Putting the Pieces Together:

Victims’ Rights & Law Enforcement Advocacy in Practice
Housekeeping
Housekeeping

Audio:
• Click the audio icon and then choose “Select Speaker” to use your computer’s speakers for sound.

Raise Hand:
• Raise virtual hand if you have a comment or when asked by facilitators. Select the dropdown for other options.
Housekeeping

**Poll Questions:**
- Select your answer(s) on screen

**Chat Box:**
- Visible to attendees and hosts/presenters
- Use to chat to whole audience and to respond to presenter questions

**Handouts:**
- Handouts can be downloaded via the Files box

**Breakout Rooms:**
- Please join us on camera!
- Click “start my webcam” and then “start sharing” to participate
This material was produced by the International Association of Chiefs of Police (IACP) and National Crime Victim Law Institute (NCVLI) under 2018-V3-GX-K049, awarded by the Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice. The opinions, findings, and conclusions or recommendations expressed in this material are those of the contributors and do not necessarily represent the official position of the U.S. Department of Justice.
Who is NCVLI?

The *only* national nonprofit dedicated to protecting and enforcing victims’ legal rights.

Based at Lewis & Clark Law School in Portland, Oregon, NCVLI promotes balance and fairness in the justice system through crime victim centered legal advocacy, education, and resource-sharing.

www.ncvli.org
What to Expect

• Quick review of victims’ rights

• Unfolding hypothetical

• Interactions
  • Raise hands & talk
  • Polls
  • Chat
  • Small Group Discussions
“The Basics”
Common Victims’ Rights

- Notice
- Present
- Confer
- Heard
- Privacy

- Speedy Disposition
- Restitution

Due process, fairness, dignity, respect

- Be reasonably protected from the accused
- Reasonable, accurate & timely notice of public court proceedings
- Be reasonably heard at any public proceeding
- Proceedings free from unreasonable delay
- Be treated with fairness and with respect for their dignity and privacy

Every Jurisdiction Has Something Similar!
Why do rights matter to survivors?
Take 2 minutes & write down as many rights as you can think of that victims are entitled to by law in your jurisdiction.
Similar, yet oh so different!

Community-Based Advocates

Law Enforcement-Based Advocates

Prosecution-Based Advocates
Let’s jump right in!
Jordan & Taylor Case Study

Jordan is a full-time employee of a religious organization who is taking evening classes at a local university to finish his degree. Jordan moved to the city almost a year ago, and recently decided to download and use a dating app to try and connect with potential romantic interests. After messaging with Taylor, who introduced himself as a fellow evening student at the university, for several weeks, Jordan makes plans to meet up with him at a local eatery after class on November 6th.
When Jordan leaves class and walks to his car in the nearby parking garage, he is approached by three masked individuals, one of whom displays a gun. Jordan is told to hand over his phone and wallet. As Jordan reaches out with the phone and wallet in his hand, Jordan notices that one of the masked individuals is wearing a pair of very unique shoes – a pair identical to those featured in some of the pictures Taylor had sent as part of their conversations in the dating app. As Jordan looks up toward the person’s face, one of the other masked individuals pushes Jordan hard as they grab the phone and wallet. Jordan falls against his car, hitting his head and opening a gash above his brow. Dazed, Jordan falls to the ground beside his car as the three masked individuals flee. A passerby exiting the parking garage elevator sees Jordan bleeding from the cut on his head and calls 911.
Considering this initial set of facts, what potential concerns do you imagine Jordan might have?

What right(s) might be implicated by these concerns?

What other information might you need to know in order to best serve Jordan?
When law enforcement arrives, Jordan is dazed but is able to answer questions. He has taken off his jacket and has used it to slow the bleeding from the wound on his head. Jorden tells the officers what he remembers of the incident and mentions his suspicion that Taylor may have been one of his attackers. Jordan remains unsteady on his feet, and an ambulance is called to take Jordan to the hospital for evaluation. It is late, and after receiving stitches to close the laceration on his head, Jordan is kept overnight at the hospital to be evaluated for a possible concussion.
In your jurisdiction, would a victim advocate be among the first responders?
November 7th, 2:45 pm

The next day, Jordan is released from the hospital and calls in sick to work. He cannot find contact information for the law enforcement officer he spoke with the day before, but he wants to talk to someone about the investigation. Jordan remembers that his phone was unlocked when it was taken from him and he is concerned that his attackers can access his email, his dating profile on the app, and other sensitive information. He also worries that his employer may find out about the attack and/or his dating information. His employer does not know that he is interested in dating men and worries that he could lose his job if this information does not remain private. Jordan calls the local police department and is told that this information will be noted and that someone will call him back.
What right(s) and interest(s) might be implicated by the concerns expressed by Jordan when he called?
SMALL GROUP BREAKOUT #1
November 8th, 2:15 pm

Jordan receives a call back from someone who introduces themselves as a law enforcement advocate. The advocate tells Jordan that the detectives are looking into the incident and that as soon as there is more information, more will be shared. They ask Jordan if he has any general questions and Jordan says “no.” The advocate then gives Jordan their name and contact information, which he writes down on a notepad in his apartment.
If you were the advocate’s supervisor, would you consider this to be an adequate initial contact?

What policies/procedures/practices might you want in place to ensure the best response to Jordan?
November 19th, 7:45 am

Jordan has not heard anything further from the police department about the assault, and he has misplaced the piece of paper with the advocate’s name and contact information, so he calls the main number and is told that someone will call him back.
A different advocate calls Jordan back and the update he receives is the same: an investigation is in progress. The person he spoke with wasn’t able to provide any additional information. Jordan asks if there is a way to receive regular updates without having to call each time, but his cell phone dies before he hears the answer.
What might you do if the phone call were to cut off at this point?

Do you have policies governing what should happen?
Jordan has not heard anything about the investigation, and he can’t stop thinking about the incident. He is worried about his finances, as he had to purchase a new cell phone to replace the one that was stolen, in addition to paying for tuition. Jordan’s anxiety continues to rise, his schoolwork and employment both begin to suffer as a result, and he arranges several counseling sessions with a therapist recommended by the university’s health center.
Which topic(s) might be discussed with Jordan in light of these concerns?

(a) Victim Compensation
(b) Restitution
(c) Mental Health Referrals
(d) Title IX Referrals
(e) Other (add in chat)
Jordan happens upon a news story reporting a successful “sting” operation against a local identity theft ring that has been targeting a number of individuals throughout the city. He recognizes Taylor in a photograph as one of those arrested and charged with several serious offenses. Jordan calls the local police department and is referred to the district attorney’s office for more information, as a prosecution is now underway.
SMALL GROUP BREAKOUT #2
Collaboration is Key
Strength of relationship:

(a) Very strong
(b) Strong
(c) Okay but wouldn’t describe as strong
(d) Not strong
(e) Still need to establish this relationship
Questions?
Continuing the Conversation
Save the Date
November 11-13, 2021
Crime Victim Law Conference
Portland, Oregon
TECHNICAL ASSISTANCE OR TRAINING REQUESTS

Technical Assistance

NCVLI provides technical assistance in the form of legal research and educational writing as well as trainings to attorneys, advocates, judges, legislators, and victims. NCVLI does not provide legal advice, nor does it directly represent victims.

NCVLI encourages you to view and download the educational materials in our Victim Law Library.

If the Library does not contain the information you are seeking, you can request technical assistance or a training by clicking on the appropriate link:

- If you are an Equal Justice Works Fellow seeking technical assistance under the Crime Victims Justice Corps Fellowship Program, click here.
- If you are an attorney or professional victim advocate seeking technical assistance, click here.
- If you would like to request a training, click here.
- To download our training brochure, click here.

Did you know NCVLI attorneys spend an average of 16 hours on each technical assistance request? Each request is fielded by an expert legal team with more than 40 years’ of experience in victims’ rights litigation! The fair market value of this work that is provided free of charge is $4,160 PER request. We need your help to continue to provide this service. Please consider a donation!
Reminders

Quarterly Meeting
Wed, April 28, 2021
1p - 3p EST

NNEDV Webinar
Wed, April 21, 2021
1 - 2:30p EST

Final LEV Webinar
Thurs, Sept 16, 2021
1 – 2:30p EST