

Victim and Survivor Issues in Homicide Cases: Focus Group Report

**A Report to the Governor's Commission on Capital Punishment
by the Illinois Criminal Justice Information Authority's
Research & Analysis Unit**

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REPORT TO THE GOVERNOR'S COMMISSION ON CAPITAL PUNISHMENT

Victim Issues and Concerns In Homicide Cases

INTRODUCTION

This report has been prepared for Governor Ryan's Commission on Capital Punishment to provide additional information on homicide victim and survivor issues. It is hoped that this information is useful in the Commission's consideration of possible improvements in the way criminal justice agencies and allied entities in the victim service community carry out their responsibilities.

Those working in the criminal and juvenile justice systems often hear about the importance of including victims in the justice system process. In fact, many of the popular criminal justice philosophies of the day, including Balanced and Restorative Justice, emphasize the importance of addressing victim needs. However, little is known about the actual needs of victims.

The focus groups convened for this study were intended to give family members of homicide victims an opportunity to comment on what it feels like to go through the criminal or juvenile justice system process. Three focus groups were convened for this project, two in Chicago and one in Springfield. Representatives from organizations that provide services to victims selected the participants with an explicit attempt at obtaining diversity (e.g., race, gender, location, circumstances of the crime, etc.). The number of participants varied from seven in the first Chicago focus group, to 11 in the Springfield focus group.

Participants in all three focus groups had lost a family member to homicide and were directed by a trained facilitator to discuss aspects of their cases and the treatment they received from criminal justice agencies, both the good experiences and the bad. These participants represent a small non-random sample of loved ones of homicide victims in Illinois. The focus groups were intended to gather impressions, feelings, attitudes and perceptions. Although informative, these perceptions may not necessarily represent the experiences of all loved ones of homicide victims. This report summarizes these discussions, relying heavily on the words of participants. It is the intent of this report to let their voices be heard and to offer readers an opportunity to learn more about the needs of family members and loved ones of homicide victims.

Victim's needs: Does the system understand?

It is not surprising that losing a loved one to homicide is deeply traumatic. Many of the participants reported feeling shocked at the loss of their loved ones, and several commented on what it felt like when they first learned about their family members' death. One participant reported:

"I was like, I was a zombie . . . I felt like, just start to run and don't stop. My ex-wife, my good friend of mine, stopped me and said, 'Where are you going?' I didn't

"You can't believe this happened to you."

know, she's on her knees in the emergency room, and I'm on the ramp, and your mind is like ZEW-ZEW-ZEW-ZEW, cause you can't believe this happened to you. You cannot, you cannot believe, how could this be happening? You know you figure, what did I do? You're a good person, like you say, a law abiding, you pay your taxes, whatever. How is this happening? It is like a nightmare. And you don't know which way to go, I don't know what to do, I don't know what to do. And then what really got me all crazy was when these two doctors kept running out, 'do you want to donate her organs, do you want to donate her organs,' and I told them 'get back in there and try to save my daughter!' And here they come again, 'you got to donate the organs, you got to donate the organs.' I said no, no, get back in there, no... Well she lived. She lived for a week and so I was able to talk to her and be with her body. She lived a week... (and then) we lost her... When it is happening it is just unbelievable. And then you are seeing people, your friends, and everybody is just going crazy, I mean it is like unbelievable... You get up in the morning and you wish that, you pray that, that was not your life. It was a dream. Then you sit down and you start to think, oh man, and it's not (a dream), and then you realize it, and what hurts the most is when I see, like, you know, I see my wife and my older daughter and it's like dad has always took care of everything, dad will take care of it, dad will take care of it, and this was something I couldn't do about it, I couldn't fix it, you know, and you feel helpless like this, it is terrible."

"You get up in the morning and you wish that, you pray that, that was not your life."

Another participant explained it this way:

"... the information we got in the first 24-48 hours came from the news. That's how we found out that they have suspects, that's how we found out that they made an arrest ... We were rushing around trying to get to family and friends to let them know before it hit the ten o'clock news what had happened, because he was killed at five in the evening and at ten o'clock it was all over the news ... That was really difficult; that was one thing I felt like nobody understood what it was like for us to try to live through that."

"We were rushing around trying to get to family and friends to let them know before it hit the ten o'clock news what had happened..."

Many other participants reported experiencing similar reactions, including being "shocked," "traumatized," "angry," "sick," "hurt," and "sad" when they learned about the deaths of their loved ones. Some also reported that they and other family members, including children, experienced post/traumatic stress directly following and many years after the crime. Yet, after the victims have been emotionally and mentally traumatized, they begin their long journey through the criminal justice system process. For many, this new experience can be confusing, frustrating, horrifying and sometimes almost as traumatic as when they first learned about the death of their loved ones.

Throughout the focus groups, participants discussed many needs. Of those, we identified three main needs that participants repeatedly talked about during the focus groups. First, victims wanted those working in the system to provide them with information about what was going on with their case, what they should do, who they should contact, and where they should go (e.g., the medical examiner, the local police department, etc.). Second,

participants wanted those working in the system to be more sensitive to their needs, act more compassionate, and behave in a more professional manner. Finally, participants felt that there should be more continuity in the system. Many were frustrated that their cases were often passed on to different detectives, assistant state's attorneys, judges, advocates and caseworkers. Although we describe these needs separately, in many cases, these needs were connected. For instance, the lack of information could result in participants feeling that the system was insensitive. Following a description of these three specific needs, we include information on other needs that were not mentioned as often, but are nonetheless important to some of the participants.

The Need for Information

The most frequently cited need was the need for information from those working in the criminal justice system. The participants indicated that they needed all different types of information, ranging from information about what they should do following the crime, to what was happening in terms of their cases being processed through the court system. For example, most indicated that they did not know, nor were they ever told, who to contact directly following the incidents. Many reported that they spent hours on the telephone, directly following the incident, gathering information about what was expected of them and what they should do next (e.g., one woman reported spending nine hours on the phone, while another reported she and her sisters spent approximately 21 hours on the phone). They felt that had they been provided with a list of things that they were supposed to do and a list of numbers that they were supposed to call, they would not have had as much difficulty finding out the information they needed. In fact, some were still irritated because they never did get answers to their questions.

Many victims also felt annoyed that they had been constantly referred to other individuals when they tried to gather information, which they thought "was the big pass off;" in other words, rather than feeling that the system was informative, victims thought that the individuals they called merely referred them to other people so that they did not have to "deal with the victims." One participant, describing how she felt as she tried to find out information, summed up her experience:

"... You almost feel like you are imposing on *their* system. Like you're intruding on them. And you're just pulling and pulling, trying to get that information and get the help. And you don't feel a part of it, or like they're with you at all."

"You almost feel like you are imposing on their system."

Many participants also reported that they believed that in order to get the information they wanted they had to "keep on them" and constantly "call them, (because) they're not going to call you, you've got to call them." Thus, for these victims, navigating the system was extremely burdensome, frustrating and stressful. This dialogue between focus group participants further illustrates the difficulty participants have in obtaining information:

"I want to know from somebody, when he becomes eligible for parole. And that information is, I guess, is hard to come by. But, I would definitely like to know when..."

“That is a pertinent need, right now?”

“Yes, yes, cause it is coming up in very short...

“...They tell ya that they’ll call you and tell you, but they don’t, and that comes from people working right there in the courthouse.”

Other participants explained how it felt to be in this situation and not have access to information:

“...Information was the big thing; it is really a weird situation when if you have like been in it, because when somebody in your family dies, you know what they died from, you know they were sick, or they have a heart attack, or whatever, and you can tell people that ... We’re standing there going, we don’t know, no, we don’t know, no we don’t know that, no we don’t know that, no we don’t know that. It’s like you’re in this vacuum ... because you don’t have the information. And I think that sometimes having the information, knowing what’s going on as it’s going on, might make it easier. I don’t know because we didn’t have that so I can only speak to how it felt not having it...”

“It’s like you’re in this vacuum ... because you don’t have the information.”

“All along and like I said before, I understand the police have the job to do and they’re doing an investigation and they don’t want to compromise that. And the last thing I want is to compromise that, but somebody needs to acknowledge somewhere along the line that those that are left behind need whatever information they are able to give as soon as they are able to give it... I don’t know how to explain that to somebody who hasn’t lived through that. It’s just, it’s just, not, it’s like your whole life is in somebody else’s hands and you don’t even know what they are doing with it. That’s kind of the way it feels.”

“...Those that are left behind need whatever information they are able to give as soon as they are able to give it...”

Most of the participants had no previous contact with the criminal justice system, and in some cases, their frustration was the result of not understanding how the system worked. It is important that professionals working in the criminal justice system understand that for most people the only information they have about the system is gleaned from television, a source that does not provide adequate or correct information about the criminal justice system. Participants believed that by providing information to them, some of their misunderstandings could have been averted. For instance, one participant was upset at the fact that at the crime scene (her brother had been killed close to her family’s home), there were “all of these police officers standing around” and the family was not allowed see her brother. In this instance it is likely that the officers were trying to preserve the crime scene; however, because the officers on scene never took the time to explain to the family what they were doing, the actions of the police seemed insensitive, and in her words “horrifying.”

This participant illustrated her frustration when she was handed a brochure that contained the Victims’ Bill of Rights:

“I talked a lot about information, and I believe that there has to be an information channel and I’m looking at this pamphlet under information I must ask for and there’s all kinds of stuff here that says you must request this information in writing if you want to know about hearings which may result in release of the defendant, if you want to know if the defendant has been released, if you want the plea or verdict explained in non-technical language. And then it goes on, and on, and on, of all these things I want to know, I have a right to know but I have to request in writing. I’ve never seen this pamphlet before. Nobody gave this to us so we wouldn’t know what to ask for and when you’re embroiled in the middle of a crisis like that, to have to go, ‘what do I need to write down and ask for and who do I write to and get that information?’ I mean it seems to me the families should have a right to any information that is available that can be shared.”

“I mean it seems to me the families should have a right to any information that is available that can be shared.”

Participants also reported needing general information, such as what the courtroom process would entail and where to sit in the courtroom. One participant indicated that when he showed up in court, he did not realize that he could end up sitting next to the offender’s mother without realizing it. He felt that, had someone explained to him upfront what would happen when he got to court, that incident would have never happened. Others reported that they had difficulty understanding the court proceedings, why their cases were constantly being continued, and why the offenders in their cases received lighter sentences than the sentences they were originally told the offenders would receive. One participant, describing his experience, shared this:

“...This guy only got 14 years and so he will end up doing about seven. Now, the police in our community did a great job. They had the case airtight. They had witnesses that seen him hide the gun, they had some form of blood splatter on the wall, they had the 911 tape where he (the offender) called for help... Okay, so all, (they) got all of this information and a cop had come (over) that Friday, the trial was on Monday and he said, ‘this isn’t going to be a problem.’ You know, witnesses, the tape, airtight ... They had told my sister in law, ‘air tight case, we are not going to plea bargain down, he is going to get the maximum.’ Did not happen, and like I said, he will end up doing maybe seven years. And one of the worst things that happened, after he was sentenced, he turned around and looked at us, smiled and threw a gang sign. And it took everything we had not to jump over there and go after him... Nobody would answer our questions as to what happened, why they had such an airtight case and then all of a sudden...”

“They had told my sister in law, ‘air tight case, we are not going to plea bargain down, he is going to get the maximum.’”

Focus group participants also conveyed that they did not understand Illinois’ sentencing laws; some were unclear about how much time offenders would actually spend in prison. For instance, several participants discussed how much time they thought offenders would actually spend in prison; however, it was clear that participants misunderstood sentencing details.

Given participants' experiences with the criminal justice system, the sense that some important information was not provided suggested to them that some individuals working in the system did not understand what they needed. The lack of information made participants feel more alienated from the system; that criminal justice professionals were doing their job without understanding what information participants wanted.

The Need for Sensitivity, Compassion and Professionalism

Throughout the focus groups, participants continually reported that some individuals working in the criminal justice system lacked sensitivity, compassion and professionalism. Importantly, this experience occurred at almost every facet of the system. One participant reported:

“You go up to the morgue here, my brother died at the scene. I called the next morning, I get a call in the middle of the night to tell me my brother’s been murdered. ... (When) I call the hospital they don’t know where the body is, I call the medical examiner’s office and he does not know where the body is, they don’t show him there. So I’m figuring that the body is somewhere between the two places. This is twelve hours after he is pronounced dead. I go down there, they can’t find the body. And the woman is giving me an attitude about ‘Well he’s not here.’ Like I got up this morning and I wanted to come down to aggravate this woman. I mean, it’s the morgue; there is nobody there that is injured or giving anybody a hard time. Everyone there is dead and the majority of them are dead for some violent reason. So why is the woman who is sitting behind the counter acting like we’re, we’re in a McDonald’s? I mean it just doesn’t make any sense. As big as this county is, they can’t afford to have a professional on duty there at least to deal with the people when they come up and say, ‘we don’t have the body here, but I’m going to find out where they are’ instead of, ‘They’re not here, don’t ask me again.’ I mean, what kind of insanity is this? That is the kind of thing you get when you deal with the people down at the morgue. They took me in to view my brother, they put him up on a screen . . . I look up at the screen, my brother was stabbed six times and every bone in his face was broken with a big stone; I could not recognize him. I’ve known him since the day he was born and I’m telling you that there is no way that I could tell who this guy was. Now the woman wants to argue with me that I have to identify him from the screen; I’m like, ‘lady first of all you can’t find the body and now you show me that and you tell me I’m suppose to tell you that’s my brother? I don’t know who that is.’ ... It’s like, they want to argue with you.”

“They took me into view my brother, they put him up on a screen... I look up at the screen, my brother was stabbed six times and every bone in his face was broken with a big stone, I could not recognize him.”

Several other participants reported negative interactions with the police. One woman stated that:

“...And the night my son died, just like everyone else, they never bothered to come to the house. I was asleep, and the phone rang several times, which I heard the phone ringing, but I slept through it. I work midnights. And when I looked on the caller ID, I had six or seven calls from a private number, and I just said let me try to

do a star 69...When I redialed the number it was the police detective who answered the phone, this was like one o'clock in the morning, and I said, 'hi did you call?' and I gave them my number and they said, 'yeah, we called to tell you your son is dead.' And I'm like, what? And this was over the telephone. I dropped the phone. I was hysterical. And I guess one of my neighbors, I was living in an apartment building, called the police. They probably said there's someone breaking in downstairs, there is a hysterical woman. So in come these two police, one was a woman, one was a man. I told them my son was killed, it's just myself and two other children at the time. And the woman police officer whispers in my ear, 'if you continue to act like this you're going (to jail).' ... I thought because they didn't come to the house and let me know my son was killed and because this woman threatened me, it was just unbelievable."

"When I redialed the number it was the police detective who answered the phone this was like one o'clock in the morning, and I said 'hi did you call,' and gave them my number and they said yeah, we called to tell you, your son is dead."

Other participants reported having negative experiences with the sheriff's officers working in the courthouse. Several reported that the sheriff's officers they came into contact with were "unprofessional." One participant, when describing his experience, stated that:

"I was in the courtroom with a sheriff, like I said, he did bring the savage in that brutally murdered my son, and stabbed him 42 times, and crushed his head with a pipe and slashed their throats, and the sheriff that is supposed to be on our side, is hitting him with a high five and carrying on a conversation with him and laughing with him in front of the three families. The three families that were there."

"...the sheriff that is suppose to be on our side, is hitting him with a high five and carrying on a conversation with him and laughing with him in front of the three families."

Another participant reported feeling like her opinion about what should have happened during the court process did not matter because all the prosecution wanted was a conviction. She stated that,

"(The prosecutors) were only concerned about getting convictions. That's all. They didn't give a, really, they don't really care about what we think because if they did they wouldn't do what they're doing . . . they cut a deal with the grand jury to have a kid witness, to give him immunity and they never told me anything about any of this. So they didn't really care how I reacted; they told me all they were interested in is getting a conviction . . . it's about getting people convicted in the state's attorney's office."

"(They) were only concerned about getting convictions.. They don't really care about what we think"

Others reported having negative experiences with the media. One participant, while sharing his experience, indicated that he felt like the news was "all over, running after me like I was an animal." Another victim indicated that the news media reported wrong and disrespectful information about his son's homicide (i.e., the news reported that his son's death was the result of a bad drug deal, when in fact it had not been).

One participant, describing his experiences with the local media, shared this:

"...So, it was big media thing so that, you know, newspapers were there, the (television news) was set up across the street with their cameras and all that kind of

stuff, and they were, some were very respectful, others were not so respectful about just coming on into the funeral home trying to get kinda a story. . .

It should be noted, however, that some participants reported that they were satisfied with the way they were treated by the individuals working in the criminal and juvenile justice systems. They reported that they felt that some of those they worked with understood what they were going through. One participant indicated that:

“(The police) were extremely sympathetic and very sensitive to our needs and very soft spoken and non-aggressive and offered all kinds of services, and always gave us their cards and came up to us very gently, always. And we had at least six (officers) in a two or three-day period that came to speak and help out in any way . . . even one of the police officers brought a gift for the surviving child.”

“...even one of the police officers brought a gift for the surviving child.”

A few participants also reported being satisfied with the state’s attorney’s office. Those who were engaged in the court system cited victim/witness programs as being extremely helpful, supportive, and compassionate. In fact, when talking about the services they received from a victim/witness program, one respondent stated, “for them to be there and touch me on the shoulder, it felt like a million dollars,” and another victim referred to them as “the only beacon of light in our case.” Several other participants reported similar experiences:

“For them to be there and touch me on the shoulder, it felt like a million dollars”

“I can’t imagine trying to go through this process without one of the victim advocates. I just can’t imagine trying to have to walk in and out of there every day by yourself with nobody to explain the legal stuff you don’t understand and . . . She was so good about making sure we got in and out of the courtroom.

“I can’t imagine trying to go through this process without one of the victim advocates.”

“I think we were really lucky because . . . she (the victim advocate) was really good about keeping us abreast of what was going on and trying to call us when something had been cancelled and that kind of stuff, and making sure that we understood the process.”

Other participants indicated that support services from other agencies (e.g., advocate services available in hospitals) were also helpful and sensitive to their needs. Most, however, indicated that they would have preferred such services at the beginning of the criminal justice process rather than at the middle.

For some participants, they just wanted someone to say to them, “I’m sorry for your loss” or “it’s going to be okay, we’re going to help you.” Others wanted “a little hand holding.”

However, despite the fact that a few participants reported being somewhat satisfied, and although some stated that they understood that criminal justice professionals deal with such horrible tragedies all the time and that dealing with such incidents could make them calloused, most felt that individuals working in the system needed to show more compassion and sensitivity to victims. Interestingly, for some participants, they just wanted someone to say to them, “I’m sorry for your loss” or “it’s going to be okay, we’re going to help you.” Others wanted “a little hand holding.” Thus, despite the fact that some individuals had positive experiences, many of these participants felt that the system did not understand their need for sensitivity, compassion and professionalism.

The Need for Continuity

Another need that participants identified was the need for continuity in the system. Several respondents indicated that their loved ones' cases were constantly being handled by different detectives, assistant state's attorneys, judges, advocates and caseworkers. Although they understood that individuals working in the system were busy, they did not understand how their cases could be handled properly when those working on the cases constantly changed. For instance, one woman stated that by the time she was done, six different assistant state's attorneys had handled her brother's case, while another participant reported having been through eight caseworkers, two assistant state's attorneys, and four judges since the court process began. This participant, who reported the most changes in court personnel, described the processing of her case as "taking one step forward and two steps back." Many also felt that the change in personnel directly affected the information they received about the case. For instance, some reported frustration over contacting multiple detectives who gave them differing information. Others believed the change in personnel affected the outcomes of their cases. For instance, one woman reported that she felt that changes in the assistant state's attorneys handling her case resulted in a lighter sentence for the offender. The lack of consistency in personnel also included changes in defense attorneys. Two participants noted that the defense attorneys in their loved one's cases had changed during the court process. One participant explained it like this:

"We went through the murder trial, she was found guilty, and then when we went to the sentencing, they, she had a new attorney and they filed a motion for a new trial because she had inadequate counsel. So the state's attorney told us that she thought we should go ahead and agree to go along with it and that the judge also agreed that her lawyer was not very good...everybody knew he wasn't doing a good job. Why wasn't it stopped in the middle of the trial, and the judge say hey this isn't working..."

Overall, these participants felt that the system needed more consistency. For some, the constant changes they experienced made them, as one participant stated, "frustrated to the max." They suggested that consistency in personnel would reduce some of their frustrations.

Other Needs

Although the needs described above were the most frequently cited needs, several others were identified. These included the need for additional support services, such as support groups and counseling, particularly for the participants' children. Other participants reported that they felt victims needed more rights—they believed that the criminal justice system provided offenders with more rights than it did victims. Some participants also felt they should have more monetary compensation, and that compensation should be equal regardless of need. Interestingly, some participants indicated that they did not necessarily know or understand what they needed, and that directly after the incident they needed to be told what they needed, while others stated that they needed someone to be patient and ask them what they needed. Others felt the system needed to do a better job of informing

One victim reported having been through eight caseworkers, two assistant state's attorneys, and four judges since the court process began.

victims, regardless of whether or not an offender was apprehended, that services were available to them. In fact, at least two different participants indicated that the need for victims' services far outweighed the number of victims receiving them.

Overall, most participants indicated that they felt that the criminal justice system did not understand their needs. Participants felt that those working in the criminal justice system did not know how to adequately deal with victims that are in the grieving process. Although participants acknowledged that people could never truly understand what they needed unless they had gone through it themselves, they did feel that those working in the criminal justice system could be better prepared to deal with victims.

It is important for readers to understand, however, that not all victims need the same things. Although some of the needs identified by participants were similar, there was not always a consensus on what they needed. For instance one victim reported that she wanted more monetary compensation, while another stated that he did not want the money (this participant felt that this type of compensation is really "blood money"). Additionally, the needs of victims may change as they move through the criminal justice process and, in many cases, their needs may continue after the case is "finished" (i.e., once the offender is sentenced).

Equal treatment: Are all victims the same?

Equality of treatment was also mentioned during the focus groups. Some participants felt that their loved ones' cases were treated differently because of their race, ethnicity, sex, where they lived, or who the victim was perceived to be. One participant shared her thoughts about how her brother's death was being investigated:

"...(T)he only investigation that occurred when my brother passed away was on his background. The only time the police contacted us was for them to say, 'well, you'll be happy to know that your son was not a gangbanger,' which I could have told you that. He taught martial arts at the local park. He gave people, people who were recruited into gangs, an alternative. But yet, they weren't listening to that, because all they saw was a Spanish surname and that we lived in an economically challenged neighborhood ... To them, it was just another dead Mexican kid; let them kill each other, who cares, they are all a bunch of gangbangers down there. No, we are not all a bunch of gangbangers down there; we are hard working people, we work in factories, we, we, save our money, we put our kids through school, you know, we have the same rights, we pay the same taxes as everybody else, we deserve the same treatment."

"The only time the police contacted us was for them to say, 'well, you'll be happy to know that your son was not a gangbanger,'"

Another participant indicated that she felt offended by the reactions of those working in the state's attorney's office when she told them the location where her daughter was shot. She indicated that the assistant state's attorney working their case questioned why their daughter had been in that area, an area known for gang-related crimes. She felt, however, that when she and her husband told the assistant state's attorneys where they lived, that her daughter went to a Catholic high school and that both she and her husband had good jobs, there was

an instantaneous attitude change. She stated that while she should have been pleased that they would now work harder because they respected her and her husband, she was aggravated at the thought that the assistant state's attorneys would have treated them differently because of where they lived. She wondered what would have happened had she been a mother on welfare living in that area. Another respondent stated that she felt that, "every black, young teen that gets into trouble, gets shot and killed, (to the system, their death) has to be drug related."

One participant had this to say about equal treatment:

"You know, so, I don't know, we just...just disappointed...just very, very, very disappointed. And then I had wrote a letter to the editor after I had seen an article in the newspaper where another lady was killed and this guy probably only going to get the same thing, six or seven years. Nobody would answer our questions as to what happened, why they had such an airtight case and then all of a sudden, he know he is going to do these seven years. So I wrote this letter to the editor and I am not one that when in doubt make a race relationship, I am not like that at all. But you cannot explain to me what went on, and this is what I am seeing a pattern of...See and if I can't get an answer, if you can't make it clear to me what happened, then you leave me to my own thoughts, you leave me to my own imagination, you leave me to my history."

"See and if I can't get an answer, if you can't make it clear to me what happened, then you leave me to my own thoughts, you leave me to my own imagination, you leave me to my history."

Participants also stated that victim support or advocacy programs should work harder at reaching out to underserved areas. They felt that certain communities, particularly the Latino and African American communities were underserved and uninformed about their rights as victims. They felt that more funding should be provided for victims services and that such funds be used to better address the needs of underserved areas.

Confidence in the system: Is there trust?

Like any other professional field, confidence in the criminal justice system is important. In all three focus groups, the stories participants shared reflected that they were not confident that all those working in the criminal justice system were doing a good job. Some bluntly stated that they did not have confidence in the system. Several indicated that they were unsure if their cases were being investigated properly or that the case was being handled correctly in court. Some were concerned that the evidence collected at the scenes would not be enough to get a conviction. One participant, who was fearful that one of the offenders would escape prosecution due to lack of evidence, indicated that she never knew if the police department had gathered evidence from the crime scene. She believed that instead of gathering evidence, they relied on obtaining confessions; her concern was that one offender would not be convicted because he had not confessed.

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Others had similar concerns. One participant believed that had he not identified one of his sister's offenders, an offender would have never been caught. He also felt that once one offender was caught the police were satisfied, even though he knew there was more than

one offender. Some were also fearful that if they did not attend court, their cases would not be correctly handled. One participant explained it like this:

“. . . And he (the offender) says to the judge, ‘I want to get this over with,’ and the judge looked out there and he said, ‘the victim’s family is here, so we want to do this properly;’ I was like, what if I hadn’t been here, what would they have done? I just wondered about that, I really did . . . You see so much and you hear so much, and there are people who have been through this and they say you need to be there every time, cause if you aren’t, they probably throw it out. I’m like, my brother was real, he was my baby, he meant something to a lot of people.”

“...the judge looked out there and he said, ‘the victim’s family is here, so we want to do this properly,’ I was like, what if I hadn’t been here, what would they have done?”

Others indicated that they did not trust criminal justice professionals. As one participant explained:

“I just felt like he (the prosecutor) was trying to ‘damn fool’ me. You know, if he had came in and just been straight. . . I would have felt so much better. But if I feel like you are going to ‘damn fool’ me in the beginning, you are going to do it right down, right down the line. So that just kind of turned me off to it, but also made me watch more carefully what they were doing and saying.”

“Yes, they talked to my sister in law, I mean I was there in the background but yet she did not want that, so she said take it to trial, do whatever you have to do, but don’t plea bargain down. This is my daughter, I have her six kids, we owe her this much and they sit and they smile, you know, like they are listening and they’re not. And I don’t think they really realize the impact, because that’s what make people want to take justice into their own hands. You know, your justice evidently is not the same as mine. . . I want to feel that the state’s attorney, law enforcement, judges, whatever, are doing what they are supposed to do and they are looking at it fairly. Don’t look at the color of our skin or what you think somebody may be in society; don’t look at that, you look at as a human life because that is exactly what it is; one is not less important or less valued than the other, and you are not giving me that impression.”

“do whatever you have to do, but don’t plea bargain down. This is my daughter, I have her six kids, we owe her this much”

There are several reasons why participants may lack confidence in the system. As indicated above, some indicated that they felt their loved ones’ cases were not handled properly because of stereotyping. Others, however, may lack confidence in the system because they felt they were never provided with complete information about what was happening with their loved ones’ cases. Additionally, as focus group participants moved through the process, they had to deal with individuals they thought were unprofessional. This perceived lack of professionalism might have made participants more concerned that the criminal justice system would fail them. However, regardless of the reasons why participants lacked confidence in the system, it is evident that this lack of confidence caused participants to be frustrated, worried, and in many cases angry.

Addressing victim needs: Where do we go from here?

For many participants, the system failed to understand and address their needs. The question now is where do we go from here? What should be done to help address the needs identified by participants? How can we use the information from these participants to help future victims of crime? Participants came up with some of their own ideas about how the criminal justice system can help future victims. These ideas are listed below.

- **Victim services should be made available to all victims at the beginning of the process.** Although most individuals reported that they were pleased with the services they received from the victim/witness programs, most indicated that the services needed to be offered much earlier in the process. Several also indicated that they know of individuals who never had received services because the offenders were never caught. They suggested that when police officers contact family members to inform them of the death of their loved ones, the police officers give victims a number for a contact person working in victim services, while at the same time explaining to the family members that the contact person will provide them with information, services or referrals as needed. This contact person would work directly with the victims to help them gain the information they needed as they navigated the system (e.g., phone numbers to call for information, what they were expected to do, etc.). Participants indicated that the same person should work with the victims at every stage in the process.
- **Criminal justice professionals should be trained in how to deal with victims that have been traumatized and are grieving.** Participants felt that criminal justice professionals were not sensitive enough to the needs of grieving victims, and some suggested that additional training on how to deal with violent crime victims would help.
- **Criminal justice professionals should be held more accountable when they act unprofessionally.** Participants felt that they should be able to report problems they experienced with criminal justice professionals at every stage of the process.
- **All victims should be treated equally by the criminal justice system.** Some participants indicated that they felt certain victims were not treated the same as others.
- **Information about the criminal justice process should be readily available to all individuals.** The stories shared during the focus groups indicate that almost all of the participants did not understand the criminal justice process. As one participant indicated, “all I know about this is what I’ve seen on TV.”
- **Criminal justice agencies need to work harder at gaining the confidence of the victim.** Participants repeatedly mentioned that they lacked confidence in the criminal justice system.

- **Criminal justice agencies need to do a better job at listening to crime victims.** As the stories above indicate, focus group participants felt that many criminal justice professionals assumed that they knew what victims wanted (e.g., offenders to be apprehended or convicted), and while some victims appreciated the efforts of criminal justice professionals, all had needs that the criminal justice system failed to meet.

The participants were thankful for the opportunity to explain to the Commission how they felt and what they experienced. Focus group participants wanted “all of (their) voices to be heard,” and for those who will read this report to understand “that there are human beings on the other side of the offenders.”