sandwich: ham, turkey, or vegetarian
    2. Drink: bottle of water, soda, or iced tea
    3. Side: small bag of chips, apple, or cookie
- Create and print for advocate use:
  - Sign-in procedures checklists;
  - Prosecution Team, Court Personnel, and Emergency Services Contact Information Sheets;
  - List of all victims and support people who have let you know that they plan to attend Court;
    - Use this list when victims and support people sign-in. Check photo identification for all victims unless you are certain of who they are.
  - List of all known victims; and
    - Use this list to verify the identity of individuals who show up at Court but had not previously indicated that they would attend.
  - Any signs you may need for the victim sign-in areas, victim waiting room, and overflow Courtroom.
    - Examples:
      - No Media Beyond This Point
      - Sign In Here
      - No Cell Phones Beyond This Point
- Additional items to create and/or print:
  - Daily Court attendance sign-in sheets;
  - Information pages to include in the Information Folders you will distribute to victims who attend Court proceedings (see below);
  - Discoverable Victim Contact Information Sheets (*see sample Discoverable Victim Contact Information Sheet – TEMPLATE A*);
  - Decorum Order, if applicable;
  - Sequestration Notice, if applicable;
  - Lunch Order Forms; and
  - Badges for lead victim advocates and “volunteer” victim advocates to wear each day at Court so that they are easily identifiable to victims and their support people.

- For testifying victims, print copies of their police and investigator reports for them to review while they wait on the days that they testify.
- Make Plans for Any Possibilities You Can Imagine:
  - How will you handle different reactions from victims to what they hear in Court?
    - What do you say?
    - Where can you take victims who are breaking down?
  - What do you do and who do you notify if a victim who attends Court is being harassed or bothered by:
    - Media;
    - Supporters of the defendant;
    - Conspiracy theorists; and/or
    - Anyone else.

### Information Folders to Distribute to Victims

Trauma survivors are often able to recall minute details about how they experienced the crimes that changed their lives: where they were, what they did, and what they saw, heard, tasted, and smelled. However, in the days and weeks following those crimes, many victims begin to feel overwhelmed—a common response to trauma. They can have difficulty remembering new information they receive and will feel completely overwhelmed by the prospect of attending the hearings leading up to trial, especially the preliminary hearing.

Above all else, be kind to the victims. Be patient with them. They will need many, many reminders during the pendency of the case and contact information for people who can assist them. Do everything you can to help them along the way. A good place to start is to create Information Folders to give to victims who attend court proceedings. These folders are an excellent resource for victims because they can review them whenever they feel up to it and can call you in the future if they have questions.

If you expect a large number of victims to attend a particular Court date, ask other advocates and/or office staff to help you put these folders together to save time.

- **Suggested Items to Include in the Information Folders:**
  - Summary sheet of the charges filed;
  - Flow chart depicting the phases of the criminal justice system;
  - Decorum Order, if applicable;
  - Sequestration Notice for Witnesses, if applicable;
  - “Who’s Who” List including:
    - Names of the victims’ rights attorney, prosecutors, advocates, and investigators;
    - Names of the defense attorneys and investigators; and
    - Name of the Judge;
  - Business cards or a contact sheets containing the phone number and e-mail address for the following people:

- Victims' rights attorney or the Deputy District Attorney victims can call or e-mail with questions or concerns;
  - Advocates assigned to the case;
  - Victim compensation specialists; and
  - Representatives from local and national victim assistance organization;
- Maps of the area showing the locations of the:
  - Courthouse;
  - Sheriff's Office; and
  - District Attorney's Office;
- Local public transportation schedules;
- Instructions for how to request a taxi ride to Court (*see sample Taxi Request E-mail – TEMPLATE H*);
- Map of the Courthouse and immediate surrounding area pointing out the following:
  - Main parking lot;
  - Overflow parking lot;
  - Bus or train stops;
  - Entrances to the Courthouse;
  - Areas designated for media interviews; and
  - Smoking areas;
- Victim Compensation information;
- Information about upcoming webinars;
- List of items prohibited in the Courtroom;
- Daycare or childcare information, if available;
- Information about victims' rights and the media (*see sample Your Rights with the Media information sheet – TEMPLATE O*);
- Blank form letter that victims who attend Court can provide to their employers or schools to explain their absence from work (*see sample Court Attendance Letter for Victims' Employers – TEMPLATE P*);
- Lined paper on which victims can write questions for the prosecutors;
- Contact information for local mental health providers;
- Information about state and national victim assistance organizations (Ex: Colorado Organization for Victim Assistance [COVA]);
- Lists of local restaurants, stores, emergency rooms, urgent care facilities, pharmacies, and veterinary clinics (for anyone traveling with pets). This information can be helpful to out-of-town victims who attend Court proceedings.
  - When creating these lists, please note that information found on the internet is often outdated, so please call every business and organization you name to confirm the following:
    - Address;
    - Phone number;
    - Hours of operation; and
    - That the business or organization is still in operation generally.

## Tasks to Complete the Day Before the Preliminary Hearing and Trial Begin

Lead victim advocates should meet with other victim advocates who are not assigned to the case and, if necessary, additional victim advocates from nearby jurisdictions who can volunteer to provide additional coverage on days when Court attendance is expected to be high and as needed.

- **During the advocate meeting:**
  - Review sign-in procedures for victims and their support people;
  - Explain the process for rotating victims and support people in and out of the Courtroom to give all victims a chance to be in the Courtroom if they want;
  - If you have received permission from Court Administrators, prepare the Courtroom and overflow Courtroom(s) to save time in the morning when Court is in session before victim sign-in begins;
  - Let “volunteer” advocates know that their duties may vary, and that they may be asked to perform administrative or “house-keeping” tasks depending on the number of victims who attend Court each day in order to keep things running smoothly. Providing an environment that feels as safe and comfortable as possible for the victims is the main objective; therefore, all tasks that “volunteer” advocates may be asked to help with are important, whether they are asked to provide direct support to victims who are seated in the Courtroom or are assigned to restock coffee supplies and straighten up in the victim waiting room or overflow Courtroom; and
  - Thank the “volunteer” advocates for offering their invaluable assistance.
  
- **Preparing the Courtroom:**
  - Distribute tissues among the seats where victims and their support people will be seated;
  - Check audio and visual equipment to ensure that all pieces of equipment are working properly and can be seen and heard clearly from all victim seats; and
  - If you have received permission from Court Administrators in advance, place water bottles inside the Courtroom for victims to have if water/coffee cups are not permitted inside the Courtroom.
  
- **Preparing the Overflow Courtroom(s):**
  - Distribute tissues among the seats where victims and their support people will be seated;
  - Check audio and visual equipment to ensure that all pieces of equipment are working properly and can be seen and heard clearly from all victim seats;
  - Show all advocates how to adjust the volume;
    - It is helpful to assign an advocate to monitor the volume controls in the overflow Courtroom(s) throughout the proceedings to ensure that victims and their support people can hear everything being said in the Courtroom

and to prevent any unexpectedly loud noises (i.e. 911 recordings, talking or sounds in video clips, sound from the white noise machine used inside the Courtroom, etc.) from startling or upsetting victims who may be suffering from Post-Traumatic Stress Disorder (PTSD).

- If the overflow Courtroom is located in a room that has access to a kitchenette, set up hot drink (i.e. regular coffee, decaffeinated coffee, and tea) and water stations. Supply coffee cups and lids, water cups, napkins, stirrers, powdered creamer, sugar, sugar alternatives, and any other items that may help victims and support people feel more comfortable (*see sample Supplies Checklist – TEMPLATE N*); and
- If stationary cameras have been installed in the Courtroom for the purpose of broadcasting the trial, check to see if the prosecution teams' computer/laptop screens are visible on the camera feed. If so, alert the prosecution team so that they can obtain screen covers to block the view.

### Victim Sign-In Procedures on Days When Court is In Session

Curious members of the public and people who want to speak with or harass victims might try to gain access to them by attempting to enter the victim waiting room and/or by trying to sit with victims in the Courtroom and/or overflow Courtroom(s). For security purposes and so victims can feel as comfortable as possible during such a stressful time, only victims and their support people should be allowed in those areas. Be vigilant. Make sure that an advocate verifies every person who signs in to Court each day. It is helpful to have multiple advocates stationed at the sign-in table(s) during high traffic times (i.e. before Court begins, during the lunch break, and at the end of the day). At least one advocate should be stationed at the sign-in table at all other times to assist victims and support people who arrive at Court later in the day and to return cell phones and other property to victims and support people who leave Court early.

- **Advocates stationed at the sign-in table(s), should have two lists:**
  1. The “Will Attend” List. This list contains the names of all victims and support people who have responded to your calls and/or e-mails and have indicated that they plan to attend Court; and
  2. The “Known Victims” List. This list contains the names of all known victims.
- **For each person who attempts to sign-in, the advocate(s) stationed at the sign-in table(s) should first check the “Will Attend” List for each person’s name.**
- **If the advocate finds the person’s name on the “Will Attend” List:**
  - Check that person’s photo identification;
  - Ask that person—whether victim or support person—to sign and print his/her name on the sign-in sheet;

- This is important both for security purposes and for Victims' Rights Act documentation.
  - Give each person an Information Folder;
  - Give each person a Discoverable Victim Contact Information Sheet to fill out (see *sample Discoverable Victim Contact Information Sheet – TEMPLATE A*);
    - Check that each person has provided an e-mail address on the contact sheet.
    - It is not necessary for victims to fill out Discoverable Victim Contact Information Sheets every time they attend Court. If they have recently attended Court and filled out a contact sheet, simply ask if any of their contact information has changed since they last attended Court and, if so, ask them to complete another Discoverable Victim Contact Information Sheet.
  - Have each person sign a Decorum Order, if applicable;
  - Tell everyone that if they would like to be seated in the actual Courtroom, they will need to sign the "Courtroom Seat" List; and
  - Collect all cell phones, electronics, and other items that are prohibited in the Courtroom and overflow Courtroom(s).
    - Instruct all victims and support people to mute all cell phones and other electronic devices before turning them in.
    - Let everyone know that their property will not be left unattended at any time. Advocates will be stationed at the sign-in table all day and will be available to return property during breaks (if they want) and when they leave Court for the day.
    - Store cell phones, electronics, and any other property victims leave at the sign-in table in large envelopes or other reusable storage containers and write the owner's name on the front of the envelope/storage container.
      - For ease of returning property during Court breaks and at the end of the day, it is helpful to arrange envelopes/storage containers in alphabetical order so advocates can find each person's property quickly.
      - To save time at the sign-in table, ask victims and support people who have come to Court together if you can store all of their property together in one envelope/storage container. If they agree, make sure everyone in their group knows whose name is written on the front of the envelope/storage container.
- **If the advocate DOES NOT find the person's name on the "Will Attend" List:**
  - Check the "Known Victims" List for that person's name.
  - **If the advocate finds that person's name on the "Known Victims" List**, then check that person's photo identification and, if verified, sign-in that victim and his/her support people per the instructions above.

- **If the advocate DOES NOT find that person’s name on the “Known Victims” List:**
  - First, check with the victims’ rights attorney or Deputy District Attorney and the other advocates assigned to working directly with victims to see if anyone knows the person.
    - If the person is known, then check that person’s photo identification and, if verified, sign-in that victim and his/her support people per the instructions above.
  - **If no one on your team knows the person:**
    - Politely explain to that person that, for security reasons, you cannot permit him/her to enter the victim waiting room or sit with victims in the Courtroom or overflow Courtroom(s) until you can confirm that he/she is, in fact, a victim;
    - Ask that person to complete a Discoverable Victim Contact Information Sheet so you can attempt to verify his/her identity; and
    - Tell that person that he/she is welcome to sit with the public in the Courtroom (if seats are available) and tell him/her where to go to wait in line with the public.
- Once victims and support people have signed in and are waiting for Court to begin, advocates should:
  - Offer everyone coffee, tea, and/or water and ask them how they are doing—this is a simple way to check in with them first thing each day;
  - Take lunch orders from people who would like to have a lunch delivered to the victim waiting room or overflow Courtroom (if they are permitted to bring food into that space) and/or tell people where the refrigerator and/or microwave are located (if any);
  - Hand out Victim Compensation Applications and **help each victim complete the application** if he/she has not already done so; and
  - If there are more victims and support people in attendance than available seats in the Courtroom, tell everyone that if they would like to be seated in the actual Courtroom, they will need to sign the “Courtroom Seat” List if they have not done so already.
    - Explain to victims and support people that the advocates will do their best to make sure that everyone who wants to be seated in the Courtroom will get that opportunity;
    - Assure them that the advocates will be rotating victims and support people in and out of the Courtroom at breaks so everyone will have a chance to be in there;
    - Ask them to help you by being patient and flexible—explain how important it is for victims to have their support people present when they testify and how important it is for the family members of homicide victims

to have seats if they want them during testimony about their loved ones;  
and

- If there are not enough seats for everyone present to be seated in the Courtroom all at the same time, let them know how tickets will be distributed.
  - Be honest with the victims and their support people about how Courtroom tickets will be distributed. Who receives Courtroom tickets and when will likely change daily, but some factors to consider when making these difficult decisions include:
    - Who is the person requesting a seat in the Courtroom?
      - A family member or close friend of a homicide victim;
      - An injured victim;
      - A victim who was not physically injured;
      - A support person for an injured victim; or
      - A support person for a victim who was not physically injured.
    - Will the testimony be about a homicide victim(s)?
    - When will victims—either those who were injured or those who were not physically injured—be testifying and did they bring support people with them to Court?
    - Is the person requesting a seat someone who lives locally and will be able to attend Court on other dates, or has he/she traveled some distance or from out-of-state and will not necessarily have other opportunities to sit in the Courtroom?
    - Has the person requesting a seat been waiting for an opportunity to be in the Courtroom, but not yet given that chance?
    - Is there some other reason why certain testimony would be particularly meaningful to the person requesting a seat?
- At least a half hour to forty-five minutes before the Judge takes the bench, advocates should:
  - Remind everyone to turn in any cell phones, electronics, or other items prohibited in the Courtroom and overflow Courtroom(s);
  - Pass out Courtroom seat tickets;
  - Suggest that anyone who will be seated in the Courtroom may want to visit the rest room if needed; and
  - Begin lining people up to walk to the Courtroom.
    - The timing of these announcements and activities will depend on the number of victims and support people present and whether they will need to go through another security screening before entering the Courtroom.

- Walk victims who have Courtroom tickets to the Courtroom.
  - **IMPORTANT:** At no time should any victims be left alone inside the Courtroom or overflow Courtroom(s) without at least one advocate present.
  - While victims are lining up to enter the Courtroom, it is helpful to have advocates stationed in the following locations:
    - In the hallway outside the Courtroom to help direct victims and keep watch for anyone who may try to harass victims as they pass;
    - Near the security station (if there is an additional security station located outside the Courtroom) to assist the Sheriff's Deputies and/or security personnel if they have any questions about who should or should not have Courtroom seat tickets; and
    - Inside the Courtroom to guide victims to their seats and provide support.
      - When helping victims and support people to their seats, the advocate(s) inside the Courtroom should:
        - Save seats for the support people of victims who will be testifying that day. Support people for testifying victims should be seated in the first couple rows where the victims will be able to see them as clearly as possible from the witness stand;
        - Save aisle seats for victims and support people who have difficulty walking or have health problems that cause them to be short of breath (so they do not need to go far once inside the Courtroom) and for those who may need to exit the Courtroom quickly during the proceedings;
        - If any victims in attendance use wheelchairs, save seats next to wheelchair accessible spaces for those victims' support people and/or caregivers; and
        - Be aware that sometimes victims have difficult family dynamics, which are often exacerbated by trauma. Do your best to be aware of these situations and try to arrange seating accordingly if possible.
- To stay organized, keep binders containing the alphabetized hard copies of all documents you collect from victims and support people at Court, including:
  - Discoverable Victim Contact Information Sheets; and
  - Signed Decorum Orders, if applicable.
- Keep all hard copy sign-in sheets for Victims' Rights Act documentation.

## ADVOCACY DURING TRIAL

- Any time you know that the prosecution team will be presenting particularly difficult testimony and/or evidence on a given day, the victims will need additional support. Therefore, station additional advocates inside the Courtroom and overflow Courtroom **and** reach out to your contact people from the local mental health organization and the local facility therapy dog organization **in advance** to request that they make arrangements for additional therapists/counselors and facility therapy dogs and handlers to be present on those days.
  
- On the first day of trial, the victims' rights attorney, Deputy District Attorney, and/or advocates assigned to the case should give an "orientation" for victims and support people to:
  - Introduce the prosecution team, advocates, investigators, paralegals, victim compensation specialists, on-site therapists/counselors, the facility therapy dogs and their handlers, and the Sheriff's Deputies who are present;
  - Remind everyone to complete Victim Compensation applications and tell them who they can ask for help to do this (i.e. victim compensation specialists and advocates);
  - Encourage everyone to enroll in therapy/counseling;
  - Reiterate that the advocates can provide victims with therapist/counselor referrals and other resources;
  - Review all items in the Information Folders that were distributed to victims when they signed in (*see list of Suggested Items to Include in Information Folders*);
  - Explain the Court sign-in process and why it is important even if it feels repetitious after the first couple of days;
  - Outline security procedures;
  - Explain how Courtroom seat tickets will be distributed;
  - Let everyone know that the Judge may utilize a white noise machine during bench conferences so that the jury cannot hear what the judge and attorneys are saying to one another. Advise the victims that your office has provided ear plugs, which can be found at the sign-in table(s), if they are sensitive to this type of sound and would like to block it out;
  - Thank everyone for their patience, flexibility, and for being kind to one another;
  - Tell the victims about any upcoming webinars or debriefings that will take place after Court is adjourned for the day; and
  - Answer any questions they may have.
  
- Each morning after the first day of trial, the victims' rights attorney, Deputy District Attorney, and/or advocates assigned to the case should take a few minutes to:
  - Give any case updates that are available;
  - Briefly summarize what will be happening in Court that day, if known;
  - Tell victims in advance when graphic images will be shown and/or loud, sensitive, or particularly upsetting audio recordings will be played in the Courtroom and will be visible/audible in the overflow Courtroom(s) so that victims

- may leave the Courtroom and overflow Courtroom(s) before those presentations if they wish;
  - Remind victims and support people where the onsite therapists/counselors and facility therapy dogs will be stationed inside the Courthouse if they would like to see them at any time; and
  - Answer questions.
- Advocates, stationed inside the Courtroom should:
  - Hand out tissues and water/water bottles as needed;
  - Decide in advance which advocate(s) will walk out with victims and/or support people who decide to leave the Courtroom early; and
  - If there is only one advocate remaining in the Courtroom, that advocate should communicate via text or e-mail with advocates who are NOT sitting inside the Courtroom when victims and/or support people leave early.
    - **NOTE:** When victims and/or support people leave the Courtroom early, often it is because they are upset. **An advocate should always accompany victims and support people out of the Courtroom or meet them in the hallway when they leave early** in order to:
      - Provide support;
      - Walk them to the therapists/counselors or facility therapy dogs; and
      - Be on the lookout for members of the media and the public who may try to speak with or harass them.
- During Court breaks, station additional advocates in the hallways to help direct victims and support people to the restrooms, show them where the therapists/counselors and facility therapy dogs are located, and escort them back to the Courtroom to ensure that victims are able to get through security in time to re-enter the Courtroom before the proceedings recommence. These advocates should also be on the lookout for members of the media and the public who may try to speak with or harass the victims.
- Once the prosecution team provides the advocates assigned to the case with the list and order of victims who will be testifying each day, one advocate should provide all other advocates assigned to the case with a list of all known telephone numbers and e-mail addresses for each of those victims.
  - In the event that a victim does not arrive at Court as scheduled or if a victim's testimony needs to be rescheduled due to a delay in the proceedings, advocates should call (and leave messages if the person cannot be reached), text, and e-mail until they make contact with that victim.
- **When a victim who is scheduled to testify arrives at Court on the days of his/her testimony, advocates should:**
  - Let the victims' right attorney and/or the prosecutor who will be questioning that victim know that he/she has arrived;

- Give the victim copies of his/her police and investigator reports to review while waiting for Court to begin; and
  - Explain to the victim where to go and what to do (i.e. explain how he/she will be sworn in) when called to the witness stand.
- **If the victims in your case ARE NOT sequestered**, let them know that they may sit in the Courtroom and watch the proceedings before they testify if they want and, if so, they will be called directly from their seats to the witness stand.
- **If the victims in your case ARE sequestered or they are not sequestered, but do not want to sit in the Courtroom before they testify**, let them know that you or another advocate will:
  - Wait with them in the hallway or victim waiting room until they are called to the witness stand;
  - Walk them into the Courtroom all the way to the bar when they are called; and
  - Be waiting for them in the hallway outside the Courtroom if they want to leave the Courtroom immediately after they finish testifying.
    - Understandably, testifying can be extremely emotional for victims, so it is helpful to victims who have just testified to be met by an advocate who can provide support, offer tissues and/or water, walk them to the therapists/counselors or facility therapy dogs, and be on the lookout for members of the media and the public who may try to speak with or harass them.
- Within one to three days after victims testify, call, text, and/or e-mail to ask how they are doing and offer them therapist/counselor referrals.
  - If you do not reach them, leave messages to let them know that you still care and are available if they have any questions or concerns or needs any resources.
- At some point during trial, the prosecution or defense may admit evidence that is particularly interesting to the victims (for example, a journal belonging to the defendant, e-mail correspondence of the defendant, or other documents). Even though this evidence will be presented and displayed in the Courtroom, if possible, make several copies of the evidence and allow victims who are present at Court proceedings to review the evidence during breaks and at lunch after the evidence has been admitted. It is helpful to create a sign-out sheet for each copy you make to ensure that all copies are returned to you before the victims leave Court for the day.
- Once the case is turned over to the jury for deliberation—whether the members of the jury take hours, days, or weeks to reach a verdict—advocates should use this time to call as many victims as possible, starting with the family members of homicide victims, then the injured victims and their families, and finally all other victims in order to:
  - Check in with them and answer any questions they may have;
  - Discuss the possible outcomes of the case and what different verdicts will mean for the defendant; and
  - Once again, encourage everyone to seek therapy/counseling.

- Send messages to victims using the Automated Notification System (i.e. the “Stream List,” also known as “Reverse 911 Calls”) to notify victims about last-minute court cancellations and key events during the trial, such as the reading of the verdict.
  - The purpose of implementing Stream List notifications is to give victims time to travel to the Courthouse, get through security, sign-in, and be present in the Courtroom or overflow Courtroom(s) for important announcements.

## POST-TRIAL ADVOCACY

Regardless of the outcome, once trial is complete, advocates should begin calling and e-mailing victims again to:

- Reassess victim needs;
- Remind victims about the importance of having a support network;
- Encourage people who still have not signed up for Victim Compensation to do so;
- Provide resources and referrals;
- Tell victims about organizations or funds that may be able to provide them with additional financial assistance if they qualify;
- Ask victims to complete a Victim Response Survey (*see sample Victim Response Survey – TEMPLATE Q*); and
- Determine if the victims are still waiting for law enforcement to return their property. If so, and if the prosecution team and law enforcement are able to release the property, let victims know that having property returned to them after a criminal trial can be an emotional experience. Help victims create a plan so that they will have the support they will need when their property is returned to them, whether they pick it up at the police department or request to have it mailed to them where they live.
  - It is helpful to create a spreadsheet containing all property release requests, which you can provide to law enforcement on behalf of the victims (*see sample Property Release Requests Spreadsheet – TEMPLATE R*). You will likely need to ask victims numerous times via telephone calls and e-mails whether all of their property has been returned to them. As you receive responses, keep track of the following information:
    - Victim’s name;
    - Name of the person requesting the property;
    - Relationship of the person requesting the property to the victim (i.e. Self or \_\_\_\_);
    - Description of the property;
    - Whether the person making the request plans to pick up the property from the police station or requests that the property be mailed;
      - If the person requests that property be mailed, ask for the mailing address where the property should be sent.
  - **NOTE:** It is common for victims to become emotional when their property is returned to them after a crime. Accordingly, it is important for victims to have

adequate support present with them—whether a family member, friend, or advocate—when the property is returned.

- For individuals who plan to pick up property at the police station, ask who they intend to bring with them for support and let them know that a victim advocate also will be present to provide additional support and answer any questions they may have.
- For individuals requesting that property be mailed to them, help them create a plan identifying a support person or support people who can be with them when they receive and open the package containing the property.
- If applicable, explain that property may not be in the same condition it was in when they last saw it (i.e. property may have blood or other bodily fluids on it) and ask if they want their property to be cleaned before it is returned to them.

If the trial results in a guilty verdict, advocates should begin calling and e-mailing victims again to:

- Explain restitution to the victims and help them process their restitution claims, if any;
- Provide information to victims about the Department of Corrections Victim Notification Program and help them enroll in the program if they wish;
- Let victims know about the defendant’s movement within the Department of Corrections, if known, and give information about the type of facility defendant is housed in and the types of jobs and/or privileges defendant might have; and
- Update victims about the status of the advocates they’ve been working with and whether/how long those advocates will still be available to assist victims.

**TEMPLATES: SAMPLE SPREADSHEETS, E-MAIL, CHECKLISTS, FORMS & OTHER DOCUMENTS**

<b>TEMPLATE</b>	<b>SAMPLES &amp; TEMPLATES</b>
TEMPLATE A	Discoverable Victim Contact Information Sheet
TEMPLATE B	Master List (Recommended Format: Excel Spreadsheet)
TEMPLATE C	E-mail to Victims Explaining Confidentiality
TEMPLATE D	First E-mail Offering Assistance and Information
TEMPLATE E	Victim Telephone Contact Sheet
TEMPLATE F	Therapist/Counselor Referrals E-mail
TEMPLATE G	List of Questions for Therapists/Counselors
TEMPLATE H	Taxi Request E-mail
TEMPLATE I	E-mail Regarding Hearings / Trial Attendance
TEMPLATE J	Court Tour Confirmation E-mail

TEMPLATE K	Victim Travel Arrangements and Expenses Form
TEMPLATE L	Travel Expenses Spreadsheet (Recommended Format: Excel Spreadsheet)
TEMPLATE M	Travel Arrangements Confirmation E-mail
TEMPLATE N	Supplies Checklist
TEMPLATE O	Your Rights with the Media information sheet
TEMPLATE P	Court Attendance Letters for Victims' Employers
TEMPLATE Q	Victim Response Survey
TEMPLATE R	Property Release Requests Spreadsheet
TEMPLATE S	
TEMPLATE T	
TEMPLATE U	
TEMPLATE V	
TEMPLATE W	
TEMPLATE X	
TEMPLATE Y	
TEMPLATE Z	

## RESOURCES

### **Colorado (Specific)**

Update and check local info for resource information: shelters; food, rent, utility assistance; holiday assistance; transportation assistance, SSI/SSDI info, etc.

### **National (General)**

National Compassion Fund, etc.; other available victim funding

## VICTIM ADVOCATE SELF-CARE

An important reminder to advocates that they need to take care of themselves in order to be the best advocates possible for victims. Please seek your own mental-health assistance for vicarious trauma.

-----