



COPING AFTER A HOMICIDE

a guide for family & friends

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VICTIM WITNESS ASSISTANCE UNIT

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A Special Message

Dear Friend:

If you are reading this handbook, it is likely that someone you love has been murdered. The loss of a family member, intimate partner, or close friend under any circumstances is difficult. The violent and unexpected death of a loved one leaves the survivors with deep emotional wounds. Being involved in the criminal justice system presents additional challenges for survivors and can prolong healing.

This handbook has been written to assist you with the grieving process and to explain what lies ahead with respect to the criminal case. The more you know about the criminal justice system, the more comfortable you may feel as various steps in the process occur. The material in this handbook is designed to help you understand the effects the crime may have on you and your family. This information will not solve all your problems or answer all of your questions, however we hope it will explain how and where to find help. We hope you will feel less alone, and comforted by the knowledge that there are many people who genuinely care about you and your well-being.

Families and friends of homicide victims have honored and helped the U.S. Attorney's Office by sharing their memories and experiences. The information in this handbook is based upon their experiences. Other survivors helped create this path to assist you in your coping.

Those of us who have not been where you are cannot understand the depth of your pain, but we will do our best to be sensitive to your needs while working on your case to ensure that the murder of your loved one is prosecuted to the fullest extent of the law.

*The Victim Advocates and Assistant U.S. Attorneys
United States Attorney's Office
District of Columbia*

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Coping After Tragedy

The death of a loved one is deeply painful. Grief is a common experience. People experience grief when they leave familiar places, when they divorce, when someone they love dies. But grief for families of murder victims is different. It is more intense, it lasts longer, and is more complicated. The violent and unexpected death of a loved one leaves deep emotional wounds in family members and friends. The involvement of the criminal justice system and the media often make it harder to heal.

Nothing in life prepares you for the day when a loved one is murdered. No one expects such a thing to happen. Murder is an abnormal event. The normal reactions to the trauma of murder include a wide range of powerful feelings that may feel abnormal to the person having them or seem strange to people who have not gone through it. You may feel like there is something wrong with you and that the terrible pain will never ease.

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The grief that follows the murder of a loved one cannot be measured in simple stages or by how others react. For some people the reactions of shock, disbelief and intense emotions may come and go for a long period of time. Some people find the first year is the hardest, while others find the second year is the most difficult. Grieving survivors will find some things in common, but it is important to know that most people will not have these feelings in a set way. Grief does not follow a schedule or certain order. The types of feelings people have may change from day to day, even hour to hour.

There is no “right way” to grieve. Each individual and family grieves in their own way. Men and women grieve in different ways. Religious beliefs can affect the way people grieve. Children will also grieve in ways that are different from adults.

With deaths other than murder, it usually takes 18 to 24 months just to stabilize. It can take much longer when the death was violent. Recovering from the murder of a loved one will take a long time and will not be easy. It will help if you don't expect too much of yourself and others.

reactions to homicide

Shock and Numbness

At first you may be in state of shock. Feeling numb and confused are common. You may feel detached - as if you are watching a movie or having a bad dream that does not end. This numbness protects you from feeling the full impact of what has happened all at once. Following a natural death numbness usually lasts a few days. In cases of murder, this period of numbness can last from several months to a year and can come back from time to time.

Denial

The loss of a loved one to murder is so devastating that it may be impossible to realize and accept what has happened. You cannot believe it. You expect to see your loved one walk in the door or pull up in the driveway. Like numbness, denial can be nature's way of protecting you for awhile until you can cope. Viewing the body, attending the funeral, or visiting the grave site is important in the process of coming to accept that the person you loved is really dead.

Intense Emotion

As the initial shock begins to wear off, people usually feel intense grief and cry uncontrollably. While some parts of our society frown on emotional behavior, especially in men, emotional release is an important part of grieving for most people. To try to hold back or "swallow" your painful feelings is unhealthy and can actually make grief last longer. A person who is uncomfortable with these feelings may want to seek help from a counselor, minister, or other survivors who understand.

Fear

You may feel intense fear and startle easily. Leaving your home or being alone may make you extremely anxious. You may be afraid that the assailant will return and harm you or your loved ones again. Crime shatters normal feelings of security, trust, and the sense of being able to control events. Once you have been harmed by crime,

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it is natural to be afraid and suspicious of others. These feelings will go away or lessen over time.

Guilt

Survivors want to understand why the crime happened and why it happened to their loved one. Some people find it easier to accept what happened if they can blame themselves in some way. It is a normal way of trying to again feel a sense of control over their lives. Families of murder victims often feel guilt and regret for things they did and said or what they did not do or say. Often, they feel they should have protected their loved ones better or should have done something to prevent their death. Survivors spend a lot of time thinking "If only I had..." This guilt does not make sense because the circumstances leading to murder usually cannot be controlled and are hard to predict.

Get rid of imagined guilt. You did the best you could at the time. If you are convinced that you made mistakes or have real guilt, consider professional or spiritual counseling. You will need to find a way to forgive yourself.

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Guilt feelings can be made worse by people who point out what they would have done differently in the same situation. People who say such things are usually trying to convince themselves that murder could never happen to their family.

Anger and Resentment

It is right for survivors to look for someone to blame for the death of their loved one. If a suspect is arrested, the anger is toward that person. Some people are angry with other family members, friends, doctors, police, prosecutors, God, or even themselves. They may resent well-meaning people who say hurtful things and do not understand what survivors are going through. Feelings of anger may be very intense, and the feelings may come and go. These feelings often will return when a suspect is arrested and during trial. If there is no arrest and no trial the feelings of anger, frustration, and resentment may be aimed at the police and prosecutors. Many survivors daydream about revenge, which is normal and can be helpful in releasing rage and frustration. The desire for revenge, as well as the anger, should lessen as people begin to heal.

Feelings of anger are a natural part of the healing process. These feelings are not right or wrong, they are simply feelings. It is important to recognize the anger as real but to not use it as an excuse to abuse or hurt others. There are safe and healthy ways to express anger. Many people find that writing down their feelings, exercising, doing hard physical work, beating on a pillow or crying or screaming in privacy helps them to release some of the anger. Ignoring feelings of anger and resentment may cause physical problems such as headaches, stomach upset, and high blood pressure. Anger that goes on a long time may cover up other more painful feelings such as guilt, sadness and depression.

Depression and Loneliness

Depression and loneliness are often a large part of grief for survivors. It may seem that these feelings will last forever. Trials are sometimes delayed for months and even years in our criminal justice system. The trial and any media coverage means reliving the events around the death of their loved one. Feelings of depression and loneliness are even stronger when a survivor feels that no one understands. This is the reason a support group for survivors of murder victims is so important. They really do understand.

Family members of murder victims may feel it is too painful to keep living and may think of suicide. If these thoughts continue, you must find help. Danger signals to watch for include: (1) thinking about suicide often; (2) being alone too much; (3) not being able to talk to other people about what you are feeling; (4) sudden changes in weight; (5) continued trouble sleeping; and (6) using too much alcohol or drugs (including prescription drugs).

Isolation

You may feel that you are different from everyone else and that others have abandoned you. Murder is an abnormal and unthinkable act. People are horrified by it. They may blame your loved one or the survivors for what happened. Death by murder, suicide, drug abuse, or AIDS is not only a loss but carries with it a stigma for the deceased as well the family that can leave them feeling abandoned and ashamed. Other people may care but may find it hard or uncomfortable to be around you. You are a reminder that murder could happen to anyone.

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They cannot understand why you feel and act the way you do, because they have not gone through it.

Physical Symptoms of Distress

It is common to have headaches, tiredness, nausea, sleeplessness, loss of sexual feelings, and weight gain or loss during the experience of grief. Some people describe their loss as a feeling of physical pain, usually in the chest area (especially if the loss was a child or spouse.) It is almost a physical feeling that the heart is "broken."

Panic

Feelings of panic are common with survivors of murder victims and can be hard to cope with. You may feel like you are going crazy. Often, this feeling happens because murder itself seems unreal and "crazy." Your feelings of grief may be so strong and overwhelming that they frighten you. It can help a great deal to talk with other families who have had similar feelings and truly understand what this "crazy" feeling is all about.

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Inability to Resume Normal Activity

You may find that you are unable to function the way you did before the murder and to return to even the simplest activities. It may be hard to think and plan. Life can seem flat and empty. The things that used to be enjoyable now seem meaningless. You may not be able to laugh, and then when you finally do, you feel guilty. Tears come often and without warning. Mood swings, irritability, dreams and flashbacks about the crime are common. These feelings may come several months after the murder. Your friends and co-workers may not understand the grief that comes with murder and the length of time needed to recover. They may simply think it is time for you to put the murder behind you and get on with normal life. Trust your own feelings and travel the road to recovery at your own pace. Look to others who have survived the murder of a family member if you are worried about how long the healing process is taking.

Additional Reactions

If someone you love was murdered, you may also feel some of the following:

- Horror and anguish at the suffering your loved one may have felt before and at the time of death;
- A need to know every detail of your loved one's death;
- Flashbacks of the moment you learned of the death or of seeing the body, especially if your loved one had visible injury or was in great pain before death;
- Visual thoughts of the crime itself; and
- Anger toward everyone who cannot bring your loved one back;

The way another family member looks and acts can sometimes be a painful reminder of the murdered loved one. Certain looks, expressions, or even smells can trigger sharp feelings of grief as you "see" your loved one in your child, spouse, or sibling. Only the passing of time will make it easier to bear.

Special Factors in Grief

There are special factors that can make grief worse and can make it last even longer. If you saw or heard the murder of a loved one, you will have to cope with severe trauma. You may feel powerless and may blame yourself. If the murderer is a family member, close friend, or intimate partner, you will have to make difficult choices. Murders that were committed by more than one person will seem more violent and unbelievable.

The motives of the murderer and the way in which the victim was killed also affect grief. Vehicular homicide, (when the driver is drunk or negligent and kills someone) is often not considered by others to be criminal murder. Our society tends to excuse drunk driving and to give the assailant an easy sentence. Survivors may feel their loss is ignored or treated lightly.

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You may have to face the fact that your loved one suffered as a result of the murder. There is comfort in knowing that the victim was killed instantly and did not suffer. Survivors who know that the murder took time, involved maiming, or humiliation may face years of having to think about what their loved one thought and felt. Seeing the victim severely maimed or in pain before they died is also terribly difficult. If the murder involved a sexual assault, you may feel increased anguish when you think about the humiliation and terror your loved one felt. In cases where the victim was kidnaped, the length of time the victim was missing adds to the trauma of those who had to wonder and wait. When the body of the loved one is violated after death, survivors feel another kind of horror and may be deprived of the traditional, dignified goodbye they would normally observe.

If the murderer is never caught, it is harder to complete the recovery process. Unanswered questions remain unanswered. The murderer becomes an almost mystical or super-powerful figure. You may live in fear that it could happen again. You may become afraid of new situations and suspicious of strangers.

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If you have had to deal with other types of devastating losses, abuses, or changes prior to the murder, you may find it even harder to overcome this blow.

All of the circumstances mentioned above make the loss more painful and recovery more difficult. It is particularly important for survivors who face these issues to consider professional counseling and support from other survivors.

Finding Help

Whatever you are facing or feeling at the moment, it is important to remember that each person copes with tragedy in his or her own way. Trust your own feelings - that what you are feeling is what you need to feel and that it is normal. Don't act like things are fine when they are not. Healing begins by talking about what happened with people you trust - people who support you without being judgmental or giving unwanted advice about what you should do or how you should feel.

Most people find it helpful to talk with a professional counselor who has worked with other crime survivors. Sometimes just a few sessions with a trained counselor will help you resolve the anger, guilt, and despair that keep you from recovering. Also, talking with other homicide survivors may help you feel better understood and less alone.

If you feel overwhelmed by your emotions and think you may hurt yourself or others, immediately ask for support and guidance from family, friends, a minister, or a professional counselor. The advocates and other staff of the U.S. Attorney's Office Victim Witness Assistance Unit can help you by putting you in touch with support groups or counselors. For help call 202-514-7130. At the end of this handbook, we have included a list of organizations and support groups that provide help to families and friends of murder victims.

Recovery and Healing

Other survivors who have been where you are offer some practical suggestions of things you can do that will help you cope and begin to heal:

- Remember to breathe. Sometimes when people are afraid or very upset, they stop breathing. When you are scared or upset, close your eyes and take deep, slow breaths until you feel calmer. Taking a walk or talking to a close friend can also help.
- Avoid making quick decisions about what to do with the belongings of your loved one. Do not let others take over or rush you. They mean well, but it should be done when you are ready. You can do it little by little when the time is right for you.
- Whenever possible, put off for awhile any major decisions about moving or changing jobs. You may think a big change will make you feel better, but it will not necessarily ease the pain of grief. Give yourself time to heal and adjust before making decisions about the rest of your life.

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- Simplify your life for awhile. Make a list of the things you are responsible for in your life, such as taking care of the kids, buying groceries, teaching Sunday School, or going to work. Then look at your list and see which things are absolutely necessary. Is there anything you can put aside for awhile? Are there things you can let go of completely?
- Take care of your mind and body. Eat healthy food. Exercise regularly, even if it's only a long walk every day. Exercise will help lift depression and help you sleep better, too. Massage can also help release tension and comfort you.
- Avoid using alcohol and drugs. These substances may temporarily block the pain, but they will keep you from healing. You have to experience your feelings and look clearly at your life in order to recover from loss.
- Keep the phone number of a good friend nearby to call when you feel overwhelmed or have a panic attack.
- Stay busy with work that occupies your mind, but don't throw yourself into frantic activity.
- If you are having trouble sleeping, you may want to avoid doing upsetting things right before bed. Do not go to bed before you are tired. Give yourself thirty minutes early in the day as your "worry time." Write down your fears and nightmares. Put on quiet music or relaxation tapes. If you still can't sleep, don't get mad at yourself and worry about not getting sleep. You can still rest by lying quietly and listening to quiet music or by reading a good book. If your sleeping problems continue to last, you may want to see your doctor.
- Find small ways to help others, as it will help ease your own suffering.
- You may find it helpful to write about your feelings. Many survivors keep a journal or diary or write "letters" to their loved one. They find it helps ease whatever they are feeling.

- Ask for help from family, friends, or professionals when you need it. Healing grief and loss is similar to healing your body after illness or an accident. Just as there are doctors and nurses who are trained to help heal the body, there are professionals who are trained to help people recover from loss and cope with emotional pain.
- Think about the things that give you hope. Make a list of them to turn to on bad days.

It is important to remember that emotional pain is not endless. It does have limits. The pain will eventually ease, and the joys of life will return. There will be an ebb and flow to your grief. When it is there, let yourself feel it. When it is gone, let it go. You are not responsible or obligated to keep the pain alive.

Smiles, laughter and the ability to feel joy in the good things of life will return in time. Birthdays, anniversaries, and holidays eventually become easier to face.

When a loved one dies, it may seem as if you have lost a part of yourself. You may feel empty and hollow. Life does not “mean” what it used to. Part of recovery is redefining the future. What seemed so important before may not be important to you now. It is tough to face questions such as, “What does life mean now?” and “What is there to live for?” It may be helpful to “talk” with the loved one at the gravesite or in prayers or to write a letter. All of these are okay to do and are ways of trying to redefine life without your loved one. Rebuilding your life is painful and, at times, slow.

Survivors are forever changed by the experience of murder. They realize that while things will never be the same, they can face life with new understanding and new meaning. Many things have been lost, but many things remain. Overcoming even the greatest tragedies is possible and can help bring about change and hope for others.

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Coping As A Family

Carrying on as a family when one member has been brutally wrenched away can be one of the most difficult challenges for homicide survivors. You and your family must grieve and heal as individuals AND as a family.

It is important to know that family members each have their own ways of feeling and coping. Your spouse or child may have different reactions in different ways and at different times from you. What you find comforting may make someone else upset or worried. For example, you may find comfort in visiting the grave or looking at photos of your loved one, but these same activities may upset your spouse or child. They may not be ready to do these things.

It will help if each family member can realize their different ways of coping and be able to talk to each other about what they are each feeling. Some people will close themselves off. Some feelings are just too painful to be shared. There will be days when one person feels stronger and can help other family members. There will be days when everyone is hurting and no one feels able to help anyone else. Giving each family member the freedom to feel grief in their own way without judging them or taking it personally is hard at times but necessary to survive as a family.

A murder changes individuals and families in many ways. What used to be “normal” has changed. Each family member must adjust over time to that reality. Because the ways of grief are so different for each person, family members need to reach out to each other and for outside help when they need it, even when it is hard to do. Professional counselors can help you and your family find your way through the grieving process. Survivor support groups can give you important support and advice. Just as each of us can grow into stronger, more caring persons, so can families who have shared a heartbreaking loss.

When Parents Lose a Child

The murder of a child, no matter what age, is extremely difficult for everyone involved. Parents do not expect to outlive their children. They spend a lot of time planning for their child’s future. They often feel intensely angry and guilty when their child is murdered. It is a

terrible thing for parents to know their child suffered and that they were not able to prevent it or rescue them. Men and women often handle grief differently, which can make it hard for them to feel close to each other or help each other.

From early childhood, men are taught to protect their families, to be strong and in control, and to fix things. They are more likely than women to have feelings of failure and guilt about not being able to prevent the murder. They are often expected to take charge after a death. Men tend to hide or bury their feelings more than women and to not talk about what they are feeling, because they are afraid of seeming weak. Their silence is often seen as withdrawal, being defensive, or even a lack of caring. Men are more likely to grieve alone or in secret and to withdraw from work and activities they used to enjoy. They may throw themselves into physical activity or legal action. Doing something seems to help men more than simply talking about it. Being at home with the family may remind them of the death they couldn't prevent and sorrow they cannot fix, so they stay away from home a lot. Grief that is not expressed will often come out anyway but in anger. Or it may cause health problems or drug and alcohol problems. Women usually are more comfortable showing their feelings and talking about them with others. They are more likely than men to look for support and help.

Other differences will affect the relationship. Someone who works full time and must concentrate on their job will probably feel grief in more of an irregular way than someone who works part time or is at home all day. Grieving partners may have different needs for intimacy and sex. You may differ about having more children. The values and beliefs you both had before the murder may become more obvious afterwards. You may disagree about how to raise the surviving children. You may turn to religion while your partner turns away. You may become very involved in the criminal case and victim issues while your partner does not want to be a part of it. You will need to have patience and tolerance in allowing each other to grieve in your own way.

Communication between grieving mothers and fathers is often difficult and can cause couples to grow apart when they need each other most. The murder of a child places terrible stresses on people and relationships. It will take a considerable amount of time to

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readjust. The death of a child is certain to change the relationship of parents. It may grow stronger. It may change in direction or quality. It may even fall apart. Which way it goes depends in large part on your ability to understand and respect the different ways you grieve. Above all, you need to talk about your needs honestly and openly and to listen to each other.

Grandparents are often overlooked when a child is murdered, yet they feel a double loss. They lose not only the grandchild they loved, but they also feel the pain of their own child, the parent, who is changed by the murder.

Helping Children With Grief

When a murder happens, adult family members may be so shocked and upset that the needs of children are overlooked. Children may be so overwhelmed or frightened by the intensity of emotion going on around them that they become very confused or quiet. Even an infant can sense that something is wrong and will react, especially if the victim was the baby's mother.

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What children see and hear after the family finds out about the murder can either help them or hurt them. It is important to have someone on hand as soon as possible who can take care of the child's needs in a sensitive and careful manner. If a parent or grandparent is unable to do so, then a school counselor, minister, or victim advocate may be able to help.

If a parent has been murdered, remember that the first thing to point out to the child is that someone will take care of him or her, and, if possible, explain who that person will be. Then be sure to let the child know the following:

- the dead person did not choose to leave the child;
- the child did not cause the death of the person;
- the dead person can never return; and
- what is to happen to the person's body.

Use simple words when telling a child that someone they love was murdered. A young child may not understand ideas like “soul” or “life” but can often understand descriptions such as, “The body or soft warm part of Mommy has stopped and can’t ever be fixed. There’s no more eating, no feeling, no hugging, no hurting.” When you talk to a child about life after death, be honest: if you are sure of your beliefs it’s good to share them but don’t pretend if you are not sure. Remember that older children often have strong ideas of their own about life after death, which you should treat with respect. Avoid telling a child that the murder was “God’s will,” as it may make the child angry at God at a time when faith could help.

Your child will have many feelings in response to the news that someone he loved has been killed. Young children will probably deal with feelings by some kind of acting out, sometimes in a disruptive way. There are simple things you can do to help a young child show his feelings, such as letting him use drawing, puppets, books, or dolls to show you what he feels. Make sure it is something he is comfortable with using. This is something you can do with your child again in the coming days and months. Your child may substitute feelings he can handle for those he can’t. He may giggle or laugh at things that are not funny. It will help if you understand and do not blame the child for coping in the best way he knows how.

Older children may find it helpful to write their feelings in a journal or to talk with close friends. Some children will be afraid to express their sadness and anger with other family members because they think it will cause additional hurt. They may prefer to talk with another adult or a professional counselor.

Children have the same need as adults to talk about the person they have lost. You should answer their questions calmly and truthfully in a way they will understand. You should try not to stop them from talking, even if you think that you are protecting them from being upset.

Children, especially older children, should not be left out of the funeral process. You may want to protect them, but leaving them out may just make them feel unwanted or unimportant. Very young children may be better off not going to the funeral. You should help them plan some other sort of goodbye. If you are not sure whether

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your child should be at the funeral, ask the child what he wants to do. If he has never been to a funeral before, you should explain what will happen beforehand.

Childhood grief is different from adult grief in some ways. Adults understand better that death is forever. Adults feel grief more strongly. Children, on the other hand, haven't had as many life experiences. They are not always able to understand what they are feeling or the fact that these painful feelings will not last forever.

Children may be tearful, irritable, and clingy. They may experience many of the same physical symptoms adults have such as headaches, nausea, problems sleeping and eating, and tiredness. Children may have trouble concentrating and as a result their grades may fall for a time. They may develop strong fears of the dark, of death, of leaving home, or of being alone. Their behavior may change. Some children become very quiet while others become angry and aggressive. It is not unusual for children to feel guilty and blame themselves for the death. These are normal reactions, but you should talk to a professional counselor if these reactions get worse or last longer than you think they should. Talk to your child and find out what she is thinking and feeling. She may hear bits of conversations and start worrying about something that is not true.

Death by murder is even more difficult for children to understand. Some children may think of murder only as something they have seen on TV. For others, it may have happened in their neighborhood or to other people they know. Both situations affect the way children grieve. Children who witness the murder of a loved one will need immediate and long-term help by a professional counselor. Children of all ages need to know that violence, and especially murder, is not normal or acceptable.

Teenagers may react to grief by spending more time alone, by appearing not to care about the murdered loved one, rebelling, becoming overly active, running away, and taking dangerous chances. If these behaviors continue or they are at risk of harm, you should find help from a professional counselor for your child. Teenagers are particularly at risk for suicide. Their coping skills are not as well developed as those of adults. If you see your teenager becoming extremely withdrawn or depressed or notice sudden

changes in behavior, you should contact a mental health counselor immediately.

Brothers and sisters of a murder victim experience a different type of loss. They may feel guilty about being the one to survive. They may worry about what their parents will feel and expect of them. If the family stops doing certain things that have become too painful, the surviving children may feel abandoned and alone. Brothers and sisters share a special bond as they go through life together. The breaking of that bond by murder is cruel and will last throughout their lives.

As you struggle to cope with your grief, you may find it too hard to cope with your child's grief on your own. Victim advocates and counselors can provide special help for child survivors and can help you find ways to support your child. The following are some guidelines for parents to help their child cope with the murder of a loved one.

- As soon as possible after the death make time to talk to your child.
- Give your child the facts in a simple manner. Do not go into too much detail. Your child will ask more questions as they come to mind.
- If you can't answer their questions, it's fine to say, "I don't know how to answer that, but perhaps we can find someone to help us."
- Use the correct language. Say the word "dead." Do not use phrases such as "He's sleeping", or "God took her", or "He went away". Children will often misunderstand and literally believe that the deceased will return. Use the given name of the victim when speaking of him or her.
- Ask your child questions to better understand what they may be thinking or feeling. Questions such as "What are you feeling?" or "What have you heard from your friends?" or "What do you think happened?" may help you understand their thoughts and fears. Invite your child to come back to you if he or she

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has more questions or has heard rumors - that will help you get the correct information.

- Try to not pass children from caretaker to caretaker, particularly when it is a parent who has been killed. Don't send a child away from home, unless the main caretaker is unable to make the child feel safe and secure. Sending a child off to be with relatives or friends during the crisis makes it harder for them to adjust later on. The child needs to learn they can tolerate a loss, be sad, and survive.
- You may want to protect your child from details and upsetting or untrue information about the murder that may be on television or in the newspapers. It may not be possible to keep your child from hearing and seeing everything in the press during the investigation and trial. The more sensational the case, the more attention the media will give it and the more likely children are to hear things at school and in the neighborhood.
- Explain your feelings to your child, especially if you are crying. Let them cry, too. It is ok for children to see your sadness. Talk about feelings, such as sad, angry, feeling responsible, scared, tearful, depressed, and worried.
- Think about your child's age and level of understanding when you talk with them and in planning for their part in the funeral and other activities. Talk about the viewing and funeral. Explain what happens at these events and find out if your child wants to attend. Listen to their fears and feelings. Do not force them to do something they are not comfortable with doing.
- Read a book on death with your child. Take time to discuss what you have read and tie it into what is happening to you. A list of some books are included at the end of this handbook.
- Think about ways your child can say "goodbye" to the person who has died. This is even more important if the child did not

attend the funeral. You can encourage your child to write a letter to the deceased. If it is written before the funeral, putting it in the casket can reassure your child. If not, the letter can be taken to the cemetery later or some other special place.

- Children may want belongings or a photo of the loved one. Don't worry if children take these objects to bed with them.
- Talk about your memories of your murdered loved one, good ones and ones not so good.
- Watch out for "bad dreams." Are they happening often? Talk about the dreams.
- Watch for changes in behavior in your child both at home and school.
- Show your child lots of affection.

The Criminal Justice System

Following the first shock and trauma of murder, families must deal with several organizations that are working on solving the crime. Most families have never before dealt with the police, the medical examiner's office, the U.S. Attorney's Office, and the courts. This can be frustrating if families do not understand how these organizations work.

medical examiners' office

The Medical Examiner's Office must work with the police to identify the body, locate and notify the family, and determine the cause and manner of death. They often collect evidence from the body that will help in the investigation and prosecution of the case. This is done during an autopsy (a detailed medical examination of the inside and outside of the body) must be conducted in all cases of unnatural death. This process can take from several hours to several days. When the Medical Examiner is finished, the body is released to a funeral home of the family's choosing. It is the duty of the Medical Examiner to complete a death certificate and an autopsy report. The family will need copies of the death certificate to file insurance and benefit claims, to probate a will, and many other tasks. Delays in determining the manner and cause of death may occur in more complicated cases.

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metropolitan police department

When a murder happens, usually the first called and the first on the scene is the police department along with the fire department paramedics. They attempt to save the life of the victim, if possible. The police secure the scene of the crime to protect evidence which may later be used to prosecute the assailant. It is the duty of the police department to collect evidence from the scene and from witnesses, make an arrest, and present the case to the U. S. Attorney's Office at the appropriate time.

The police will usually take photographs at the crime scene. They may take materials, objects and personal effects that might help in the investigation. Families who want these items returned may contact the detective assigned to the case. The materials may be released after a short time. However, the police may keep some articles as evidence until the case has been through the trial and appeal process. Families also should know that the police department is not responsible for cleaning up the site of the murder. Families can call on friends or cleaning services to handle this difficult task.

There is no way to know how much time the police investigation will take or to whom the detectives will need to talk. The detective may attempt to tie it in with any similar cases. Their goal is to find and arrest the murderer and continue to gather evidence for the case. Any and all information that family and friends of the victim have to share with the detective could be very important to the progress of the investigation.

Talking with the Police

The best source of information about the investigation is the detective assigned to the case, even though some information must be kept confidential. If he or she cannot be reached, contact the sergeant in the unit or the lieutenant in the division. They should be available to answer questions and help in any way possible, within police department guidelines and within the law. Before filing any court case, the Metropolitan Police Department Homicide Branch usually will handle any questions regarding the case or investigation. They can be reached by calling (202) 645-9600. After an arrest has been made, the case will be filed with the U.S. Attorney's Office and will be assigned to a prosecutor.

Family members can receive a copy of the report made by the officer at the scene of the crime through the records division of the police department. The investigation file, made by the police detectives working the case, is NOT public information and cannot be shared.

One member of a family should act as the main contact with the police department, although all members of the immediate family

Coping After a Homicide

are welcome to call the detective with their questions. Families also are encouraged to call the police department directly if they believe they have any information that might be important to the case. If families are having problems or concerns with the manner in which their case is being investigated, they should call or write the immediate supervisor of that particular division of the department and see if the problem can be resolved.

Understanding the Attitudes of Police

When families of a murder victim deal with the police, it may help to understand the problems that each faces. The family is in a state of shock. They may see the police as indifferent and non-caring and may react with anger toward the police. The family is confused and angry already. The police need to understand these feelings and should be patient and respectful.

Likewise, families need to understand that police officers are human beings, and they have feelings also. Each detective handles several murder cases at one time. In order not to be overwhelmed by their feelings, they develop attitudes that may appear distant and cool. This does not necessarily mean they do not care about their jobs or about the victims. It is an attitude that helps them cope with very difficult and traumatic situations and prevents them from becoming overwhelmed by crisis.

Police officers may be dealing with additional stress caused by large case loads, long hours, low pay, and few resources to help them do their jobs. In addition, they are often frustrated when citizens who have important information or evidence will not come forward or cooperate with the investigation

united states attorney's office

Most families of murder victims have a strong desire to see that justice is done and that the murderer is punished. The United States Attorney's Office is responsible for bringing the charges against the person believed to have committed the murder.

Once the accused person has been charged with the crime, he or she becomes known as the defendant. The Assistant United States Attorney (AUSA) becomes the prosecuting attorney. Court rules and the District of Columbia Criminal Code guide the prosecution of the case. These rules sometimes frustrate families of murder victims who may want justice quickly and severe sentences. The laws, however, must be followed.

Many families find the criminal justice process to be slow, frustrating and sometimes insensitive to their needs and to the memory of their loved ones. Also, during the trial, families may not be happy with everything they hear in the courtroom.

Families should realize that the prosecuting attorney assigned to their case is working with them, not against them. The prosecutor may be working on several homicide cases at the same time and must give time to each.

The process of a murder trial is involved and could take a couple of years before all the necessary steps have been completed. Some cases involve more than one defendant or more than one victim. These cases will usually take longer.

As the case moves along, you should have an opportunity to meet with the prosecutor, and you are encouraged to do so. You should be notified by the prosecutor or a victim advocate to arrange such a meeting. If you do not hear from them or need information, you can call the prosecutor or a victim advocate on the phone. The advocate usually has more time available to assist the family and is probably a more appropriate person to answer the family's questions.

The U.S. Attorney's Office has a Victim Witness Assistance Unit designed to provide services to victims and witnesses of crime and their families. Victim advocates are specially trained and experienced in working with people whose lives have been devastated by violent crime. If the prosecutor/AUSA assigned to your case does not refer you to a victim advocate, you can visit the unit on the first floor of the U.S. Attorney's Office (Judiciary Center Building) or call (202) 514-7130 for an appointment. More information about the services of the VWAU is included in the Resources for Families of Homicide Victims section of this handbook.

Coping After a Homicide

attending the trial

Attending a criminal trial can be a very difficult and emotional experience for families and friends of murder victims. Families should seriously think about the situation before attending the trial. You may see the defendant for the first time in the courtroom, so you will need to prepare for the emotional impact of this encounter. You may hear horrifying details of crime for the first time. You should know that photos of the victim, crime scene and autopsy will probably be shown and a detailed description of the crime will be told to the jury. If possible, ask the prosecutor to go over this information with you before the trial. This will help you decide whether you or other family members want to be present during that part of the trial and will help prepare you if do attend. It is up to each person to decide for themselves what is right in their particular situation. Trials can be long and draining, so you should have someone accompany you.

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Defense attorneys often will try to make the deceased victim look bad to help the defendant. The defense attorney may say that the victim was in some way responsible for their own murder. This is upsetting to hear, but remember that the defense attorney's job is to do everything possible to represent their client's interest. Families need to be aware of this and determine what they can and cannot reasonably endure.

If you find yourself becoming extremely upset during the trial, quietly leave the courtroom until you are more relaxed. This can be very hard, but it is important to the trial process. Emotional outbursts by families of either the victim or the defendant are not tolerated and may be seen as an attempt to influence the jury. The criminal case must be focused on facts. It is difficult but family members need to control their emotions during the trial.

You should not speak to a judge or juror during the course of the trial, unless you are in the courtroom testifying under oath. If you come in contact with the judge or jurors in the hall, elevator, or during a recess or break, do not speak to them. They must stay free of bias (prejudice or favoritism) as they listen to the testimony. Do not discuss the case in the halls, restrooms, or anywhere that a friend of the defendant or a juror may overhear. There is a special waiting

room for victims and witnesses. Ask your victim advocate about the location. Families of victims should follow the judge's instructions to the jury. If these guidelines are followed, families and friends will help to prevent a mistrial from occurring.

If you have questions or concerns during the trial, write them down and give them to the prosecutor or victim advocate. Don't interrupt or whisper during the trial.

Hearing the verdict is a highly emotional time for the survivors of murder victims. Unfortunately, a legal verdict and the truth are not always the same. The standard of proof in criminal cases is "beyond a reasonable doubt." If the judge or jury has any reasonable doubt about the evidence presented in the trial, it is their duty to return a verdict of "not guilty."

The U.S. Attorney's Office has a Victim Witness Assistance Unit designed to provide services to victims and witnesses of crime and their families. Victim advocates are specially trained and experienced in working with people whose lives have been devastated by violent crime. If the prosecutor/AUSA assigned to your case does not refer you to a victim advocate, you can visit the unit on the first floor of the U.S. Attorney's Office (Judiciary Center Building) or call (202) 514-7130 for an appointment. More information about the services of the VWAU is included in the Resources for Families of Homicide Victims section of this handbook.

If the trial is being covered by the media, you may be approached and questioned by reporters. You have the right to not have to talk to reporters. If you do not want to talk to them or answer questions, you can suggest they talk to the prosecutors or someone you and your family has chosen to represent your interest.

It may help to have close friends, your victim advocate, or other survivors at court with you during the trial and particularly when the verdict is read and at sentencing.

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sentencing

Once a verdict has been reached, a sentencing hearing will be scheduled. Families of murder victims have the right to present a written statement about the effects of the crime on their lives to the judge before sentencing. This is called a Victim Impact Statement (VIS). The VIS is a part of the pre-sentence report. It allows the survivors to describe any physical, financial, psychological, and/or emotional injuries that occurred as a direct result of the crime. It is read by a probation officer, the sentencing judge, the prosecutor and the defense attorney. Your statements will be used to help the judge in sentencing the defendant.

The VIS is not a place for talking about or rehashing the details of the trial. It is a chance for you and your family and friends to let the court know more about your loved one, what he or she meant to you, and how the loss has affected your life.

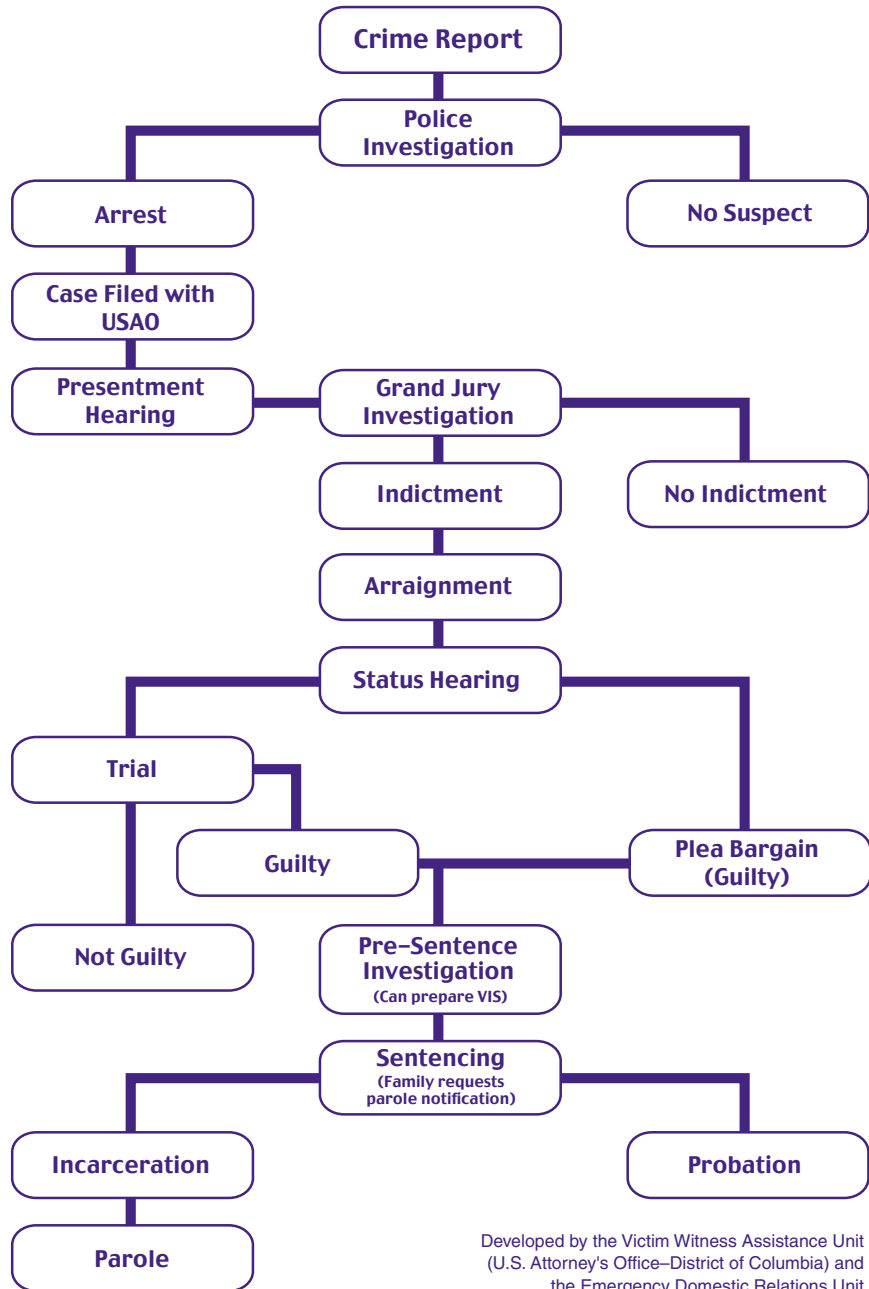
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Your victim specialist is available to help you prepare your VIS and make sure a copy reaches the court in time to be presented to the judge before sentencing. The specialist can help you organize your thoughts and any documents you can provide regarding the costs of the crime to you and your family. Keeping a diary of your feelings from the time of the murder can be helpful when it comes time to prepare your VIS. You may also want to attach photos, poems or other mementos of your loved one.

Some families may want to read (or have a spokesperson read) a part of the VIS or make a statement at the sentencing hearing. In most homicide cases, families have a right to make a statement at sentencing. If you want to make such a statement, speak to your prosecutor about it well ahead of time. If you take the opportunity to speak in front of the judge, it is important that you describe how the murder has affected you and your family.

The U.S. Attorney's Office in the District of Columbia prosecutes crime in two courts, the Superior Court for the District of Columbia (local court) and the United States District Court for the District of Columbia (federal court). The victims rights laws are slightly different in the two courts. Please consult your Victim/Witness Specialist

The Criminal Justice System



Developed by the Victim Witness Assistance Unit (U.S. Attorney's Office–District of Columbia) and the Emergency Domestic Relations Unit

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about any questions you may have about the sentencing hearing or for assistance with your victim impact statement.

You are guaranteed the right to the Victim Impact Statement by the "Victim Rights Amendment Act of 1988." It is one of the few legal rights provided families of murder victims in the District of Columbia. It may be the only opportunity the court will have to hear what the loss of the victim means to you.

How the Criminal Justice System Works

The U. S. Attorney's Office for the District of Columbia handles both Federal crimes (violations of Federal laws) and adult violators of the D.C. Criminal Code. Title 16 of the D.C. Code allows juveniles aged 16 to 21 to be prosecuted as adults in some cases. Federal crimes are handled by the Federal District Court. District of Columbia crimes are handled by D. C. Superior Court. The U.S. Attorney's Office prosecutes both types of cases. There are some differences in the ways cases are handled in the two courts, but they are mostly the same. Homicide cases usually are tried in D.C. Superior Court and prosecuted by the attorneys in the Homicide Unit in the U.S. Attorney's Office.

After the police department has a suspect in custody and the investigation has progressed, the U.S. Attorney's Office is asked to determine whether or not the case should be prosecuted. They must make sure the evidence submitted by the police is enough for "probable cause" or to justify filing the case. If filed, a grand jury investigation is conducted. Sometimes cases involve the presentation of evidence to a grand jury even before an arrest is made. Whether a suspect is arrested first or not, a grand jury must ultimately vote to indict in order for the case to be prosecuted (see below the section on "grand jury investigation.")

When a person is accused or said to have violated a law, that person is required to appear in court, so it can be determined if a law was broken and if there is probable cause to believe the defendant is in fact the person who broke the law. The court requires people who

How the Criminal Justice System Works

know about the crime to come forward and tell what they know or saw happen. These people are called witnesses.

The major events which may happen as your case works its way through the system include the following:

Grand Jury Investigation: Some cases reach disposition before a grand jury is presented with the evidence. If not, evidence must be presented in a secret hearing before the grand jury, which is composed of District of Columbia citizens who determine if there is enough evidence to prosecute the case. If there is sufficient evidence, the suspect is "indicted" for the crime. If there is not enough evidence the indictment is "ignored" and the defendant is released.

Trial: A proceeding that is held if there is not pretrial disposition. At a jury trial, the prosecutor must present evidence that proves the defendant is guilty beyond a reasonable doubt. Once the prosecutor presents evidence in the case, the defendant may present evidence but is not required to.

The jury then decides if the defendant is guilty or not guilty of the crimes for which he or she was indicted.

Sentencing Hearing: A hearing held to determine an appropriate punishment if the defendant is found guilty at trial or pleads guilty to breaking a law. In the local court system, the judge decides the punishment. Punishments can include probation where the defendant is allowed to stay in the community under supervision of the court, or incarceration where the defendant is placed in jail or prison for a certain amount of time. Before deciding a punishment, the judge will look at the defendant's background, criminal record, and effects of the crime on the victim. The judge can also order that the defendant pay restitution to the victim or victim's family. Some convictions carry a mandatory sentence which even the judge cannot change. For example, a conviction for one count of First Degree Murder requires the judge to sentence the defendant to thirty years in jail. This sentence may be added to sentences the defendant received for other counts for which he or she was convicted.

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Families of victims are not usually present, but are allowed to be, at the following types of hearings, but the prosecutor can tell you what happened at these hearings. They may include:

Presentment/Initial Appearance: The first court proceeding a defendant has after his arrest, usually on the same day or the next day. The defendant learns his rights, the charges are read, a lawyer is appointed for the defendant, and the court decides if the defendant will be held in jail or released until the preventive detention hearing.

Preventive Detention Hearing: A hearing to decide if there is "probable cause" to believe that the defendant committed the crime of which he has been accused. The prosecuting attorney does not have to prove the defendant is guilty beyond a reasonable doubt at this hearing. If there is enough evidence presented, the judge will decide whether the defendant poses a danger to the community or will flee from the area and not show up for the next court date. The judge will then determine whether to hold the defendant in jail without bond until the trial.

Arraignment on the Indictment: A hearing to notify the defendant of the charges for which he was indicted by the Grand Jury. The defendant is given an opportunity to plead guilty or not guilty to the charges at this time.

Status Hearings - When the defendant is going to trial, the judge will hold one or several hearings to make sure that both the prosecution and the defense attorney are ready to go to trial. Sometimes the defendant, his attorney, and the prosecutor will agree to let the Defendant to plead guilty to certain charges without going to trial. This is called a Plea Agreement. Before accepting a plea agreement, the prosecutor will look at the strength of the evidence, the criminal record of the defendant, the seriousness of the crime, and the effects of the crime on the victim. The prosecutor may consider your opinion before offering or accepting a plea agreement.

Hearings on Motions: A hearing held to resolve any legal questions about the prosecution of the defendant before going to trial and which is normally held between the judge and the attorneys in the case and sometimes requires the testimony of a witness. Examples

of motions include a request by the attorneys to continue or change the court date, dismiss a case, and admit or exclude evidence.

frequently asked questions

Why does it take so long for a murder trial to begin?

Because murder is such a serious crime, it is likely to take longer to prepare for trial than other crimes. The investigative work takes time to complete. An enormous amount of evidence must be examined by police labs. Many witnesses must be interviewed and prepared for trial. Once the trial begins, it takes time to question all of the witnesses. Managing the schedules of prosecutors, defense attorneys, eyewitnesses, expert witnesses, medical examiners, doctors, and other victims and witnesses can be complicated. Delays are not unusual. It is important to not rush the process. Each case deserves to be studied carefully, patiently, and thoroughly to make sure everything possible has been done to improve the chances for a successful prosecution.

What Does A Plea Offer/Agreement Mean?

Before a case comes to trial, the U.S. Attorney's Office has the option of offering the defendant a chance to plead guilty. To the public and to many victims, plea bargaining has a negative image. In reality, it is often a very good tool for resolving a case and making sure that a conviction is certain. In addition, the defendant would have no right to appeal his or her conviction in the case of a plea agreement. A jury verdict of guilty is never a sure thing. Nevertheless, plea offers are not made just to avoid the uncertainty of a trial.

A plea bargain does NOT mean the defendant will be sentenced to probation or that a murder case is always reduced to a less serious charge. While the charges in some cases are reduced through a plea agreement, the potential sentence that the defendant will receive remains an important factor in determining what offer will be made by the prosecuting attorney.

Coping After a Homicide

It is important to remember that plea offers may be good for the victim's family and the community. As noted above, a plea of guilty cannot be appealed.

This means the public is guaranteed that the defendant will "stay guilty" and serve his sentence. A jury trial can at times be a very technical process. There is always the chance of error that might entitle the defendant to a new trial, perhaps years later when all the evidence or witnesses have disappeared.

Can the defendant get out of jail before there is a trial?

It is rare that defendants in murder cases are released on bond. In some types of cases, laws allow the defendant to be released from jail before a trial is held if the defendant promises or guarantees that he will come to court whenever he is told to do so. This promise or guarantee is called bail. Before a defendant is released on bail, a hearing will be held to help the judge decide if the offender should be released on bail. Before making a decision, the judge will look at how long the defendant lived in the community, whether the defendant has family members who live in the community, previous arrests, whether the defendant has come to court like he was told in the past, and whether the defendant has made any threats to hurt any of the witnesses in the case as well as the strength of the evidence against him or her. The judge will also consider whether the defendant is a danger to the community.

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What should I do if the defendant's lawyer contacts me about my case?

You are not required to discuss your case with the defense attorney; you may decline to do so if you wish. You may simply refer the defense attorney to the prosecutor in the U.S. Attorney's Office with any questions. Please let the prosecutor or your victim advocate know if the defendant's lawyer contacts you. If you plan to speak to them, let the prosecutor know in advance so he or she may be present during the meeting. You should ask for identification when a representative from the court asks you for an interview. Remember, you need NOT talk to the defendant's lawyer or investigators if you do not want to do so.

How can I be of help during the trial process?

The homicide detectives and Assistant U. S. Attorney who are handling your case will do all the investigative and trial preparation work. However, there are many ways you can be helpful. For example, if you have any information which you think might help the case, give it to the prosecuting attorney as soon as possible. This information could include names, phone numbers and addresses of witnesses, background information you have about the defendant, or facts you might know about the circumstances of the murder itself.

It is important that you contact us immediately if you move or change jobs or phone number, so we can reach you if we have an important question to ask you and so we can keep you updated on the progress of the case. The main phone number for the Homicide Section in the U.S. Attorney's Office is (202) 616-5173.

What if I have bills directly related to the crime I can't pay?

If you have to pay any bills as a result of the crime, you should first file for benefits with your health, auto, or homeowners insurance for reimbursement. If you have used all your benefits under your insurance and still have bills from the crime to pay or if you don't have any insurance to pay these bills, you may be eligible to receive money to help you pay for medical and counseling bills resulting from the crime through a Crime Victim Compensation Program. These programs are run by the States and the District of Columbia government to provide financial assistance to victims of violent crime. Payments are most often made for medical expenses but can also be used for mental health counseling and loss of wages caused by physical injury of a crime. The District of Columbia Crime Victims Compensation Program will also help pay for funerals of homicide victims. You can contact the D.C. Crime Victims Compensation Program directly or a U.S. Attorney's Office Victim Advocate for information about applying for compensation. If you live in another state and the murder happened in D.C., you may be eligible to apply for compensation in your resident state. Ask the victim advocate to help you find out if you are eligible.

D.C. Crime Victims Compensation Program
515 5th Street, N.W.
Washington, D.C.20001
(202) 879-4216
(202) 879-4230

*Coping After a Homicide****Why do I have to pay all of the bills? What will the defendant pay?***

Of course, no amount of money can ever compensate for the loss of a loved one, however, when a defendant is found guilty or pleads guilty to a crime, he may be ordered by a judge to pay for losses he has caused the victim. This is called Restitution. Restitution can be given by the payment of money or the return of property to the victim's family. The amount of restitution the defendant will be ordered to pay and the manner in which it is paid is up to the judge. The judge may consider the defendant's ability to pay while in prison or on parole. You should discuss any questions you have about restitution with the prosecutor or your victim advocate. It is important to save all your receipts, insurance claims, bills, lost wages, travel costs to get to court or case meetings, and any other costs you paid as a result of the crime. The prosecutor will submit these to the judge at the right time so that he can use them to make a decision about restitution.

33***Will I have a chance to tell the judge how we feel about what has happened?***

During a trial, it may seem as if most of the attention is paid to the defendant and not to the effects the crime has had on the victim. If the defendant is found guilty or pleads guilty, the victim's family and friends will be asked to complete a Victim Impact Statement.

The Victim Impact Statement is a written statement of the effects of the crime and your feelings about the crime. This is probably the most important assistance that you can provide the prosecutors and the sentencing judge. The Victim Impact Statement will be sent to the probation officer to be included with a report prepared for the judge before sentencing. You have a right to speak directly to the judge at the time of sentencing. For more information and help with preparing a Victim Impact Statement, contact your victim advocate or the prosecutor.

If the defendant is found guilty and sentenced to prison, how can I find out when he or she is released?

If the case was tried in a District of Columbia Court, the defendant will be sentenced to a United States Federal Correctional facility. You have a right to be present at parole hearings and/or to present a written statement of your opinion about whether the offender in your case should be granted parole. After sentencing, you must notify the United States Bureau of Prisons of your desire to be present or submit a written statement at parole hearings. You must also notify the Bureau of Prisons if your address or phone number changes. Requests should be sent to:

U.S. Bureau of Prisons
320 1st Street, NW
Room 531 in the HOLC Building
Washington, D.C. 20534
1-(866)-365-4968
www.bop.gov

Request forms are also available from the Victim Witness Assistance Unit in the U.S. Attorney's Office by calling (202) 514-7130 or by picking them up in the VWAU in the Judiciary Center Building at 555 4th Street, N.W.

If the defendant in your case is incarcerated in a Federal prison, you can learn of his placement, escape, or release from the Federal Bureau of Prison's Victim Notification Program. You must complete a written request to the U.S. Attorney's office. The victim advocate will help you do this after the defendant has been sentenced. You must notify the U. S. Attorneys Office if your address changes.

My unmarried daughter was killed and I would like to get custody of her children; what steps should I take?

Often a grandparent, other relative or friend will take of the victim's children. If you are interested in establishing permanent or temporary custody, you can apply for custody through the Family Division of D.C. Superior Court located in room 4335 in the H. Carl Moultrie I Courthouse, 500 Indiana Avenue, N. W. For information call (202) 879-1411.

Coping After a Homicide

It is important to establish legal custody, particularly in the event the children become sick or injured and need hospitalization. Only a legal guardian is authorized to sign hospital admission papers. Schools also require that the legal guardian give consent for immunization shots.

What happens when my case is over?

Once your case is over, after the trial, you may have a mix of feelings - relief, sorrow, excitement, confusion. You may feel a great burden lifted from your shoulders. Or, you may wonder why you don't feel a sense of relief. Where do you go from here? Many families, who had not considered counseling or a support group before, find that they need help after the trial. Sometimes it is because they spent so much time thinking about and getting ready for the trial that they put aside their own feelings. Some people need time alone before they are ready to talk to others. So if you have not already looked into some kind of support system, now might be a good time to begin. With the trial behind you be proud of yourself for having followed through to the end, regardless of the outcome. A support network will not only help you in times of need, but will also be source of strength to those around you. You must now focus on your recovery, the future, and the good things yet to come.

homicide charges/classifications

First Degree Murder (Premeditated):

Any killing committed with the specific intent to kill, with premeditation (planning), and with deliberation (voluntarily, being aware of the consequences.)

First Degree Murder (Felony Murder):

Any killing, even an accidental killing, which occurs during the course of another crime such as arson, first degree sexual abuse, mayhem, robbery, kidnaping, armed first degree burglary, or a drug felony.

Second Degree Murder (Armed or unarmed): Any killing committed with specific intent to kill, with specific intent to cause great bodily injury, or with a conscious disregard of the risk of death or great bodily injury. The defendant either intended to cause harm to the victim or knew that his or her actions could cause death or serious injury. to perceive the risk of harm to others while engaged in conduct resulting in extreme danger to life or of serious bodily injury.

Voluntary Manslaughter:

Any killing committed with the same type of intents in Second Degree Murder but where mitigating circumstances are present. One mitigating circumstance involves a killing which was committed while the defendant was acting in the heat of passion. The "heat of passion" could include rage, resentment, anger, terror or fear, adequate provocation (such as an act of violence or an immediate threat of violence.) The other mitigating circumstance occurs when the defendant acting in imperfect self-defense, that is, with an actual but unreasonable belief that he or she was in danger of death or serious bodily injury.

Involuntary Manslaughter (Criminal Negligence):

Any killing without justification or excuse which may occur as the as the result of a lawful act performed in an unlawful way, the result of failure to perform a legal duty, or the unreasonable failure

Involuntary Manslaughter (Misdemeanor Manslaughter):

Any killing without justification or excuse which results during the commission of a dangerous misdemeanor offense.

In addition to murder, a defendant may also be charged with other related crimes, such as Assault With a Deadly Weapon or Conspiracy. The prosecuting attorney in your case can explain the charges to you.

Coping After a Homicide

glossary of legal terms

Appeal - A formal written request made by the defendant and his attorney to a higher Court to change the findings, decisions or actions of the trial court or jury.

Arraignment - When the defendant is notified that a Grand Jury has indicted him or her with one or more criminal charges.

Assistant U.S. Attorney - A prosecutor who represents the U.S. Government and the citizens of the United States and the District of Columbia.

Bail/Bond - A promise the defendant makes to the Court, sometimes backed by a money deposit, that he will come back to Court when told if he is released from jail before the trial.

Charge - An accusation that a person broke a law.

Complaint - A formal, written accusation to the court that a certain person violated a law.

Continuance - A delay or postponement of a court hearing to another day or time.

Conviction - A decision made by a judge or jury that the defendant is guilty beyond a reasonable doubt of breaking the law for which he was tried.

Crime - When a criminal law has been violated.

Defendant - The person formally accused of violating a law. Also called the Accused.

Defense Attorney - An attorney who legally represents a defendant.

Disposition - The final outcome of a case.

Evidence - Testimony and physical objects shown in court by the prosecutor and defense attorney.

Felony - A serious crime for which the punishment is more than one year in prison and/or a fine. Felonies include crimes such as murder, rape, burglary, or robbery.

Guilty - When the judge or jury finds the evidence presented at the trial shows beyond a reasonable doubt that the defendant is the person who violated a law.

Guilty Plea - A statement by the defendant admitting that he committed the crime.

Indictment - When the Grand Jury finds there is enough "probable cause" to show that the defendant is the person who committed the crime, they issue an indictment listing the charges against the defendant.

Grand Jury - Citizens of the District of Columbia who listen to evidence to determine whether to issue an indictment or not. Grand Jury proceedings are conducted in secrecy and all communications are confidential.

Petit Jury - Citizens of the District of Columbia who sit throughout a trial to decide the facts of the case to determine if the defendant broke a law.

Misdemeanor - A crime that is less serious than a felony and is punishable by one year or less in jail and/or a fine.

No Bill - In Federal Court cases when the Grand Jury does not find the prosecutor has shown enough evidence to make the defendant stand trial and the case is dismissed.

Not Guilty - When the Petit Jury finds that the evidence presented at trial does not show beyond a reasonable doubt that the defendant is the person who violated the law. It does not mean the defendant is innocent. Another word for Not Guilty is Acquittal.

Papering - The initial decision made by the prosecutor to charge someone with a crime.

Coping After a Homicide

Plea Agreement - An agreement reached between the prosecutor, the defense attorney and the defendant where a defendant agrees to admit he was guilty of committing the crime for which he was charged in exchange for some consideration. heard, or knows.

Pre-Sentence Report - A report prepared for the judge by the probation officer about the defendant and his life to help the judge decide what kind of punishment or sentence the defendant should be given for breaking a law.

Probation - A form of punishment that allows the defendant to live in , his community under the supervision of the court and a probation Officer after he is found guilty or pleads guilty to breaking the law.

Probation Officer - A person who works for the court to make sure defendants do not break any other laws while on probation and that the defendant pays any court ordered restitution and follows any other rules imposed by the court.

Restitution - The payment of money by the defendant to victim or to the court for damages caused by his criminal actions.

Sentence - The punishment the defendant is given by the judge when the defendant is found to be guilty or pleads guilty to breaking a law.

Subpoena - A written order of the court commanding a witness to come to court on a certain date and time. Another word for Subpoena is Summons. Failure to respond may result in the arrest of the person.

Testify - When a witness goes to court and answers questions under oath about what he saw, heard, or knows.

Testimony - The statements a witness gives under oath.

True Bill - In Federal Court cases when the Grand Jury finds the prosecutor has enough evidence to make the defendant stand trial.

How the Criminal Justice System Works

Verdict - The decision of the jury about whether or not the defendant is guilty or is not guilty.

Victim Impact Statement - A written or spoken statement made by a victim and/or his family to the court about the physical; emotional and/or financial impact of a crime.

Victim Advocate - A person who helps victims and witnesses before and after they go to court.

Victim - The person who was injured or suffered from the commission of the crime.

Witness - A person who saw or knows something about the crime.

Witness Conference - A meeting between the victim or witness and the prosecutor to prepare for trial.

Coping After a Homicide

Resources for Families of Homicide Victims

Victim Witness Assistance Unit U.S. Attorney's Office
Judiciary Center Building
555 4th Street, NW
Washington, DC 20001
(202) 514-7130

The attorneys and advocates who work with crime victims and witnesses know how difficult it can be for survivors of homicide to be involved in the criminal justice system. They understand that survivors need information, services and support when a loved one has been murdered.

The Victim Witness Assistance Unit (VWAU) of the U.S. Attorney's Office is there to provide help to victims and witnesses. The VWAU is directed by the unit Chief and includes victim advocates. The victim advocate is the person who provides supportive services to victims and witnesses. The victim advocate can help you and your family with the following:

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- Crisis counseling
- Referrals for medical, mental health counseling, financial or social services;
- Information on the justice process, your role and rights;
- Information on security and protection for victims and witnesses;
- Special assistance for children who have to testify in court;
- Help with employers and creditors;
- Assistance in arranging meetings with the prosecutor;
- Information about court dates, times, places and outcomes of proceedings;

Resources for Families of Homicide Victims

- Arranging victim/witness travel to and from court;
- Escorting or arranging escort services' to court hearings; and
- Help with preparing and submitting victim impact statements to the court.
- Help in recovering property taken for evidence, where possible;
- Information about victim compensation benefits or other financial assistance available to crime victims; and
- Help in completing victim notification requests from the Bureau of Prison's Victim Notification Program.;

The above list describes some of the services that may be available to you and your family. If you have needs that are not included in the list, please contact your victim advocate to see if additional services may be possible. Services are available by calling the Victim Witness Assistance Unit at (202) 514-7130.

Coping After a Homicide

crime victim's compensation

D.C. Crime Victim's Compensation Program D.C. Superior Court
515 5th Street, N.W.
Washington, D.C. 20001
(202) 879-4216
(202) 879-4230 (fax)

Families of homicide victims may be eligible for crime victim's compensation. Compensation comes from the Crime Victims Fund (Fund) which is made up of fines and penalty assessments collected from convicted Federal offenders. The purpose of the Fund is to assist victims of violent crime with uncompensated medical bills, counseling expenses, funeral expenses, and lost wages that result from the crime. "Uncompensated" refers to expenses that are not covered by the victim's health insurance or other services. To be eligible for victim compensation from the D.C. program the following requirements must be met:

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- The crime occurred in Washington, D.C. or in a state that does not have an eligible compensation program;
- The victim files a claim within 1 year after the crime occurred or 1 year after learning of the Program; and
- The claimant must have reasonably provided information to and cooperated with requesting law enforcement agencies.
- The claimant (and the victim) can not have participated in or provoked the crime.
- The award can not unjustly enrich the offender.

bibliography / books for adults

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*Coping After a Homicide***books for children and teens**

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Silverstein, Shel (1964). *The Giving Tree*, Harper & Row.

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helpful web sites

US Attorney's Office for the District of Columbia

<http://www.usdoj.gov/usao/dc/>

Office for Victims of Crime

<http://www.ojp.usdoj.gov/ovc/welcvc/welcome.html>

Parents of Murdered Children

www.pomc.org

Recover

www.lossandhealing.org

Survivors of Homicide, Inc.

www.survivorsofhomicideinc.org

National Center for Victims of Crime

www.ncvc.org

National Organization for Victim Assistance

<http://www.try-nova.org/>

Traumatic and Stress Information Web site

www.witnessjustice.org

www.giftfromwithin.org

www.sidran.org

www.dougy.org

Information About My Case

Use this form to keep track of important information in the case. This form is for your own personal use.

Police Case Number: _____

Detective: _____

Phone: _____

USAO Case Number: _____

AUSA : _____

Phone: _____

Defendant (s): _____

Preliminary Hearing: _____

Date: _____

Time: _____ Room: _____

Trial: _____

Date: _____

Time: _____ Room: _____

Presiding Judge: _____

Sentencing: _____

Date: _____ Room: _____

Notes: _____

Important Victim Assistance Phone Numbers

US. Attorneys Office

Victim Witness Assistance Unit: Main phone: (202) 514-7130

Victim Advocate: _____

Phone: _____

Prosecutor: _____

Phone: _____

Other Names and Phone Numbers

Name: _____

Phone: _____

Name: _____

Phone: _____

Name: _____

Phone: _____

Notes: _____

Crime Victims Bill of Rights

- (1) The right to be treated with fairness and with respect of the victim's dignity and privacy.
- (2) The right to be reasonably protected from the accused offender.
- (3) The right to be notified of court proceedings.
- (4) The right to be present at all public court proceedings related to the offense unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial.
- (5) The right to confer with an attorney for the Government in the case.
- (6) The right to restitution.
- (7) The right to information about the conviction, sentencing, imprisonment, and the release of the offender.

