

ROUNDTABLE DISCUSSION  
OFFICE OF VICTIMS OF CRIME  
SOUTHWEST MEETING  
ARIZONA, COLORADO, NEW MEXICO VICTIMS

JEANNIE GREGORI (Chief of Staff for Director, Office of Victims of Crimes, Office of Justice Programs, U.S. Department of Justice): I would like to introduce one of our first guests here today. Like many of you here today, Collene Campbell has given a great part of her life to fight against crime, dedicating her heart and soul to reduce the gigantic emotional and financial devastation caused by criminals. Collene has been recognized and honored by top leaders all the way from the Rose Garden in Sacramento. The former President George Bush selected her for her outstanding contributions in her fight against crime as did the United States Attorney, William Barr, the governor of the State of California, Pete Wilson, California's Attorney General Dan Lungren, and this California state legislator. She was the first woman mayor of the City of San Juan Capistrano in California while she's still on the council. She serves on the California Council on Criminal Justice and was the chairman of POST, which is Peace Officer Standards and Training. Collene is the founder of MOVE, Memory Of Victims Everywhere, dedicated to strengthening legislation and laws to meet the needs of today's violent society. Like many of you, Collene Campbell's unwanted, extraordinary justice system education is not one to be envied. She and her husband Gary have been hit hard by crime. Their only son, Scott, was murdered in 1982. His body was never found after being thrown from an airplane into the Pacific Ocean beyond Catalina Island. They were forced to endure seven and a half years of endless court delays, hearings and trials. In 1988, prior to the completion of the trials for their son's murder, Collene's only sibling, her brother, the auto racing legend Mickey Thompson, and his wife Trudy, were also murdered. After nearly fourteen years, an arrest was made just last December for the double homicide of the Thompsons. They started the preliminary hearing on April fifteenth, which was just two days before the anniversary of her son's murder, meaning they've been in the justice system now for twenty straight years. Collene truly understands the astronomical cost of crime. With God's help and your assistance, Collene is here today to work with all of you to help make this a safer world, one which is kinder to victims of violent crime. Collene.

COLLENE CAMPBELL (Founder of MOVE): I can't tell you how proud I am to be in front of this distinguished group and God's help is

always to we hope that I don't cry. And I always look up and say, get me through this one. But it's great thanks that we have to each one of you for being here. It certainly indicates your caring and your great courage. I'm sorry for why you're here, but I'm really proud to know heroes like you that are willing to step out and take another knock to help others. We all know we can't change what has happened in our lives. However, we are in a position that we can contribute to the improvement of our justice system and help countless others. We know the cost of people doing nothing. I have the privilege today of introducing a very, very special individual, somebody that my husband and I care a great deal for and have worked with for about seventeen years. For the first time in history of the United States, our President has appointed a Director to the Office of Victims of Crime who truly understands. It's the first time. He's a person who's been there. He's the director, and one of us. A director who has felt the pain, walked the walk as a law enforcement officer, and has suffered the deep agony as a victim. And there's no doubt that he knows firsthand all about crime. He has personally witnessed, felt, and been involved with crime from every angle. This gentleman is not some bureaucrat--I guess you are a bureaucrat now, aren't you?--but he's not the normal bureaucrat who is trying to tell us how we feel, what we need, and how we should behave. But instead--but instead--he is asking our opinions and our well-calculated and experienced thoughts. This man understands totally and can relate at every level. He comprehends because he's been there. Don't you love people that say, I understand, I lost my ninety-year-old mother? Or, I'm sure you're going to have closure soon. You'll never hear that from this man. He understands. This very unique person, who's a former police officer, a homicide investigator, by the way, was also the Chairman of the Board of Prison Terms and served on the Board of Prison Terms in California for more than a decade. And I have to tell you, as such he never once said to a killer, I'm going to let you out and give you another chance. Didn't happen. Sadly, but I believe of great, great importance to his position and to this mission, is the fact that he's also the father of a murdered daughter. I always have trouble with that one. With every fiber of his body, he understands, for he has personally endured the inequities of the justice system, the false accusations and the deep emotional pain of losing your only, precious daughter. But for the very first time, we have a leader, a director who knows and can fully grasp and relate to the horrendous problems that crime victims are forced to endure for the entirety of their life. And, ladies and gentlemen, that's why he's here today. Today, this great man not only honors us with his presence, but he's asking for our help in

suggesting ways to improve our justice system and the treatment of victims. He's placing a great deal of trust in our judgment and our experiences and our thoughts and our beliefs. He trusts you or you wouldn't be here. Each of you were individually selected by the director's office because of your ability, your knowledge, your gruesome experiences, but all of that comes together to make you a very valuable asset and a resource for the people of our great nation. Our director also understands that former bureaucrats have missed the mark when it comes to the needs and desires of crime victims. His goal is to enhance the knowledge and understanding for victim service providers, law enforcement and provide comprehensive and meaningful assistance to family members. But this thorough man is not guessing about what is needed; he's going to every single state and he's out to make certain that he is headed in a strong and safe way and moving forward in the direction that crime victims need. Before I introduce this man, I'd like to introduce somebody that's really important in our life. It's a pleasure for me to recognize a wonderful friend, our first lady, the wife of the director. She has worked diligently for many, many, many years to help fight crime and improve life for victims. She is a talented lady who has and continues to contribute greatly to this nation's crime victims. Patsy Gillis, will you please stand and be recognized? (applause) You have no idea what this lady's done. But it's now, indeed, a privilege and a real honor for me to introduce this extraordinary man of whom I've been speaking. He's a very kind and totally dedicated man. And I'm convinced that this man will, in fact, change the way victims of violent crime are treated, and also cut down on crime. He is a wonderful and loyal friend to all crime victims and he's appointed by President George Bush as the National Director for the Office of Victims of Crime. He's our friend. Mr. John Gillis.

JOHN GILLIS (Director, Office of Victims of Crime, Office of Justice Programs, U.S. Department of Justice): Thank you, Collene, and thank all of you for coming. As I was listening to her talk, I kept looking for this person that she was talking about. I was sure it wasn't me. But thank you for those kind words. I know a lot of you had a busy schedule and you took time out of your busy schedule to be here with us, so we thank you for that. We intentionally held this on a weekend and I've been holding all the roundtables on a weekend because having worked with crime victims before, I know that most of us can't afford to leave our jobs during the week. So we try to do this on a weekend when the victims are available. The way we got started with the roundtables, right after I was appointed to this position by

President Bush, I started talking with some of the people around the Beltway. And I met with several different organizations, several national organizations, and we were talking about crime victim issues. And it didn't take long to find out that many of the organizations were not really talking about helping crime victims, they were talking more about how to get additional funds to perpetuate their agenda. So I decided that we wanted to get outside the Beltway. We wanted to go out and talk to the people in the neighborhoods, the grassroots organizations, the people who have been there, the victims, the ones who are suffering, and find out from them what it is that we can do at the national level to help crime victims. So that's how the roundtables got started. We held the first one in California in January, we did one in Boston about three weeks, four weeks ago. And here today, and we're going to do, I believe, it's six more that we have scheduled. But it's because I want to get out and find out from you what it is that you think we can do to help serve victims better. So that's what this meeting is all about. Those of you that are here today, some of you may wonder how that happened, but it's because you have been active, doing things to help crime victims. Let me ask, how many around the table are victims? OK. Thank you. So thank you for coming. My remarks will be short so that we can get on with the business of the day, and let me bring Jeannie back.

GREGORI: OK, I'd like to just briefly talk about the Office for Victims of Crime. How many of you have heard about the Office for Victims of Crime before this meeting took place? Oh, OK, so we don't have a lot of strangers. That's good. Just a little bit of background. The Office for Victims of Crime, or OVC, we were created by the Department of Justice in 1983 and formally established by congress in 1988 through an amendment through the Victims Of Crime Act, or VOCA. Now, it's a little bit like alphabet soup because OVC is one of the bureaus and if you can imagine an umbrella, our, like, umbrella organization is called the Office of Justice Programs. A lot of those programs do different things to help different types of groups out in the field. Of course, OVC focuses on victims and getting funding for direct services to victims. Within, though, the Office of Justice Programs, or OJP, there's also other organizations. So let's see who's heard of these. Who's heard of BJA? And just yell out what the name is. Come on, don't be shy.

MALE: Bureau of (unintelligible)

GREGORI: OK. NIJ.

FEMALE: (unintelligible)

GREGORI: OK, National Institute of Justice. How about JJ?

MALE: (unintelligible)

GREGORI: OK, that's a tricky one. The...

MALE: (unintelligible)

GREGORI: OK, Office of Juvenile Justice Delinquency Prevention, and then the people call it JJ for short once you get the lingo down. So they call it JJ. What about VAWO, Violence Against Women Office. Then we have BJS, Bureau Justice Statistics. And BJA, did I already say that one? Bureau Justice Assistance. We also have EOWS, Executive Office of Weed and Seed. And then there's the Office of Drug Courts. There's a lot of different bureaus. But our office does have a political appointee from the President, and that is John Gillis, as we talked about. He does report to an Assistant Attorney General, Ms. Deborah Daniels at the OJP level, and we are in DOJ. So with that I'll stop the alphabet soup. You kind of have an idea of where we're at back in DC. But OVC's mission, it's to enhance the nation's capacity to assist crime victims and to provide leadership in changing attitudes, policies and practices that promote justice and healing for all crime victims. In OVC, we accomplish our mission in different ways. And so the one way we administer the Crime Victims' Fund, and I'll talk about that since that's our funding source. We do other things that support direct services to crime victims. We provide training programs that reach diverse professionals across the United States. We sponsor different demonstration projects that have national impact, and we publish and we disseminate information that highlight promising practices for people out in the field. How many of you have ever tried to use our OVC Resource Center to get a publication? OK, we gotta do a better job because there's a lot of publications out there, so we'll tell you how you can access that and how you can see the material. And I'll just focus briefly on the Crime Victims' Fund or The Fund. That is our funding source, and we administer that fund. There's millions of dollars that come into this fund each year, and it comes from criminal fines, forfeited bail bonds, penalties, and special assessments collected from the U.S. Attorney's Offices, the federal U.S. courts, and the Federal Bureau of Prisons. To date, fund dollars have always come from convicted federal offenders. Taxpayer dollars are not used. The

most recent change to what monies could go into the fund came actually after the September eleventh terrorist attack on America. In October 2001, congress passed the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act. OK, let's repeat that. Or the USA Patriot Act. That provides that in addition to that other money we just talked about, that beginning of fiscal year 2002 the fund could accept gifts, bequests or donations from private entities. And so all of those types of money can come into the fund, and it actually, it adds up to a lot. For example, in fiscal year 2000 there was five hundred million dollars in the fund, in fiscal year 2001 five hundred and fifty million, and in fiscal year 2002 five hundred and fifty million. Now actually more money came into the fund, like close to a billion dollars, but congress did cap the fund at those amounts. And the thinking was since, you know, we don't know how much will go into the fund each year because of the sources it comes from, it fluctuates. And so congress wanted to create, you know, a cap to ensure that there was a carryover for the following years. Now when you have a lot of money, a lot of people like to look at that money, so congress looks at that money and they gave Director Gillis congressional direction, they call it, or earmarks, as we call it, which means you have to spend the money the way congress says. And so there's twenty millions in money that's taken off the top of the fund for child abuse and this is to improve the investigation, prosecution, and handling of child abuse cases. Out of this twenty million, Health and Human Services, their department gets seventeen million. The remaining three million is dispersed from the Office for Victims of Crime, and the three million, we use it in Indian Country. Can you guys hear me in the back? I know the mike went off. OK, we're back. And so OVC exclusively uses its three million for Children's Justice Act programs in Indian Country, and those programs do look at the handling, prosecution and investigation of child abuse cases within Indian Country. Now below that, we also have additional earmarks directed from congress, and these are generally referred to as helping the federal criminal justice system. And for example, the U.S. Attorney's Offices, they're throughout the United States, there's ninety-four districts. They have an executive office back in DC called the Executive Office for United States Attorneys. They get about eighteen million dollars this fiscal year to support approximately a hundred and twelve victim specialist or victim coordinator positions. So in each U.S. Attorney's Office, if there's a federal crime, this victim coordinator--they have different names--or victim specialist or it can even be a victim advocate would be the person contacting the victim. How many of you have ever been contacted

by a federal victim witness coordinator? OK. Well, they're there. Additionally, the FBI or the Federal Bureau of Investigation got approximately two million dollars in fiscal year 2002, and that supports about fifty-six and they call them victim specialist positions in the different field offices for FBI. Now according to what's called the Department of Justice Attorney General Guidelines for Victim and Witness Assistance, there are certain things that the federal system is supposed to do for federal crime victims. And so when the case is being investigated, these victim specialists are supposed to be reaching out to you. And then when the case gets indicted, it would go off into the prosecution stage and the victim coordinators would be reaching out to you. In addition to those earmarks, there was also a five million dollar earmark to support what's known as the Federal Victim Notification System, or VNS. And what this is, is an automatic or automated victim notification system, it's like a huge database, and so once your name is entered into it as a victim in a federal criminal case, you will automatically be notified by either e-mail or fax or phone or you can call in to get updates on what's going on with your case. Also within the fund, we have what's called the emergency reserve, so the director of OVC has the discretion to set aside up to fifty million dollars. And what this is used for is for generally two purposes: One would be to assist victims of terrorism or mass violence, and then the other purpose is to fund the International Terrorism Victim Compensation Program. Now this International Terrorism Victim Compensation Program is brand new. OVC right now is still drafting the regulations for it, and this will be a direct payout to victims if there's another terrorist attack or it's an act of mass violence. OK, we still have money left in the fund, so let's look at what's left after all those earmarks. With all those earmarks, it's about 25.1 million dollars. The remaining money, there's about ninety-five percent that's given back to each state and U.S. territory to fund what's known as either their Victim Compensation Program or Victim Assistance Program. How many of you have heard of these programs? Well, good. OK, well that's good to know. Ninety percent, so like for the Victim Compensation Programs for the state, they get 47.5, then for the Victim Assistance Programs in the states, they get 47.5. Now for victim compensation, what that is is a direct payout to a victim. So the victim would fill out an application in either a local Victim Assistance Center through that advocate, or if you're in the federal criminal justice system the federal person will coordinate with the local state program to help you fill out that form. And that form would reimburse you for eligible crime victim expenses that might include medical, funeral and burial costs, mental

health counseling, lost wages or loss of support. Now the other program, the Victim Assistance Program, what that is is OVC gives money to these states which, in turn, will sub grant the money out to, say, domestic violence shelters or rape intervention centers or different grantees who will set up programs that are to serve victims directly. It might be emergency shelter or counseling or criminal justice advocacy. And then the rest of the remaining money, there's about five percent, and that's considered discretionary funds. And out of those discretionary funds, the director can award projects that have national scope impact, such as for training and technical assistance, and that can include anything from special workshops to like what we're doing here. That comes out of the discretionary money to help or to evaluate programs, to set up internships or fellowships. Another big project that came out of that was National Crime Victims' Rights Week. And like this week, this year it was from April twenty-first through the twenty-seventh, and I don't know how many of you heard but President Bush came to our ceremony. We haven't had the President at a ceremony since Reagan. And he actually, while he was at the ceremony, he acknowledged all of the victims because we give out awards that, you know, include people from across the United States, and he also announced his support for the Victim Rights Amendment, the proposed amendment to the U.S. Constitution. There's also services that support federal crime victims that can come out of that money. And, for example, we paid for money that supported--I had mentioned the Department of Justice Attorney General Guidelines, and this is for the federal, like if you get in contact with FBI agents or with the Assistant U.S. Attorneys or the people in the U.S. Attorney's Offices, they have rules that they're supposed to follow that are based in statute that they're supposed to provide these rights and services to crime victims. And so we help provide training so people are aware that these are out there and the people know how to provide these rights and services. And just recently, the Trafficking Victim Protection Act of 2000 passed. What that is, it is trying to address human trafficking, which is trafficking, usually it's women and children and some men, and this act was the first U.S. legislation addressing this issue. And what this act did, it established authority for the Attorney General to make grants to states, Indian tribes, units of local government, non-profit and nongovernmental organizations to provide, expand or strengthen or develop victim services for victims of human trafficking. And so OVC with that money right now, it's a ten million dollar grant program. We are right now developing a solicitation that focuses generally on three areas. And one would be, of course, victims' services, training and technical assistance, and then evaluation

of these programs. Once the solicitations are done, we will publish them in the Federal Register and they will be out, so if you know anybody who's in a nonprofit or would like to provide services to human trafficking victims, there will be money out there. And also, if you haven't seen, we have published our Office for Victims of Crime, our 2002 discretionary grant kit, so when I was mentioning that discretionary money this is how you know what you can apply for. And what I'll do, I'll leave this on the back table. If you haven't gotten a copy, it's available online on our OVC web site, and then there is an 800 number inside. You can call it and our OVC Resource Center will send you this and the application forms. And so this is another way we're trying to get money out to the field to those organizations that are providing services to crime victims. You guys are so quiet. I'm not putting you to sleep, am I? OK. Well, I just wanted to kind of give you a highlight of what we're doing at OVC and how we use our Crime Victims Fund. But if there's any questions or if you want to ask anything, I'll try to answer it, so now's your time. Question and answer.

FEMALE: What's human trafficking?

GREGORI: Thank you. Well, see, I was looking and I wasn't sure if you guys were bored or if I should get into it. Human trafficking, it's been around for a while. What it is, there was a report done a couple of years ago that estimated that fifty thousand women or children are being trafficked from different countries into the United States and there's different areas that they can be put in to work as. They can either be put into the sexual trade, some are put into brothels. It's a very well organized, almost like corporation or business, is what we're finding out. And so when the traffickers bring these women and children, usually 'cause they're the ones actually that make the most money for the trafficker. Or they'll put them in domestic servitude places so they're in, like, houses working as domestic servants. They usually don't pay the people. If they have any identification, they'll take their identification so the people aren't free to go. They sometimes put them to work in fields as field workers, sweat shops, a lot of times you hear about that. What we're finding is that there's a lot of the sexual trafficking going on, and we're also find that these people who agree to come over, they think they're coming over to work in restaurants or to work as dancers or to get good-paying American jobs. So they're lured over here. Once they get here, then their trafficker tells them, you owe me forty thousand dollars for your debt to bring you over. So, you know, they want to pay it off and they're not free

to go, so they start trying to pay this debt off, but their trafficker never gives them money. So in the cases we've seen, we will see the log books of the trafficker and he'll take out or she'll take out room, board, clothes, medical care--which they usually don't give them medical care--so they're really not paying down their debt. So we've seen cases where girls as young as eight years old were brought, like, from India, put in to work here and you have clothing or restaurants or to have sex with people, not paid, and were kept here until they were twenty or twenty-one. And so when we find these types of victims, you know, they've never been out in public, they've never taken care of themselves, they've never had a normal life, they're separated from their parents, they don't have an education, they don't speak the language, and so there's a lot of needs that the women will need. And also there's men. And so we're trying to address that in, you know, what we're doing with our grant program and to work with the other federal agencies. And oftentimes what happens is that when the young girls are over here--and it's usually girls--their traffickers are saying, you know, if you try to escape, we're going to turn you over to the INS so they're going to deport you. So, of course, you know, they're afraid of that. They're afraid of the agents. And then they're saying, and if you give us trouble, you know, we're going to hurt your family back in India or back in the country of origin, so they're fearful of that. And so there's a lot of dynamics going on. We have a ten million dollar grant program, and what we did, we got together OVC with other agencies because it's far-reaching. So we got people from Department of State, Department of Labor, Health and Human Services, and a lot of those other agencies that we did the alphabet soup, and OJP, we got all those people together to try to come up with a coordinated plan because ten million, it's a lot of money but, you know, always more money could be used. So we wanted to use it as efficient as possible. And so, you know, the areas that this group, the Interagency Task Force, looked at, was they said, well, we need to make sure we have a solicitation that goes out for victims' services. So like if a service provider says, well, I know there needs to be counseling and housing and that's what I want to provide, they could do that under this solicitation. They would write it out and submit it to OVC, you know, or any other services or comprehensive services or the case management. You know, it's pretty wide open the way we wrote it. And then for the training and technical assistance piece, we know that these programs might need training and so that's what that envisions, to say, you know, how to develop a program or how to help people. And then we have to evaluate according to the statute, so we had to have an evaluation piece. And it's actually

getting a lot of attention. The Attorney General, John Ashcroft, has asked us about it, and we've been asked by several congressmen where is this solicitation? And when is it going to be released? And so we are working actually around the clock to get this thing out very soon.

BOB PATTISON: Bob Pattison. I have a question about the Federal Victims' Compensation Assistance Program.

GREGORI: Yes.

B. PATTISON: Those are in addition to anything that the state or a county may have?

GREGORI: No. And I'm glad you brought up that point. Even though there's, federal, like, victim witness coordinators or victim assistance personnel in, say, the U.S. Attorney's Offices or even in the FBI or other federal agencies, they are supposed to kind of broker with the closest state program or wherever the victim is located. So like in San Francisco, you have a U.S. Attorney's Office, but also a local Victim Assistance Center in San Francisco. One application, the federal person ideally should be coordinating with that local victim program manager to help the victim fill out for these, you know, compensation benefits.

B. PATTISON: This would be regardless whether it's a federal crime or a local crime?

GREGORI: Well, if it's a federal crime, you will have federal people involved, but they will refer you to the state. See, most people don't know. Even though it's a federal crime, we don't have separate federal resources. We try to hook up with what's already there that's being funded through the state victim assistance and state victim compensation programs. If it's a local crime, you won't deal with the feds, you'll be referred directly to the state services.

B. PATTISON: And who sets the state guidelines for those programs?

GREGORI: He does. (indicating John Gillis) No, no, seriously...

B. PATTISON: OK.

GREGORI: ...the victims.

B. PATTISON: Who are the people that I primarily have to talk with?

GREGORI: Well, OVC, we do have general guidelines for both the victim assistance and victim compensation. Each state or U.S. territory can make it more stringent and actually I did print off, and I'll leave this on the back table, on the OVC web site, you can actually click to what's called formula grants and this map of the United States will come up. And you can click on any state you want and, of course, I clicked on the four states that are represented here today: Utah, Colorado, Arizona, and New Mexico. Then you will see something called the Victim Assistance Grant Program, and they have to report to us what, you know, how much money they sub granted out. So, for example, in New Mexico, OVC, we give them a certain amount of funding based on a formula. New Mexico, in turn, had about two million five hundred and twenty-five thousand dollars for victim assistance. They, in turn, sub granted it out and they say that the number of sub grants funded from this federal grant money was ninety-seven, so they funded ninety-seven programs in New Mexico that could've done anything, say, from crisis counseling therapy, you know, any type of those services and it's on this report.

B. PATTISON: So the money that's earmarked for the victims' compensation or assistance, is that all supposed to go to the victims if it's all applied for? Is it used to pay for persons to administer the money?

GREGORI: Well, let's keep them separate and then I think it'll be easier to visualize. For the victim assistance, it can support some personnel to run the program. OK, for the victim compensation side, there is some admin money, but for the application itself, any eligible expense goes to the victim. So on this same report up there, you can click on where it says victim compensation, you can see the number of claims and that would be directly submitted from victims that were given to a state for the reporting period. So for New Mexico, they received, in 2000, one thousand two hundred and fifty-four claims, and it will break down what were paid on those claims. Well, in a general group so it doesn't invade anybody's privacy. But out of that number, so for like one thousand two hundred and fifty-four, they approved as eligible eight hundred and ninety-four claims. And it's up to the state actually to approve or deny a claim and they have their own criteria as long as it comes under a general, you know, guidelines what they can approve. But that money should go

directly to a crime victim. And I'll leave these on the back table 'cause I pulled it for every state that was here.

PATTY MARCH (New Mexico Survivors of Homicide): My name is Patty March with New Mexico Survivors of Homicide. Directly related to your answer there, I'd like to know if you feel that your state is unfairly compensating victims. Like, for instance, in our state, I noticed that they always deny victims whose loved ones were on any sort of drugs, they're automatically denied. But on a high profile case, the victim was on drugs but they got compensated. So I felt like they're unfairly giving it out. I don't know if it's based on the media coverage or what criteria they're actually using.

GREGORI: Each state should have its own review process, but this is good to hear because, I mean, if we're thinking the money's being administered according to the guidelines and it's all fair and objective but then if we're hearing it's not, you know...

MARCH: Well, I'm not saying that they don't care about the victims, I'm just saying that they're applying it based on what's high profile and what's not.

GREGORI: OK.

MARCH: And it doesn't make sense to me that one young man's on drugs and his family gets nothing.

GREGORI: Right.

MARCH: And another one, because he gets murdered with three or four other people, which the public's interested in, gets compensated for funeral expenses. It just didn't make any sense to me.

GREGORI: No, and that's good to know because we can always ask the state, we want to look at your guidelines and look at what you denied.

ADA PECOS MELTON: Good morning. I'm Ada Pecos Melton. Jeannie, all of the states that are here have large numbers of Indian nations, especially Arizona and New Mexico.

GREGORI: Right.

MELTON: And I'm wondering if the compensation part of it, if many of the states' programs have culturally relevant regulations. For instance, I'm thinking that a lot of the times that Indian people will not go to get compensated for these kinds of expenses, especially if they're not funeral, you know, hard cost funeral expenses and they're going to the medicine people to do this.

GREGORI: Right.

MELTON: And a large amount of it has to do with traditional payment.

GREGORI: Right, I know actually we were working with that issue particularly in New Mexico and Arizona and I know that some comp programs did add that, that they could use traditional means and be reimbursed for it just for that issue. And so...

MELTON: So I think that this is an important area of policy overall for OVC to consider because New Mexico and Arizona, between us, there's about forty-six Indian nations. And then there are other states that don't have as many and the Indian people in those states may not be as aggressive in making sure that that policy or those kinds of policies are included. So I think this is something that as a overall agency looking at what kinds of policies states create this would be one of them.

GREGORI: OK. And we will relook at that.

GILLIS: You might mention the...

GREGORI: Actually, we are going to hold two--we're calling them Indian Country Victim Roundtables--and so we're trying to focus on Indian Country people to get them to the meetings to find out what's going on in Indian Country because OVC, we do fund the states to provide services to the Indian Country tribes and one of that services would be the victim compensation. So we're going to start hearing if this is working, if their claims are being denied, or if they feel like it's not being fairly paid out on. And so the first one of those will be in New Mexico on June twenty-ninth, and then we have another scheduled in Wisconsin for, I believe it's September seventh. So we'll hear directly from the people. OK, any other questions? OK. Well, with that, I'd like to call Collene back up here, and she will tell you what she's going to do.

C. CAMPBELL: Maybe you're not as antsy as I am, but would you like to stand up and stretch just for a second? Anybody? Do. Let's just take a five minute break.

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GREGORI: A couple of quick announcements that I just want to make sure that you guys have this information. I want to give you our OVC Resource Center 800 number so you can get a copy of this kit. And, actually, I'm going to highlight in here a solicitation that people here at the table might be interested in. And so you should note on page twelve when you get your booklet, there's a project called Helping Outreach Programs to Expand, or HOPE. This is an open solicitation and what it is, OVC will provide up to five thousand dollars, but the director has the discretion to increase that amount. So he can provide up to ten thousand dollars in funding to grassroots community-based victim organizations and coalitions to support program development, networking, coalition building, and service delivery. Funds may be used for the following types of expenses, and these are some examples: to develop program literature, train advocates, produce a newsletter, support victim outreach efforts, and recruit volunteers. So if you're an interested organization, you should submit a letter of request on the agency's letterhead to the OVC director. OVC director's right there. The letter should contain the following: the organization's mission statement, background information about the organization or coalition, like how long you've been in existence, names and titles of organization principals, etcetera, the description of activities and crime victims' services, a statement of need, and the intended uses of the funds. Recipients of funds will be required to participate in roundtables describing how funds were used and the impact of funding on program effectiveness. And so that is meant to reach the grassroots organizations. Did you want to say something? And I want to give you first the OVC, the resource number, the 800 number. Oh, go ahead.

GILLIS: I just wanted to explain to you about the HOPE Program and tell you how that came about. You know, one of the things that I had talked about was getting to the grassroots organizations and getting to those people who are out there doing the services, helping victims and getting no pay. You know, I remember when we first started our organization that five thousand dollars or ten thousand dollars would have lasted us for two or three or four years. Well, when I first got to OVC and I said, you know, I want to figure out how to get some money to these

grassroots organizations that are performing these services, they said, oh, we can't do that. The guy says, there's nothing built into the system that will allow us to do that. And having come from the field, I don't understand 'we can't do that.' So we got together and we figured out how we were going to do that. So now this money will go out to the grassroots organizations. It's not going to require all the kind of paperwork that you've been doing in the past. And all that you will need to let us know is that you're performing a service. You don't have to have a professional grant writer. If you're performing some kind of service that is beneficial to the victims, then you fit into our HOPE Program and you're going to get the money.

GREGORI: OK, and so to get a copy of your booklet, you can either call the OVC Resource Center, and that number is 1-800-627-6872. That's 1-800-627-6872. Or we have it available online on our OVC web site. The address is <http://www.ojp.usdoj.gov/ovc>. And when you run that, it'll take you to the home page and then, you know, you can click onto grants and funding and get the application kit. Does anybody need me to repeat the web site? We didn't put it up [but] let me repeat it one more time and maybe we can put it up. OK, <http://www.ojp.usdoj.gov/ovc>, and then there'll be another backslash when you hit the search. And why don't we put the 800 number up there too. For OVCRC Resource Center, 1-800-627-6872. And you're looking for the Discretionary Program Plan for 2002, the application kit.

GILLIS: I might also say that in the very near future you can start looking for a URL address that's easier to get to, something that makes some sense. We've talked about that and I've assigned that to staff, so that you don't have to go through all those letters and alphabets to get to victim services. So we're working on that.

GREGORI: Collene, can I ask you to come back up again?

UNIDENTIFIED: Do the grassroots programs who might receive some funds have to have a 501-C-3 classification?

GILLIS: The answer is no. We found out that many of the organizations that provide services, first of all, don't have the resources to do all the paperwork, and they really don't spend a lot of time trying to do all the paperwork to qualify for a 501-C-3. The only thing that we care about is that you're providing a service that is an actual service to crime victims. We will check into that and we want to know that it's something that's

worthwhile and for the community and you don't have to be a 501-C-3.

CAMPBELL: I think most of you can pretty well see that you don't tell John Gillis that something can't be done. And thank God for you, John. I admire you and I respect you and... (applause) We all know that it takes experience and wisdom to know what is right. But to achieve it, it takes opportunity and a whole lot of guts. In this very room, there are chosen few. Certainly, this is not the life that any one of us would have chosen for ourself had we had that choice. Our pain has been excruciating, but that very, very pain is exactly the reason we are so able to contribute. It's important that we're aware and utilize our unique and awful--and awful--knowledge to help make improvements for those who are forced to follow in our steps. Unfortunately, we are the ones who know and understand. And the question is, do we have enough guts to make the changes? We are the ones who can apply our victim knowledge and our victim power to further the safety of honest, law-abiding citizens. I don't know about the rest of you, but to use the word, you know, that victims' rights, it's a joke. I mean, we didn't do anything to become victims. It's not like, you know, so many things. So we have to have people understand that we're honest, law-abiding citizens that just happened to become victims of crime. It's not like this is something that we've chosen to do. We didn't choose to become alcoholics or drugs or something like that. We did not choose to be victims, but we need to step out of our shell. Today, we have the rare opportunity to help motivate and guide an entire nation. It's a very painful experience, but it's where we have our valuable insight and our great wisdom. It is an area that few have the courage, the will and the determination to stand and be counted. We're not here for self-serving purposes today. We're here to help other people. It is important for you to really comprehend that history is being made right here, right now, right in this room. This just may be the most important thing any of us will ever do, and it takes deep thought on your part, and deep devotion. We are aware that this meeting is not about us individually, but about our tragedies, our horrible experiences, and how they could or should have been better handled. But how we may offer suggestions and information that will help to improve the way the justice system currently does business all around the nation. And it's also important that we recognize that each state has different problems. This man is looking at each state with their own unique problems. He has to understand each state. We've all watched with great sadness the horrible tragedy of September eleventh, and we've all grieved greatly. We witnessed

thousands of dedicated people and organizations scramble to assist the families of the victims. We have all been pleased and grateful for the financial and emotional assistance going to help the loved ones of those victims so tragically murdered by the evil terrorists. And we have been thankful for the nation's concern for the devastated families. However, personally, I can't help but reflect on the fact that every ten and a half weeks, there are that many individuals murdered right here in our own country. That equates to the fact that just since September eleventh, three and a half times more people have been murdered in America than were killed by all four of the terrorist attacks on our country. As a comparison, you've all had firsthand experience with what happens to the family members of our nation's victims of individual killings like what's happened to you. You've been there. You are that person, that family, and you, too, have lost your loved one. But there's a huge difference how you are treated. We've never been asked or at least I don't know of anybody that has, or offered communication with the authorities, money, memorial services, or even sympathy. Nor is it what we want. I think everyone in this room just wants justice. We're simply interested in justice and not being kicked around by our judicial system, the criminals, and the attorneys. You see, in our cases, they picked our family off one, two or three at a time. And in some cases, our loved ones' bodies were never found, just like in the terrorist attacks. But how do we equate these facts? How do we make our perpetrators the bad guys and stop society from protecting them so greatly? How do we get out of this endless whirlpool that I feel is injustice? We all know too well, first it's the huge pain, our loss, the loneliness, lack of information, criminal rights, long trials, appeals, parole hearings, no truth in sentencing, more parole hearings. You see, we're sentenced to a life of agony. And then, of course, we've got the people that always are saying, you're going to have closure. Who in the hell are they trying to kid? An outsider might think these are interesting, but everyone in this room knows exactly what it is: It's sheer torture. We have it etched in our brains, which gives us the ability to better understand the need and responsibilities to others. We can do it, but we must stay focused today. It's important that we give this man the information that he has trusted us to bring him. And another thing I'd like to tell you on a personal fact, I treat my body like crap; you can probably tell that by looking at me, and I've broken my foot three different times among other things. But you know what the doctor told me just a little while back? He says, hey, Collene, when that bone heals, it's the strongest part of your body. It's the strongest part of that bone. Our hearts and our hopes have been broken, but

I suggest to you we're stronger for it. We have felt that pain, that hurt, and we're scared on the inside. But I say we can utilize that inner strength in a way that no one thought possible. Today, we're requested to brainstorm, to think, to bring forth innovative ideas that may help future victims. Try to bring forth thoughts and ideas of possible solutions. You're the ones with the best education and it's hard to take yourself out of 'me, me, me,' but today it's national, it's so other people won't get where we are. And I believe it's been like a doctor heretofore, evaluating the wrong patient. The justice system has failed to get information from the victim and then the bureaucracy has moved forward with false diagnosis. We all understand that. Many of us believe our treatment has not been beneficial. In fact, quite to the contrary, very damaging, both to us and to our case. Today for the first time, we are the actual patients. We are being asked how we feel and what we should do. We must make certain we are very honest and precise with our thoughts and our building process. It is important that we don't get hung up on our own case, but that we take our painful knowledge that may produce remedies for others. I've always thought life is like a grindstone. Whether it grinds you down or polishes you up depends on what you're made of. And I know everybody in this room is ready to get polished up. Our wounds will better heal if we can make a positive difference for those who follow, for our grandkids, for our friends, for our families. It is important that we focus on help for others by utilizing our own awful experiences and our on-job training so to speak. Our knowledge is invaluable because we are the ones who truly know. We need to put ideas on the table today. We need to build from each other's opinions and thoughts, knowing full well that every crime and every person is unique. Our director is brave and has taken on a difficult task. To be successful, teamwork is a must with each other and with our director. It's teamwork. If we're to win our war, then we must have strength and use common sense to assist our leader in his battle, the first of its kind. It will be very meaningful to build on others' beliefs. This is an extremely important mission and not one to be taken lightly. We need to pray like everything depends on God, but work like everything depends on us. And, hopefully, Steve Twist, who is really my hero, will stand up and discuss the twenty-eighth amendment to the U.S. Constitution. Before any of us were crime victims, this man was perceptive enough to know the problems we were in and that we all had to feel it before we knew it. This guy knew how to handle it. And, Steve, I admire you greatly and you're well known... (applause) And when this constitutional amendment is passed--when it is passed--(applause)--it will bring closer to reality that

crime victims have equal rights with the criminals. Wouldn't that be a novelty? It seems it should be an easy fix, but it's not, as criminals have the Defense Attorneys Associations and the ACLU. But today, for the first time, we are fortunate to have a leader and the people in this room, who can lead us to accomplish our goal of a better, balanced justice system. I think we can go up against the ACLU and the damn defense attorneys that think criminals should be let out to kill our kids again. (applause) But I think we gotta get mean and lean--and it's going to be hard for me to get lean but I'm sure as hell mean--and go after it. And I'd like you to remember as long as we have courage, today is beautiful. As long as we have memories, yesterday remains. As long as we have purpose, tomorrow will improve. Today, we have purpose, a very important purpose and we have a lot of work to do, and it's time to get started. And is what they've asked me to do is start around the room and for just like a two-minute synopsis, just tell about your case. We have the booklet here. I apologize for those that are not in it. I'm just a volunteer and took the information and, you know, if I screwed up, it's my fault. It's not their fault. But I thought it's really interesting for all of us here at this table to know who the other person is, and I think it gives us great courage to know that we've pretty well got the bases covered in this room. So all we gotta do is pull together. So I'm going to start over here on my right-hand side. I know we're going to lose Fred Goldman shortly. If anybody in this world needs to be mad, it's Fred Goldman. But we're just going to go around the room real quickly and then we're going to come back and do--my understanding is--the question and the answer and start getting right down. But if you can tell who you are, and if you are not in that book, if you can please get the information to Jeannie Gregori over here or myself, we'll see that you're in the book and we'll send you a separate one. Thank you all.

MARCH: My name is Patty March and I'm president of New Mexico Survivors of Homicide. My eighteen year old son, Gary, was shot to death in an arroyo August twentieth of 1995. It took three years before we got an indictment and then another two years. We had a four-day trial, the jury was out four hours, came back with first degree murder, and his killer is serving life, and in New Mexico life means thirty years before he's eligible with no good time. So we're pretty pleased with the sentence that we got. For the state of New Mexico, it's pretty good.

FRED GOLDMAN: My name is Fred Goldman. My son Ron was murdered nearly eight years ago. And a trial that, unfortunately, everyone had to be burdened with. As Collene said a minute ago, I,

unfortunately, can't stay here all day, so I'm going to very quickly simply say that thank you, John, thank you, Collene. And to each of you, I'm sorry we're all here. We're all here for the same reason; we all lost loved ones. We are not the victims; our family members were the victims. We're proving it, that we're not the victims because we're here to do something. And if I had a wish list of what we could do to change things, I'd change first the name of the system, criminal justice system, and make it victims' justice system. And remind every single legislator every single day in this nation that five percent of our nation commits one hundred percent of the crime. Two percent of our nation commits a hundred percent of the violent crime in this country. And until we recognize that ninety-five or ninety-eight percent of us are the victims, and the two percent, the five percent, are the monsters that create the havoc, we have a long way to go. And passing victims' rights legislation amendment is certainly one way to start keeping violent felons in jail, not letting them back out on the streets, would be certainly another start. And in that light, I'd love to see every single murderer have mandatory death and every single rapist and child molester mandatory life in prison. (applause) And we can clean up the streets of the garbage. (applause) And before I get riled up, I'll pass on this microphone.

SALLY GOELZER: Hi. My name is Sally Goelzer. My brother, Hal Bone, was first assaulted with a deadly weapon at an ATM machine. This led to a trial. They caught the bad guys, as I say, led to a trial, it was a deadlock on the verdict, so there was a mistrial. They had another trial, another deadlock. The accused threatened my brother. He was a witness that would stand up [to] these guys; these guys were gang members, leaders of a gang here in Phoenix. They threatened my brother that if he testified at the third trial, they would get him. Well, they got him. On Thanksgiving evening of 1995, Hal was murdered, assassination style. He was coming out of a bar. He'd just lost his wife with cancer. He had been under police protection for a long period of time, that's a part of the story. But they came and ambushed Hal at his car. It was an indoctrination for one of the gang members to kill somebody to get into the gang. The leader of the gang is the one that accosted Hal at the ATM machine. That was in 1995. We had six and a half years. We just finished last August. We had two defendants, two separate trials. We had two separate hearings. I had two nervous breakdowns. As you know--everybody I'm looking at--you know exactly what we went through. After our verdicts, it took two years to get to sentencing. That's when Richard Romley contacted Steve Twist. That's how we became acquainted with

Steve. He came to our case. They were going to adjudicate our case in the Supreme Court because we had so many incredible things happen during that time. They didn't have to because once Steve Twist appeared and we had victims' rights that we knew nothing about, the demeanor in our courtroom changed from night to day. We had power. Not that we needed -- We were nobody, as you all know. Anyway, it changed our life. I am active now. Jim and I are on the board of directors of NCVLI, which is the National Crime Victim Law Institute. I volunteer at ASU College of Law, the Victim Assistance Center, which Kelly down here is an attorney for. I'm here for the same reasons you're all here. We've got to keep this from happening to anybody else. It shouldn't happen to anybody. I agree with Fred Goldman. We were asking for the death penalty, we didn't get it. But we did get natural life. In Arizona, that means they will die in prison, they have no parole chances. So that's the next best. I cheered the day that happened. We had two different verdicts, but... That's our story.

BOB MELFORD: Hi, I'm Bob Melford. And we lost our daughter and three granddaughters in a Christmas Eve crash in 1992. The driver was drunk, on the wrong side of the freeway, traveling about ninety miles an hour and smashed into our family. Killed all four of them and our son-in-law was injured greatly, is still suffering from it today. We went through three trials. Two were hung juries, although he was convicted in the first of DWI, but they couldn't seem to understand that he must've been drunk even though they convicted him. Anyway, we then went to a third trial, took us six and a half years to get him convicted on the third trial. Then we went to Court of Appeals then New Mexico State Supreme Court and federal Supreme Court and then back to federal court again. And at this time he's serving a twenty-five year sentence. Three of it will be on parole, so he's serving twenty-two and in New Mexico at the time, he gets fifty percent off, so he'll serve eleven years.

NADINE MELFORD: My name's Nadine Melford, and he took up all the time, so I'll be brief. In 1992, we were number one in the nation for drunk driving crashes. I went to the New Mexico legislature two weeks after our babies were born and we got a very, very strong package for DWI. One of the things that I resent deeply is that DWI, when you're trying a case, there is no intent so we never can a -- manage to get murder charges. And I always say who is deader? You know, we lost four babies. We've worked very hard. I am the state chair of Mothers Against Drunk Driving. And

I'll tell you this, those legislators hate to see me coming.  
(applause)

INEZ ODOM (Producer, IMO Productions): Thank you. I'm going to give you your turn. We have a congressman for a quick presentation. Thanks, and I'll come right back to you. Steve, I understand you have a guest you'd like to introduce.

STEVE TWIST (Founder, Arizona Voice For Crime Victims): I can't resist telling this story one more time. We are honored to have with us the Honorable Congressman from Arizona, John Shadegg, who has come to offer some comments to the group. And let me say a couple of things. John'll kill me for doing this again, but when John and I were seventeen, we got in his pickup truck and drove down to Van Buren Street on Phoenix and went to Arnold's Pickle and Olive Company. And we bought a oak pickle barrel and put it on rollers and got a bunch of our buddies and we were scoopers in the Phoenix Rodeo Parade. Most all of you are from the west, so I don't have to explain to you what that was. Little did we know then how that experience would prepare John for his life's calling. John has been my dear friend for many, many years and I know in his heart and soul he is committed to the movement for justice for crime victims. He demonstrated it in his law practice, he demonstrated it when he served as Chief Assistant Attorney General for the State of Arizona, fighting for tougher victim justice laws. I like that phrase. And now he is fighting for your rights in the Congress of the United States. He is one of the cosponsors of HJ-RES-91, the Crime Victims Rights Amendment. He has worked tirelessly behind the scenes. He has gone directly to the Majority Leader of the United States House of Representatives to get him to support the constitutional amendment and to fight for time on the floor to have it debated and move it through the halls of congress. And he is a champion for us in Washington as he has been here in Arizona, and I'm really honored to bring to the podium, please join me in welcoming Congressman John Shadegg. (applause)

CONGRESSMAN JOHN SHADEGG (U.S. HOUSE OF REPRESENTATIVES): Thank you very much, Steve. I am going to be brief in my remarks because you are all about very important work. But I do want to, first of all, thank you for taking the time out of your lives and making the effort, some of you, to come here from other states to be here for this session. I want to sing the praises of Attorney General John Ashcroft and the current Justice Department for its efforts on behalf of the victims of crime. I want to thank John Gillis for kind of getting out of Washington, D.C., getting

outside the Beltway and away from the banks of the Potomac to go out and do this program and listen carefully to real victims of crime. As Steve mentioned, I believe deeply in this cause and I must be candid about that. It is Steve that brought me into this cause, as I suspect it's Steve who brought many of you into this cause or who you met when you were involuntarily brought into this cause, and tragically so. When I went to work for Bob Corbin, I don't think I had any more than a kind of average American's understanding of the way the system currently victimizes crime victims and their families, not just once but over and over and over again. And it is an outrage and it is wrong. And with Steve's leadership, we began a fight here in Arizona, as many of you are aware, to establish certain rights in the Arizona Constitution and to say, you know, it simply is not right that the victim of a crime or the survivors of a crime in which the victim was killed should get the back of the government's hand throughout the entire process. For example, they should be forced to sit on a hard concrete bench outside the courtroom while the perpetrator and the perpetrator's family sit inside. That's an outrage. It's wrong. It shouldn't happen. And we began a struggle to say, you know, it should never happen in America that the perpetrator of the crime gets notice and time to prepare for a hearing or a procedure and the victims whose lives were, as I said earlier, involuntarily destroyed or disrupted and ruined and in so many ways, devastated in so many ways, often doesn't even get a notice that that proceeding went on. It is wrong that in America the perpetrator of the crime should be able not only to have a counsel there to represent them when it comes to pre-release, pre-hearing release or release after the fact, and yet many victims find out about it after the fact when they get a scary phone call or, worse still, when they maybe pick up the paper and learn that the individual who destroyed their lives, who caused such havoc and pain for them, is on the streets again and they weren't even given a chance to comment. As Steve said, I am a sponsor of the Crime Victims Rights Amendment in Washington, D.C. We have discovered that the effort we led, and Steve led and you all have worked on, to get crime victims rights legislation passed didn't go far enough. And the effort to get crime victims rights constitutional amendments in state constitutions, shockingly, didn't go far enough, because all of the rights that the perpetrators of these crimes, all of the rights that criminals rely upon, are derived out of the U.S. Constitution. And to this day, tragically, crime victims still don't stand on an equal footing. I do bring you encouraging news. The prime sponsor of that bill on the House side is Steve Chabot, a member of the Judiciary Committee, and chairman of the Constitution Subcommittee. I chatted with Steve

about the issue on the floor of the House just within the last few weeks. He held a hearing at which Steve testified. And others testified just a few weeks ago. Steve believes that we are definitely going to get a House vote this year. And I will tell you that that is my goal, that is something I'm going to work very hard on. If the Senate doesn't want to take the issue up, that's another forum, it's a different venue, it's somewhere where we'll need your help to create some heat on them. But I've at least concluded from conversations with Steve Twist and Steve Chabot that one way to create some pressure on the U.S. Senate is to get the bill through the U.S. House. And so that's one of the goals I have for this year. As I said, you are about very important work today. I think it is laudable. I think it is worthwhile. I listened to--I'm sorry, ma'am, I don't know your name--but when you just said the state legislators of New Mexico cringe when they hear you coming or when they know you're coming, I don't cringe when victims come. But some of my friends who don't understand this cause do cringe, and some of my colleagues on the opposite side of the aisle who don't believe in this cause and who are carrying the water for criminals and who are still listening to the defense bar say we don't need to amend the U.S. Constitution, we shouldn't do this, some of them do cringe. So whether it's to help those of us in the congress who don't cringe and who believe in the cause and are excited to see you there, or whether it's to put a little fear into the hearts and souls of those who do cringe, I applaud you for being here today and making your case. I applaud you for standing before the state legislature of New Mexico. And whenever you can come to Washington, for standing before the U.S. Congress and fighting for this cause. I know, not from personal experience, because, thank God, I have not been in the position that so many of you are in, but I know from learned experience from talking to so many victims through the years I was in the Attorney General's office, through the years I've been in the United States Congress, through going to meetings like this and having a chance to just chat with people, I think I understand or at least have some attempt to try to understand what this system does, and there simply is no excuse for it. Recently, I read a letter. Steve provided me a letter from Laurence Tribe, the renowned scholar at Harvard Law School who has now gone on record in support of the Crime Victims Rights Amendment in the U.S. Constitution. Now Laurence Tribe is not a conservative Republican. He is not a lifelong advocate of victims' rights. He is rather a distinguished legal scholar, a man of great intellect and great intellectual prowess, a man who is admired as a teacher. And I read through his letter and it was a rather stunning letter because he made his case not solely by the legal justification,

though the letter began with that, an explanation of the fact that the language in the constitutional amendment has now been haggled over and wordsmithed for some six years, word after word, sentence after sentence, comma after comma, to get it just right. That's the case I would expect Laurence Tribe, the intellectual professor of law at Harvard, to make. But then he turned to real life and he concluded his letter by telling a story. And the story was of a victim in the state of Massachusetts which has crime victims' rights in state law. And the case he made was of a rape victim who had been raped more than fifteen years ago. The perpetrator of this crime had been convicted more than fifteen years ago and to this day, has yet to spend a single day in prison. And he told this story and he told it with some pretty colorful language about how the victim knows day in and day out, as she gets up and goes about her daily life, that the perpetrator of that crime is still on the street. And he told the story of the victim writing to the county prosecutor there in Massachusetts and saying, do something about this. You know, this is all driven by a motion for a new trial that this criminal has had pending and if I were to say right now had pending for two years, I might be shocked, you might be saddened, but the world might say, well, sometimes the wheels of justice turn slow. But this criminal has had a motion for a new trial pending for not two years, but seven and a half times that. For fifteen years, this woman has endured the outrageous punishment, the revictimization of her crime day in and day out, over and over again. I thank you for what you're doing. I appreciate the opportunity to just say hello and wish you all the best. Thank you. (applause)

HOLLY LAURENCE: My name is Holly Laurence. On March third of 1996, my cousin Zachary, who was nineteen, was working at a video store in Albuquerque. Actually, he stayed late to help cover for another worker who got sick, so he was closing. And my grandparents went to pick him up to take him home and there was an armed robbery in the store. Two people who were out on a early pre-parole release--they'd each served less than half of their time for other crimes--were out. They went in, robbed the store of about a thousand dollars, left more than three thousand dollars there, and murdered the three workers, one of which was Zachary, my cousin, and kidnapped my grandparents who were outside and took them to the mountains and murdered my grandparents. They were caught about nine days later and the woman, who was forty-two at the time, plead guilty to aiding and abetting in my grandparents' murders, and there were a few other charges from other crimes they had committed and she received a sentence of ninety-five and a half years. And the male murderer went to trial and was being

tried for the death penalty. We did not get the death penalty and only got convictions, again, for aiding and abetting on my grandparents' murders. So no one was ever found guilty of the murders in the store, Zachary and his coworkers. And the male was sentenced to two hundred and fifty-two years, again, with some other crimes mixed in with that. And the District Attorney's office as well as the Attorney General's office in New Mexico said they will not prosecute again for the other three murders.

BARBARA BIEHN: My name is Barbara Biehn. I'm the mother of Stephen John Wood, who was murdered by a freeway killer, the serial killer, in 1980, twenty-two years ago in California. And I want to share with you that the reason that this murderer was allowed to get out any murder my son and possibly thirty-four others was because he was out on parole by mistake. And I think that the justice system, the people who work for the justice system, judges, lawyers, parole boards, should be accountable for their decisions. Nothing was ever done, nothing can ever be done about it because they work for the justice system so I guess they're out of reach to do anything. And also I think that we have health prevention, eating correctly, exercise, etcetera, well, we need a deterrent to crime. After a person is convicted and sent to prison, they should be punished; not sent to a resort type environment with three hots and a cot. They shouldn't have access to TVs, computers, movies, and job training. The general public is not giving any of these privileges for free. And this Bonin that murdered my son and was also the cause, indirectly, of the suicide of another son of mine, he was in and out of reform schools, jails, prisons and mental hospitals since he was nine years old. Kept releasing him. He was even given a certificate that he was sane and no danger to himself and others. I don't have a certificate that I'm sane. Do you? And then back to the people who work for the justice system, the reason that they could just overlook something and let somebody that murdered time and time again and has said he wasn't going to leave any witnesses, just let him out and say he's sane and not a danger, should just be held accountable. That really sticks in my craw for some reason. And, OK, then I waited fourteen grueling years for him to be executed. Fortunately, he was executed in San Quentin. I attended the execution. I would like to share with you, there is no closure. I was relieved because this man will never, never, never harm another child, another young man. I still hurt every day, 24/7, but I'm very relieved that this man is wiped off the face of our earth and no longer is allowed to prowl around and create havoc among innocent victims. I still live with great sadness, and it's always with me unrelenting. I just wanted to

share with you and the people that we're talking to to help us, don't use the expression 'closure.' It is not in my dictionary. Thank you.

LINDA ATKINSON: Hi. My name's Linda Atkinson. I'm the director and founder of the DWI Resource Center in Albuquerque, New Mexico. I started as a full time volunteer, have not walked in your shoes. But to learn what I have learned, it just--I guess I was sort of raised under a rock. The first time I walked into a courtroom with a victim, my mouth dropped open. And that was thirteen years ago and I think it's still open. It just assails my sense of justice without having, like I said, to have walked in your shoes. And so for the past thirteen years, we have provided services to victims of DWI crashes and advocated for justice. My hidden agenda, which is hidden no longer, is I want to change the judicial system and I haven't known how to do that other than to sit in the courtrooms and monitor the judges and release their conviction rates. But as we move beyond that into our newsletter, we talk about which judges do afford victims their rights. And it's been a small voice; we're hoping that that gets a little bit louder in the next year when we begin a project in New Mexico which we hope will provide assistance that Steve's group has been able to do here in Arizona. And I just want to say that as an advocate, my heart goes out to you. I will stand in front of you, beside you, behind you. Nobody should have to go through this.

ADA PECOS MELTON: Good morning. My name's Ada Pecos Melton and I'm from the Pueblo of Hamas in New Mexico. Twenty-two years ago, I lost my brother in a DUI crash. It was New Year's Eve, he was coming home. We have celebrations after midnight mass, and all that, and he was coming home. He was walking home and some friends of his drove by and asked him, or told him--we don't know really what happened, but he got in the car. He was a backseat passenger. And they didn't drop him off at my house, my parents' house. They went on and they were riding off reservation, towards this Spanish community called Ponderosa. And the boy that was driving, they had all been drinking. My brother was the only one that hadn't been drinking. He didn't drink. And the guy lost control of the car and they drove off a bridge. My brother fell out of the car. He was the only one that was killed in the accident. They don't know--I mean, it was either right off the reservation or on the reservation. The person that was driving was never prosecuted. The investigation is really unclear. BIA police came, county sheriffs came. To this day, no one has ever prosecuted the case. I don't know, I was very young at that time, so I really didn't know what to do to help. We have never had

closure. And we've had inabilities to find out who the driver was. We know that he was from Hamas, but he's gone. We've never seen him since. And I guess my parents and my brothers and sisters have all been suffering in silence because we don't think we have any power or anybody behind us. In spite of the fact that now I know so much about the justice system, I still don't know who killed my brother. And my mother asked, who just turned eighty in April, asked me, you have friends in powerful places in D.C. Why can't you get them to help you? We sent you to college, you did all this, you know how to do all these things. Can't you find out before I leave this world and join your brother who this person was that killed our son and your brother. I don't think that the people who invited me knew this about me, and I don't really share because somewhat I'm ashamed that I know so much about the justice system and I can't find the damn answers to help my parents. And I'm now, more than ever, committed because my mother just said this to me in April, to try to find her the name of the person who killed our brother. So I think that as we talk about today all the barriers that prevent us [from] working together because we--this is an unsolved problem for me in the sense that it happened either off the reservation or on the reservation. We just don't know who, and it happened twenty-two years ago, so it's really hard for me to know how to start. And in spite of the fact that I know quite a few people that could help me. So thank you very much for inviting me. Thank you.

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INEZ: I'm just going to take a quick moment and introduce myself. I'm Inez Odom, the producer that's going to be working with some of you tomorrow. And, ultimately, once we've gotten around, we're going to be facilitating really some Q&As so that you can share with us what you really feel is most important for the folks at the Office for Victims of Crime to know. And so we really value and appreciate everyone's story. Thank you.

GAIL LELAND (Homicide Survivors): OK. She just learned something about us survivors, I think. Give us the mike. My name is Gail Leland and I'm from Tucson, Arizona. In 1981, my fourteen year old son was abducted. He was missing for several months and his body was found. He had been beaten to death. The case is still unsolved. Our family went through a terrible time when this first happened, and there was not a lot of help available for us. Shortly after, I formed the Tucson chapter of Parents of Murdered Children, which later became known as Homicide Survivors. We provide victim assistance for families of murder victims.

Although we work with all victim families, our primary focus is families of unsolved, no-arrest, and murder-suicide cases 'cause we feel this is a population of victims that has been underserved and continues to be neglected.

DONNA ALLENDORF (Parents of Murdered Children, Colorado Springs):  
Hi. I'm Donna Allendorf from Colorado Springs. I'm a former chapter leader of Parents of Murdered Children. My son Michael Allendorf was killed in Maryland on October 29, 1994. It was a murder for hire, a murder for insurance money. His girlfriend and her mother and a new boyfriend hired two contract murderers to kill our son. It was not a large life insurance policy and the girl who wanted to buy a Mustang car with the life insurance money forged her name on the policy. She was up for trial first and as the defense lawyers tell you, you know, she had to have some light at the end of the tunnel. She had to see the light so that we were pretty much coerced into accepting a plea for her on the day that the trial was to start. We barely got home when we found out there'd been a mistake made, that through the criminal justice system and we had gotten false information from the State's Attorney and so she did not have to serve half of her time, she only had to serve like a fourth or a third because conspiracy to commit murder is not considered a violent crime in the state of Maryland, meaning they don't have to serve half their time. We thought we were wiser the next time we went to Maryland. The mother came up for trial and she was convicted. The boyfriend came up for trial and he was convicted. Then we had two contract murderers. They all went to trial. We had defense lawyers coming up between sessions telling us how sorry they were for us, but they had to represent their client. Both of the convicted people for hire that killed our son, they belonged to a computer group, they wore the long trench coat like in the Columbine shootings, only this was before Columbine. That information was allowed in the trial first time around. Both of these young men had won their appeals. They were retried. That information was kept out, juvenile records were sealed. They both, however, were found guilty and the last trial was in '98 and we barely got home. We found out that a parole hearing was set up. It was February of this year. And he has been kept in. Every year, I try to get new information from the parole board and try to make sure that I have updates. The updates do not match what comes from the parole boards, as many of you know. So that's all I have to say.

MARILYN NORWOOD (Parents of Murdered Children, Pike's Peak Chapter): My name is Marilyn Norwood. I'm from Colorado Springs also, leader of the Pike's Peak Chapter and co-leader of it, too.

Now I'm contact person. My husband was murdered on Mother's Day 1988 in Newport, Tennessee. It was two and a half years after he retired from the military after spending twenty-eight and a half years in the military. He wanted to go home to his beloved Tennessee. The first year we were there, we were robbed. The house was broken into. A year and a half later, he was murdered. He was resting in his car coming home from his mother's and these two guys seen him, they took their wives home and they came back, hid their car, had a dent puller with them, beat him over the head with the dent puller, two and a half inches into the skull. Left him there to bleed to death. And they got the guys a week later, eighteen and twenty years old, juvenile records, expunged of course, which shouldn't be. The one plea bargained. I don't think that should be either. He got thirty-five. The other one got life. I found out life is not life in Tennessee, neither is thirty-five. I've had four parole hearings, the fifth one is coming up in September of 2003. My first parole hearing, after five years, for the same guy, his father said to me, why do you want to keep my son in jail? He's been here five years. I'll tell you why. I want to keep him in there so he don't help murder another innocent soul. And then I've gone to all these parole hearings. Those are the hardest thing, are the parole hearings. They are so hard. There never is no closure, but maybe you get a little bit of feeling. I mean, you can relax a little and then all of a sudden those parole hearings and you've got to get that all going, and that's what hurts. That hurts so bad. It's terrible. But I will work at it, we all work at it, every one of us here. So let me pass on.

DAN LEVEY (President, Arizona Voice for Crime Victims): OK. My name is Dan Levey. I'm from Phoenix here. I am president of Arizona Voice for Crime Victims, which is an organization that Steve founded. I'm also on the national board of Parents of Murdered Children, and I work at the Attorney General's office here in Arizona as an advocate. My older brother, my only brother, Howard Levey, was murdered here in Phoenix on November third, 1996. He went to play a game of basketball in the early morning hours on a Sunday morning. He was a father of two young children, married, master's degree, and went out to play a game of basketball and was sitting in his vehicle and was robbed and killed by two gang members who didn't know him from Adam. Threw him out on the ground and left him there to die. And ever since that happened, I've been fighting to honor my brother and fight for change in our justice system and bring better laws and fight for what we call justice if there is such a thing.

LORETTA WINN (Parents of Murdered Children, Phoenix Chapter): Hi. My name is Loretta Winn and I am, too, from Phoenix, Arizona. I'm a board member of Parents of Murdered Children, the Phoenix chapter. And my sixteen and a half year old son, Ryan, became involved in a fistfight on July fourth, 1995, and he was murdered by another juvenile. The juvenile pulled out a gun from the front of his pants and fired three shots and ultimately killed my son. And I, like Dan, have taken my grief and turned it into something positive in memory of my son Ryan.

DEBRA CALDWELL (J.D. Caldwell Foundation): My name is Debra Caldwell and two and a half weeks after my mother died I had two detectives come to my office to tell me that my son, eighteen year old son, J.D. Caldwell, had been found the previous day laying on the side of the road. He'd been kidnapped, brutalized and shot ten times. And, like I said, this is my only child and this was just June twenty-first of 2001. So out of that, I formed a 501-C-3, the J.D. Caldwell Foundation, in his memory, and our mission statement is drug- and crime-free living for youth.

OTIS SMITH (President, Citizens of Arizona to Prevent Gun Violence and Halt Gun Violence): My name is Otis Smith. I'm from Phoenix. I'm the president of Citizens of Arizona to Prevent Gun Violence and Halt Gun Violence. In June of 1999, my fourteen year old daughter Shannon was talking on a portable phone in our backyard in central Phoenix. Some jerk who shouldn't have had a gun got one, discharged it, and the bullet came down and killed Shannon. My perspective is trying to prevent victims like us. Thirty thousand people every year, ten times what we lost September 11th, are killed by gun violence. We intend to do something about it.

CYNTHIA RIOS: My name is Cynthia Rios and in May of 1980 my mother was murdered by my stepfather after he previously stalked and harassed our family for an entire year. She did have a restraining order on him, which he told her wouldn't help her which it obviously didn't. He murdered her in our home and attempted murder of my grandfather at the same time who was seventy-two years old. And we've been attending parole hearings since 1987 and our next one is in 2005. In 1994, this convicted murderer tried to sue myself and his own biological daughter for slandering him at his parole hearing at taxpayers' expense. That's all I have. Thank you.

DIANA BROOKS: Hello. My name is Diana Brooks. I now live in Scottsdale. My son Richard was in the Army in Ft. Riley, Kansas. He was killed in 1985 by two of his fellow soldiers who killed him

with a crossbow and then hit him on the head and buried him and went away. And in the military, until you're missing for thirty days you're AWOL and after that they consider you a deserter, so then the Army made an all-effort search for my son. About that same time the two gentlemen that killed my son were in Connecticut and kind of bragging about eliminating one of their fellow soldiers. One of their friends contacted the Connecticut authorities who contacted the base and they were apprehended. It was a court martial because it was military personnel on a military base, and we were excluded from the hearings and everything. We were assigned a Survivor Assistance Officer, but we all know that that doesn't take the place. When I was in California, I organized some parents of murdered children. I've worked with Collene Campbell on various things, and found that to be extremely rewarding to help others. And I'm here to support in any way I can.

LINDA DONELSON: Hi. My name is Linda Donelson and I'm from Denver, Colorado, a board member for the Parents of Murdered Children. I lost my daughter, Sherry Majors, in March of 1996. She was brutally beaten and left in an alley in downtown Denver. There was a good investigation and they were able to identify the perpetrator. However, when he heard that they were looking for him for questioning, he fled. So later there was DNA evidence that did produce a warrant, but at this time he is a fugitive and I find that kind of hard to deal with, the fact that he's out there running around and no one is actively looking for him. When I called the homicide unit in Denver yesterday, they had to call me back to even find the case. And they said, oh, we haven't caught him yet. And both the detectives that were assigned to the case are no longer there, so they are assuring me they are going to possibly find a way to apprehend him. He was a repeat offender. He had committed murder once before. He was a stranger to my daughter. She mistakenly thought he was OK and accepted a ride from him, but that was the last time she was seen. She was twenty-seven and she had three little boys which my husband and I are now raising. Caleb was seven at the time of her death, and Mitchell and Joel were five-year-old twins. And so that was six years ago, so our family tries to go on but we would like to see some justice in this guy being brought to trial, especially since his identity is known.

CHARLES: HARVEY: Hi, I'm Charles Harvey. Caryl and I are from Holyoke, Colorado. We are contact people for PMC in northeast Colorado, southwest Nebraska. Also, we're board members of the Denver Front Range Chapter. And our daughter is the head of the

victim advocate program in Phillips County. Our son Chad was murdered in 1995. The murderer received eighteen years on a second degree conviction and he is up for parole in about two months, and we're actively trying to get that turned down.

KERI MELDRUM: I'm Keri Meldrum. I'm a contact person for the state of Utah for Parents of Murdered Children. Our son, Christopher Aaron Meldrum, was rooming with other fellows in Salt Lake -- in Salt Lake County. On January eighth, from the knowledge that we have, an eighteen year old, Richard Mott, had been up all night on drugs. For the reason why he went in the room where others were rooming with my son, I don't know. But he came in and had a twelve gauge shotgun. Newspaper articles say that he wanted to play a prank. I don't believe that, and I'll tell you the reason for that. But he fired at the ceiling, fired at the mattress where our son was in bed asleep sick; he wasn't bothering anybody. That one at the mattress woke our son up and probably words were shed. I surely wouldn't want to be woken up. The third shot was directed at his stomach and liver. He was life-flighted to what they call LDS Hospital in Salt Lake, and went into surgery and he died. It was too massive. When I got the news was at two o'clock and that's the horrible way to get news that, you know, we didn't have a chance to be by our son's side. We didn't get to hold his hand. We didn't get to hug him. We didn't even get to say our last goodbyes. But we are trying so hard in Utah 'cause Utah has not had, for years, I'm saying nothing, no chapter, no contact for other families. And so that's what I'm trying to do, to not let another family go through that same grief alone because I was reaching out for some kind of resource. We have had no funding, no help, no nothing.

DEBBIE PARNHAM: My name is Debbie Parnham and I'm with an organization called Life Sentence. That name was chosen because when our loved ones are murdered, the perpetrator gets a life sentence but we obviously get the life sentence, but the perpetrators get the prison sentence, which is totally, completely unfair. My son Brent was sixteen years old when he was walking down the street with two of his friends and a car pulled alongside of them with a shotgun out the window. They fired that gun one time and the shot went right into my son Brent's face. He died instantly. Paramedics revived him, transported him, and he survived for seven days at Good Sam Hospital here in the Phoenix area. I basically do an anti-violence program because I want kids to realize what their bad choices are and what happens when someone shoots a gun out of a car, that it destroys a family. I have a surviving daughter named Trinity who's just turned twenty-

one who is a drug addict and an alcoholic today, a direct result of losing her brother at eleven years old and not having the coping skills to deal with that. It destroys families as you all very well know. So I will die teaching kids to stop killing each other. I don't want to see any other moms wearing my shoes, being in my shoes and trying to make sense of this and trying to move and get out of bed every day and make a difference. We all can make a difference, and I believe that's what each of us are doing in this room today. I feel honored to be here today. Thank you so much.

BOB PRESTON: Thank you. Hi. I'm Bob Preston, former Floridian and currently a proud resident of Denver, Colorado. I'm currently serving as co-chairman of an organization dedicated to seeking constitutional--in the U.S. Constitution--constitutional guarantees that will offer crime victims some belief that the legislation that has been passed will be followed. I have a lot of suggestions which I'll go into later, but essentially my daughter, Wendy, was murdered in 1977 by a young man entering our home while my wife and I were out of the country, to rob the house to buy drugs, and killed her while she was there. My personal catalyst was it took six years to get him to trial, and then he pleaded guilty. Under the sentencing guidelines in our American justice system in Florida at that time a life sentence means you don't get out. But there was no parole, so he accepted a life sentence, and we also found out at that time that biannual parole hearings means twice a year so for twenty-two years we went to parole hearings. The parole board always rejected his parole. However, in the thing that really galvanized me, in 1987 the Florida Supreme Court ruled that all legislation must be interpreted in accordance with constitutional rights, and there were no constitutional rights for crime victims so they vacated the sentence. He was tried again, and sentenced to life but, again, under the old guidelines. So in 1990 another judge in Broward County vacated his sentence on the grounds that inadvertence of counsel; his lawyer didn't explain to him thoroughly that life means he doesn't get out. So at that time it was very, very--this guy was a brilliant guy. He was a psychopath and he had gotten his doctorate in criminal justice in the slammer, written several textbooks for other prisoners to manipulate the system and he sued everybody in the state. And it was imperative that we had a conviction or else the courts would be tied up forever with this guy. So he did plead guilty again and was sentenced to twenty-two and a half years, which was time served, and lifetime parole. And I'm here, and thank you all.

RITA GOLDSMITH: Hi. My name is Rita Goldsmith. I'm the national spokesperson for the national organization of Parents of Murdered Children. My daughter Tina was murdered on September eighteenth of 1985. Her murder remains unsolved, so any of you who seventeen years later has an unsolved murder knows how I feel. One of the things I wanted to say very quickly was that I've been involved on a national level with Parents of Murdered Children IV since 1987, but one of the things that I strongly believe in is the constitutional amendment for victims' rights. Even though I do not have anyone in the system to apply the rights to, my hope is that someday, if the case is solved, that there will be rights in place for me, the mother.

VIVIAN WINTERS: Hi. I'm Vivian Winters. My daughter, Susan Rancourt, was attending college at Central Washington. You always think you're not going to cry. In 1974, she was abducted by Ted Bundy. She was a 4.0 student carrying twenty-one credits. She worked part time at a nursing home, tutored a young man in German, and every morning she worked out with the campus police. When she came up missing, Al Pickles, who is the chief of police on campus, the kids in her dorm reported her missing immediately and he conducted a full campus search. He informed us the next morning and we tried to get an all points bulletin out for a missing persons. In 1974, it was seventy-two hours. There were so many different law enforcement agencies involved, the campus police, the city police, the state police, the county police, and a year later when her remains were found, two other county sheriffs and the King County Police, and none of them shared information. Whatever information we did glean was from the media, which is horrible. There was a lot of evidence to link him after we bought a full page ad in the Seattle Times asking for information. Several more families came forward and said their daughters were missing too. And, of course, we had such comments from the news media like, aren't you going to be embarrassed when she comes home married? Or, you know she ran off with a boyfriend. Well, a kid carrying twenty-one credits and 4.0 grade average and doing all the other extracurricular things that she did on campus was not going to run away. But they told us that, oh, she probably cracked under the stress. Not Sue. After they realized that so many girls were missing from campuses throughout Washington, then they started snooping around and they did have some evidence on Mr. Bundy. But Mr. Bundy was an upright citizen. He works for the Suicide Prevention, he was a upstanding law student and he worked for the governor; he wouldn't do such a thing. But it finally got too hot for him, so he went to Idaho, Utah and Colorado and murdered more. He was finally arrested and he

escaped from jail twice, and then he moved on to Florida where there were more victims. And he was arrested there and finally executed fifteen years later. At the eve of his execution, he tried to get us to file a plea for his stay of execution on the grounds that he had more information, and we wouldn't do it. He needed to be dealt with. So we never did get much of the information that he took with him. I think the thing that really bothers me is plea bargaining. It seems a real crime to swap one criminal for the other. I know we're all here for the same reason and we all have our stories to tell, and it doesn't end.

BECKIE MILLER: I'm Beckie Miller, chapter leader of Parents of Murdered Children here in Phoenix. It's been ten and a half years since my eighteen year old son, Brian, was robbed and shot to death by three gang members. And, unfortunately, because of plea agreements the one that actually shot him that day only served seven years. But what I recently found out after all the years of fighting to keep him in for the full seven, and him being out for three years now--and yet nobody ever once told me--was that the reason when they found out he was the killer and he had accepted a plea agreement for seven years, the reason that they could not bring him to trial, withdraw from the plea agreement, was simply because the way the plea agreement was worded. Any charges of murder or anything else were going to be dismissed with prejudice, and not once did anyone say it was that simple so that I didn't waste all my energy fighting it.

IRENE PRESTON: My name is Irene Preston. I'm a board member on the PO&C here in Phoenix. My son Robert was murdered December eleventh, 1998 in Rochester, New York. He had been stabbed fifty-seven times by a ex-roommate. This person was a two-time felon. He had the propensity to commit more violent crimes every time he got out. We probably are one of the more fortunate cases. Our case was over with within eight months of the time Robbie was murdered. In Rochester, this case was the first case that they'd presented the DNA evidence and that's what kind of solidified this for us because we weren't sure even going to court if this was the guy or not. But we were kind of sure, but we weren't sure. But the DNA evidence was quite clear and quite sure. So he's serving twenty-five years to life, and I don't know why he can get out or even go to parole, but that's what the court says. He's eligible for parole 2022 or something like that. The judge also stated that he was going to put Robbie's pictures, because the crime was so heinous, in his files and also recommend that this person never be out again. And I'm here to help, to do whatever I can to help others get through. Like I said, we got through with it in eight

months. No closure. It didn't bring Robbie back, but we did get through the judicial system, which is kind of rare for eight months.

B. PATTISON: My name is Bob Pattison. I'm also a member of Parents of Murdered Children. Our twenty-one year old son, Brian Seth, was murdered September the twelfth of 1998. He was a passenger in a vehicle and as they were passing another car on a road, the driver pulled out his gun and fired at the vehicle Brian was in seven times. Struck Brian in the chin, and the bullet severed his spinal cord, and Brian died instantly. Philip Zizya was subsequently captured three days later due to a silent witness, and we went to trial. He was found guilty of negligent homicide, which carries a presumptive of two and a half years, aggravated assault because one of the bullets struck the driver in the hand. That carries a presumptive of eight years. And he was also found guilty of possession of marijuana for sale. At the time of sentencing for the first trial, there was some information that came up about one of the victims and the judge, Sherry Hutt, decided that if the jury knew about this information they would have found Philip not guilty and decided there should be a new trial. Subsequently, that information was discharged and there was never any charges brought against that particular witness. We appealed the judge's decision for a new trial to the appellate court; they upheld the judge's decision. We were ready to start another trial in January of 2000. We had decided that we didn't want to go through another trial and listen to everything that the defense attorney was going to say about Brian and everything else that happened, and we offered Philip a plea bargain, a plea bargain was for two and a half years because that was the presumptive, and we felt like that he wasn't going to get any more than that. The plea bargain also included a term of five years of probation for the aggravated assault. While Philip was out during the time between the first and second trial, he tested positive for cocaine and when Judge McClendon heard this, he had decided that Philip should receive five years of intensive probation. Philip will be released probably in August or September of this year.

LOUISE PATTISON: My name is Louise Pattison and I'm Brian's mom. I serve on the board of POMC and often chair support meetings which are very helpful to us survivors.

INEZ: Thank you. Thank you, everyone. What I think we'd like to do at this point is I'd like for you all to take about a five minute and then come back.

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GILLIS: Good afternoon. I have a letter that I'd like to read to you. It's dated 30 May 2002. It says, dear friends, thank you for all the work you are doing to assist crime victims. In reaching out to other crime victims across the country and sharing your views about the criminal justice system, you are making a substantial contribution to the cause of justice. Although I am unable to join you on Saturday, I welcome you to Arizona for the third victims' roundtable discussion. I strongly support the work you are doing and share your dedication to the cause of securing meaningful and enforceable rights for crime victims. Under the leadership of President Bush, Attorney General Ashcroft and Director John Gillis, this administration has reached out as never before to listen to crime victims and to fight for their rights. I am honored to join with all of you in this cause. To the victims in attendance, let me say how sorry I am for what brings you to the meeting today but let me also say how much I respect and honor those of you here and your conviction that justice must be restored to our court system. No one can truly know the depth of your pain and loss, but you show courage in speaking out and in sharing your stories. Thank you for giving your time and support to helping the administration and those of us in congress work for a better justice system. As President Bush said in announcing his support for the Feinstein-Kyl Crime Victims Rights Amendment, quote, when our criminal justice system treats victims as irrelevant bystanders, they are victimized for a second time, closed quote. He is absolutely right. Ensuring that crime victims are treated with fairness, dignity and respect is important, not only for the victims themselves but for their families and the American people. Working together, we can balance the scales of justice and provide rights for crime victims. And that's signed John Kyl, United States Senator. And we have copies of this letter up here if you'd like to have it.

INEZ: And Jeannie Gregori's going to join us next. She has some housekeeping things to take care of.

GREGORI: If you did not get this booklet or were not included in it, this sign-in sheet that says 'booklet' will be at the back table. So, please, sign your name with your phone number if you want to be included in this booklet. Did everybody get a booklet who has a booklet? Who wanted a booklet? OK. And was there anybody who still wanted to submit information to be included in this booklet because we're going to update it. Anybody? Show of

hands? OK. But in case there's anybody else and you're being shy, there's some extra forms here, the victim information form. They'll also be on the back table. We'll pick these up at the end of the day. We will update this and get this out to you again. And if you haven't picked up your expense forms, don't forget to do that. And there's two pages to your expense form. Every person who's claiming expenses needs to fill one out. And the Senator Kyl letter will be on the back table, so if you want a copy, that will be back there. And then just for your information what our web site looked like, if you wanted to click onto your state about those reports we were talking about, I'll put this back there as the display copy. And also, if you want more food, you have to go outside and get it, otherwise they'll take it away. So feel free to get up and help yourselves.

INEZ: Thank you, Jeannie. OK, so what we're going to do basically at this point is we open this up for discussion so that you can share with the Office for Victims of Crime the things that you feel you want to see changed, that need to be addressed, that you'd like to have heard, understood, what have you. When I spoke with Rita on the phone, she had a marvelous idea. I thought that was a very, very interesting important kind of idea and I'd like to kick it off with Rita. But before I do that, we want to establish a schedule for tomorrow. We'll be doing one-on-one interviews. The Office for Victims of Crime has decided that they'd like to create some additional videos and training material for people that would be like a primer, something to take them through what they need to know in terms of the criminal justice system, and who better than those like yourselves who can share experiences, advice, strategies, that kind of thing. So, Rita, I'd like you to kick it off.

GOLDSMITH: Well, one of the things I said when I spoke to Inez on the phone was over the years whether you're going to a conference and you go into a workshop or you do other things with new survivors or with survivors of crime victims, I've found that oftentimes we gear programs to really good speakers, really out there, really intelligent, really sharp, and you get people in a workshop and you look around and they're lost. They have no idea. You know, they want to know about the criminal justice system, they want to know how much their loved one suffered, or they want to hear someone's story, but the presenter is so professional and so high profile that they get lost in the language. They don't have that one-on-one kind of interaction. And so what I said to Inez was, you know, some kind of way, if we could develop a system where you could actually have someone that could mentor new

people, not just through support but actually help them, maybe at a different level, understand what the presentation means. And that simply takes a lot of work. And when I was thinking about that, Inez, I want you to know that one of the things that came up, and I wanted to bring it up and ask the question to Mr. Gillis, was there are many, many survivors of homicide victims out there who do not know about the Office of Victims of Crime, they do not know about Victim Witness, they don't know about compensation, they're never told. You have to remember, until someone is caught, usually or at least most of the cases I've dealt with across the country, Victim Witness doesn't get in touch with them because there's not a perpetrator yet. But how do you find out about the Office of Victims of Crime and all the wonderful programs that are out there for someone who can't afford to bury their child or who needs support from a Victim Witness Assistance or from OVC? How do they find out if they don't go to a support group? Oh, and let me say this. I didn't say this before but for all of you who are familiar with Sedona, Arizona, I live in Sedona and have for the last twelve years, so it's a wonderful place to live.

GILLIS: One of the things that you can do is contact our office. You're talking about for mentors and for someone to explain to you about what you're seeing at a workshop.

GOLDSMITH: Right, in other words, John, when people go to, you know, they go to NOVA or they go to Parents of Murdered Children or they go to any of the other things out there, even in a, you know, a court system, so often they're lost in the language, they're lost in the inexperience, and if there's someone there to help them understand what is being said and what is going on.

GILLIS: I don't know if we will have the resources to have someone available at each of those workshops, but the one thing that we are doing at OVC is we have some brochures, other literature, we're in the process of, or we will be very soon, putting together some videos to explain to people about what it is they're seeing. So we're working on those things, but to have someone available at the workshops might be a little difficult for us. But it's not something that I would completely rule out. I'll take a look and see whether or not there is something else that we can do that would be helpful in that situation.

GOLDSMITH: OK. And what about how people find out about the Office of Victims of Crime? I mean, how do they find out if they become a victim.

GILLIS: They really need to go through their state.

GOLDSMITH: That's my question, John. It's not happening. There are many people out there that didn't know there was compensation, didn't know about the Office of Victims Crime, they didn't hear about it. So is there anything you can do or the system can do to make the public more aware.

GILLIS: Well, that's precisely what we're doing now in doing these workshops, is getting out and talking to people in the community, talking to crime victims. We're getting the information out to them that way. You'll also notice and I don't know if this has happened in your state or not, but we're seeing a lot of the states, now that they know that we're out doing the roundtables, they're making that information available to victim organizations where in the past they had not done that. They're beginning to realize that the information that they had--I won't say kept a secret--they just didn't make it public, that they now must put that information out. So I think the roundtables are helping in that situation. We'll be looking at other ways of getting that information out to the public, so does that help?

BIEHN: I just have a suggestion. How about having Office of Victims of Crimes in the government pages in the telephone book? Put it in the telephone book so people can...

GILLIS: I'm sorry. I missed...

BIEHN: Office of Victims of Crime, have it published in the telephone books in all the states and cities? And then underneath there have all the various entities available to victims listed with the phone numbers for contact. Just a suggestion.

GILLIS: That is something that we can do. We're looking at various ways of getting information out to the public including publishing in the phone book, on the Internet. We may even end up doing some public service announcements. So we're looking at anything we can do to get the information out to crime victims, especially going through the grassroots organizations. And we have the list served, we've got a lot of different things, but if you have suggestions on how we can better accomplish that, then this is what this forum is for.

B. PATTISON: Bob Pattison again. In our particular case, when we were in court the first time with the judge, there were several

things that happened that I don't think were appropriate. There were some stipulations in the case that were not supposed to be talked about or brought up, yet the defense attorney did it. The judge didn't reprimand him at all. And I feel as though that may have been one thing that lessened the charges against the defendant from second degree murder to negligent homicide because it influenced the jurors. I would think that if a prosecutor has to use evidence and has to, I guess, you'd say stick to the letter of the law, that I would certainly believe that a defense attorney should have to do the same thing and not spin a yarn about how wonderful a person is or what a wonderful family person this is and so forth and so on. They can pretty much say whatever they want because they don't have to prove anything, and I found that very disheartening, that the defense attorney was allowed to pretty much say, do whatever he wanted. If he didn't like what the prosecutor had said or done, he got up and said, oh, I want a mistrial, this isn't fair. But you know what that does? It gives them an opportunity to regroup and figure out another way to try to get the defendant off. That's pretty much a comment but I guess to say, unfortunately, there isn't too much you, as far as I can see, can do about it because the defense attorney can pretty much do whatever he wants. And I don't find that as, excuse me, being fair because I don't think the system is completely fair. A couple of other things about the judge. I would certainly think that somebody ought to be held accountable. You know, the defense attorney, like I said, that he can pretty much spin a yarn, say whatever he wants, and the prosecution can't do that, you know, they have to stick to the truth and present evidence, and the defense attorney doesn't have to do that. Some other things that happened too is judge fell asleep during our trial. We saw her nod off two or three times. There was a couple of times she came into the courtroom and said, so what're we going to do today? And that just kind of shows you how maybe some judges act or do and, you know, we're talking about the murder of someone and that doesn't set very well obviously.

GILLIS: Let me say to you that unless it's a federal trial that you're talking about, there's not much that we can do at this level. It's not something that we can control by federal legislation, I don't think. And I'd have to defer to some of the attorneys who are in the room and, I don't know, maybe Steve knows something about that or some of the other attorneys. But it's not something that federal legislation will take care of. It's something that has to be done at your state level.

UNIDENTIFIED: My pet peeve right now is the victims' compensation and how the cases are being judged. You have some cases that are being paid at certain percentages. My feeling is the victim's family are being penalized for whatever the deceased did. And I don't think that's fair. You know, they're being victimized twice or three times, and whoever's up there judging, I mean, who are we to judge? You know, these folks need help. You know, they have nowhere to go. Their child, loved one, has been killed and when they try to go get help, they're being told they can't get help because of the victim's lifestyle or whatever. And that has no bearing on the family because the family has that expense. So there needs to be something different than the way they're judging the compensations.

GILLIS: I've heard a couple of horror stories today, earlier this morning. And there is some disparate treatment among the states and that probably is something--well, I'll say more than probably. It is something that we will take a look at to see whether or not we can have some kind of even treatment among the states on how they deal with victims. And I recall about two months ago, we had a letter from a lady from a state that I will not name, but they refused to give her compensation. She was raped and severely beaten and because she didn't meet the time limit of seventy-two hours in filing the report, they didn't want to compensate. We got that straightened out and she is going to get compensated, but it's something that we have to start talking with all the states to find out what they have in place at this time and how we can do something to make it a little more even across the board.

UNIDENTIFIED: By the way, I did not personally have a bad experience. We got (unintelligible) for our son and we also had other insurance. We own a funeral home, so it wasn't really difficult for us. But this couple right here, they were denied, you know, and we've got the same type of cases. And so I'm not speaking as a personal person that did not get compensated. We did, we got a hundred percent without a problem. And, yes, our case was high profile, but there again, it shouldn't be any difference.

BECKIE MILLER: Beckie Miller. I'd like to see something done about restitution. I know here in Arizona and especially for homicide victims--I'm not going to assume it's the same with every other state--it's almost a joke. Your prosecutors will even tell you that when you go in. So either do away with it or do it. Don't make us have to go after them. If restitution is ordered, it shouldn't be up to us, the victims.

GILLIS: We do have a pilot program going on restitution. You want to talk about that one, Jeannie? The one in northern California?

GREGORI: In the federal system, there's the Mandatory Victim Restitution Act where in certain cases restitution is mandatory so it has to be included in part of the judgment. And so in the northern district of California what they did, they were finding that, of course, you know, the perps, defendants, weren't paying the restitution order. And so they hired asset investigators to go look and track down these defendants once they got out of jail or if they didn't go to jail to see if they had assets to seize that and then turn it into restitution money. And so it was actually a very successful program and they got about twenty-nine million dollars. We seed funded it for three years. And so I know in the federal system, other districts are looking to do that because it looks like, you know, the money has to be actively investigated to get it from the defendant to be paid to the victims. And in the state system, different states have different laws to set up for a system.

WINTERS: I promise not to cry this time. Vivian Winters. When Sue was murdered, there was no victim advocate or compensation of any kind. And I think we've come a long way in that. My suggestion is the organizations, Family and Friends Victims of Violent Crimes, POMC, NOVA, so many of them, I think on a local level, educating your local police force and pushing for victim advocates in their office. I have a stepson that is a police commander in a medium-sized town. And he's very active in Family and Friends of Violent Crimes and he's very aware and has made his department aware of victims' rights. And I think starting on a local level, educating your own police force in your own town, I think that goes a long way in helping.

UNIDENTIFIED: John, one of the things that I think is a problem and I'd like to know if it's possible for you to address it, is that a lot of times we have wonderful ideas and suggestions about, you know, helping to train policemen, helping to make them more sensitive, etcetera, but there's not a lot of money for people to take off of work or people to get a babysitter to go in and speak to a police department or speak to an association of funeral home directors. And because the money's not there, and when organizations like ourself, like Parents of Murdered Children, we raise money from the survivors of the victims to turn services back to those survivors of victims, and if there was assistance

from OVC on some level, some method that could be put into place where we could actually implement doing things but need the financial assistance in some cases to do it, if that could be thought through and some kind of process could come about that would enable people to really go out there and be of benefit and service to OVC and to survivors, but they need financial help and there's no place for it to come from.

GILLIS: I'm going to let Jeannie talk about financial assistance.

GREGORI: TTAC? At OVC, we have what's called TTAC, which is our Training and Technical Assistance Center. In that, you can sign up to either, one, be a consultant, or be a speaker. And then if there is a training need out in the field for a speaker or workshop or an event, then they will actually pay for you as a speaker and a consultant of TTAC to go to this event to provide the training or to provide the, you know, the speaking. And so they'll pay for your travel expenses and for your time there and for your prep time. So that would probably be the best way to get speakers. And for other, like, direct expenses, I'll let the cat out of the bag. We are setting up a scholarship program but it probably won't be up and running, it looks like fiscal year '03. So people who can't afford to go to conferences could apply to OVC to go places. Other kind of direct expenses, we have problems, you know, 'cause we're bound by what we can do by law. Did you want to add to that?

UNIDENTIFIED: I know about not fitting into categories in your funding and your grants, so will you be implementing, hopefully, new procedures where you could apply for money to make these people available on a local level to survivors?

GILLIS: I think what you're asking or the question should be will we pay for them? We won't provide the money for you to make them available, but if there's a situation where training and technical assistance is needed, then we will, if they're on our list--and we'll be happy to put them on the list if they have the expertise and the training that's needed--we'll put them on our list and then when the need arises, we will pay for that. But at this point, we're not providing a cadre of individuals at a particular organization that will kind of freelance, if that's what you're talking about. The answer to that would be no, but it's not something that we won't...

UNIDENTIFIED: ...the services, the money to provide the services down to the victim, down to the survivors who, you know, cannot go

to a support meeting and aren't available, that you would make services available to them through OVC through grants that, you know, I'm talking about qualified, trained people but on a very local level as opposed to going and being trained and then going to a workshop and presenting at a workshop. There are lots of people that go out and speak in public and a lot of organizations have all these volunteers, but it takes money. And we're always raising money for it, and I was wondering if there would be some type of grant to fund people getting to the grassroot, getting to the individuals who need the support.

GILLIS: Give me a proposal, write up a proposal and send it to me and we'll have some discussions. OK.

PRESTON: I'm Bob Preston. I'd like to expand just a bit on police involvement as victim advocates. My personal experience has been that it's counterproductive. That the police are there to investigate and resolve the crime. The ones that I've known who have gotten involved as advocates with the victims eventually changed their attitude as far as police work and burned themselves out of policing. I think that assets in Colorado, particularly, are being misdirected. We have a lot of training for law enforcement people. I think the only training a policeman needs is one of the TV stations, Channel Seven, paid for printing up cards and when the police give the accused his Miranda rights, he gives the victim a card listing all the agencies that he can call for help. And his job's done; he's followed the law. I think that's the training that police should have, is to inform the victim. I mean, the first basis of the constitutional amendment is informed present and hurt. So the police should let the victim know that in order to get informed, they should call the police advocate. And most of the police agencies in Colorado now--I know all of them in Florida--do have advocates within the police department and they're training more. I'd like to see the money spent training advocates, not police.

GILLIS: I think that goes back to the basic training of the police officers, and they do need some basic training in how to deal with crime victims, how to talk with crime victims. They need to know how to treat them when they first arrive on the scene. But then the second phase is as you just mentioned. Once they've done that initial contact and they do what they can to make the victim feel at ease and relieved, then they ought to go to that second phase which is calling in a victim advocate. There are some police departments who have--and I'm thinking of Houston, I believe it is. Is it Houston? Yeah, that they have a victim

advocate program where once the officers get to the scenes, the victim advocate is available to be called and, in many instances, will kind of roll up to the scene and wait for the officers to bring them in. But this is the kind of thing that many police departments are looking at and it's that second tier that you're talking about, which is very important for the victims because having been a police officer--I was one for twenty-six years in Los Angeles--and there have been many times when you go to the scene and you think you have things under control. You talk to the victims and you get in your car and drive merrily off on your way, leaving complete chaos behind you. So many officers need that kind of training to know that it's not just done when you settle the legal or criminal portion of it, that that victim is left there and they need someone to talk to, they need someone to help them get through the crisis that they're in. So, hopefully, more police departments will start paying attention to that and, hopefully, we'll get something done in that area. But we've done some films. We did one in California, teaching law enforcement how to work with crime victims. We will do something at the national level. Inez produced that video, by the way, for California, and Collene Campbell was on the POST Commission, and they were responsible for getting it funded and moving it forward. But we're going to do something like that at the national level.

PARNHAM: Hi. My name's Debbie Parnham and a couple issues. Beckie touched one of them that I think is really important, that why should we have to ask for the compensation or the restitution? I think that's really a good point. Another thing that I'm really big in is, I think that we need handouts and there must be some funding for organizations to hand out books. I know when my son was murdered, I received a book in the mail from actually one of my cousins and it was called "Good Grief." I had no idea what was going to come upon me and I think Arizona now has a little pamphlet, but back when my son was murdered nine years ago, there wasn't anything available to me. I'd like to see more information, handwritten, put in the victims' hands so that they know what they're going to come up against as far as not just the judicial system but life. I mean, how is this going to affect my family? What can I do for my surviving children? I was a total complete loss with how I was going to handle my daughter's grief. And like in POMC there's a saying that children are the forgotten grievers and there's no doubt about that. And then that brings me to my second point. When this happened to my son, I was told that there was some victim compensation out there for me and they did help with the funeral expenses and I was eternally grateful for that. I was also told that I would be allowed for some counseling

for my family. I don't like that time limit on there because you don't know when you're going to have to have that counseling. And we were coming up on the deadline and people were reminding me and it's like I don't want to deal with this right now. Why does there have to be a timeframe on here? And then the second thing is, when I got ready to have that, I was still within the timeframe and I went to my first appointment and I turned in the paperwork and I was notified there was no more funds left. So I ended up paying for my first counseling session for my daughter and I out of my own pocket. I think victims need to be compensated for that. Yeah, I can understand sometimes that we run out of money, but that was really tough for me to understand. What do you mean you ran out of money? You know, you promised that you'd get my kid some help and get myself some help. I've been on both sides of the fence with my daughter. I would like to see some more agencies be funded to help troubled kids. And I work with troubled kids and I could not save my own daughter. She was actually locked up one time in a psychiatric hospital for trying to kill someone. Now, as a mom of a murdered kid, how can I now attend a trial and my daughter's now the one that's killed someone. We need to get some funding to help the kids of the survivors that have lost their sibling because they cannot cope with this horrendous mess that they've been stuck in. And so I'd like to see some more funding come from your organization to benefit kids that have been in that situation and now they're acting out because they don't know quite how to handle life. Thank you.

GILLIS: Which state are you from? (unintelligible reply) OK.

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MELDRUM: My name is Keri Meldrum from Utah. I know from our experience, we were totally in the dark. We're still totally in the dark. And I'm still trying to help people who do call me but from our son's case, I feel--or, I should say, our family feels--that someone should take responsibility because when they had booked the guy, they did not read his Miranda rights. And so that gave the kid a lesser sentence. That was the only thing that they could do. I do feel proud that the judge who did was really good because we had a phone call saying that the judge wanted to be totally prepared going into this. He called us and did the verbal kind of, if you want to say, impact. They recorded that, as well as the written impact statement. So I was really pleased on that part. The kid got the max for manslaughter in Utah. That was fifteen years and then the judge gave him two consecutive years,

one for gun enhancement, and one for an assault upon a person by going into the home and doing what he did. But I agree with Debbie, next to me, that victims need--because I still feel like a victim. I am also a survivor, but I didn't have any literature. I had nothing. And at the time, Utah didn't have anything. And I was reaching out and I didn't know what in the heck I was doing. The other is with my daughter, she didn't know how to go through the grief and I'm just sharing feeling. Her grief started I think it was in '98 but it did land her in the hospital for three days, which was on a psychiatric unit. She had her own personal trauma that she was dealing with that was also in the same year, '97, as well as her brother's loss. And so she was diagnosed with having post traumatic stress syndrome. We've had to pay for practically everything that we've been doing. And (crying) I didn't think I was going to do this. I mentioned to John and I think I gotta go back home and check with the state of Utah and see what help we can get for my daughter. And so then I give honor to you guys for inviting us to come even though financially we don't have... So it has been an honor to be here. Like I said, financially it's been hard, it's been five years and we're still struggling financially, so that's what I wanted to share, is, yes, survivors need literature, anything, because I need to do that for other survivors who call me. And all this has been coming out of my own pocket. Even when we've done, which is a part of the Parents of Murdered Children, doing the yearly candlelight vigil, again, that all came out of my own pocket. And so that's really hard, and I'm glad that there was other survivors who said let me help you with these candlelight vigils. And so, yes, survivors need help out there.

CARYL HARVEY: Goodness, I came with so many issues, so many things I wanted to address. But I think the one that is most urgent to me is having to do with truth in sentencing. My name is Caryl Harvey from Holyoke, Colorado. And Charlie and I are going to be facing, late this summer, our first parole hearing. Last month we got a letter saying that the perpetrator was being referred for community corrections. And this really floored us because we didn't even know anything about that. And so right now the first community corrections referral has been denied and there are two more in this cycle. But in Colorado, there is a no truth in sentencing program so that the minute a perpetrator goes to the Department of Corrections to decide which facility to be put into and which programs they need to take, their first parole hearing date is set at fifty percent of their sentence arbitrarily. After that, when they go to the facility, if they attend the classes that have been recommended for them by the state of Colorado, they

will get three days a month off their sentence for attending these classes. After that, if they sign up for other classes, whether or not they get into them, if the classes are full or for some other reason they can't get into them, if there's a legitimate reason why they can't get in and their name is on the list to get into the classes, they get another three days a month off their sentences. If they will work, have a job in the prison community, there is two more days that they can earn a month off their sentence. And if they maintain a cooperative demeanor in prison, if they brush their teeth and use deodorant to make themselves appealing to the other men, inmates, if they clean their cells, they get another two days a month off their sentence. So it is feasible that from the already halved sentence, another third might be possibly taken off. In the mid-1990s, the federal government, I think, Mr. Gillis, had a truth in sentencing legislation and they offered incentives to the states to come up with truth in sentencing programs. At that point, Colorado declined. Colorado was one of, I think, maybe only six states that did decline. I think, right now I think there are maybe all but ten are in compliance with federal guidelines, which is like eighty-five percent of the sentence served. But Colorado doesn't see fit to do that. And I wonder if it isn't possible for the federal government to come up with a model for what truth in sentencing might look like. I can come up with a model for what truth in sentencing might look like for violent offenders. And I wonder if the federal government might not be able to come up with a model to present to states with some incentives for what truth in sentencing might look like for violent criminals, offering perhaps, you know, partial in-home incarceration for non-violent offenders depending on the severity of their sentencing, what might look like the old WPA program, or the Works Progress Program. I mean, maybe I'm talking chain gangs but basically what I'm saying is that there should be a way where we can put non-violent offenders as part of their sentencing, put them to work benefiting our communities and our states and save the room in the prisons for the violent offenders. And then we can keep them in prison longer. We can comply with the intent of the judge. When that judge sentences that person to eighteen or twenty or fifty years, that is exactly what that man intends that that perpetrator serve. And so that's what I would like to see and that's what I'm asking you, is if there is some way the government can provide a model of what a truth in sentencing program might look like to a state and then offer some incentives and maybe even some sanctions for states that did not come into compliance. And then also, as a second part of that question, if, Mr. Gillis, you can give us some input on--Charlie and I are going to be going after our parole

hearing, because we've been told by some people that's going to be pretty emotionally devastating for us and emotionally draining, but after that's over this fall we intend to go to our legislature and begin the process of trying to get truth in sentencing in Colorado. And I would like some ideas on how we can approach that.

GILLIS: I can appreciate what you've just said and I think you're taking the right approach in going to your legislature. You asked whether or not there are any suggestions that I can give you. I can tell you that there are several people sitting around the table--but I'm not in the position to do that--but several people around the table who will have lots of suggestions for you on how to get that done. Probably the lady sitting right down from me here, Collene Campbell, and I'm sure Steve Twist can give you some suggestions but I'm not in the position to do that. So I would suggest that you have a conversation with them. But I think you're going in the right direction by talking with your legislature. Now as far as a model from the federal government, I'm not quite sure that they would do that. They're going to leave it up to the states.

LINDA DONELSON: OK. Yes, I'm Linda Donelson and I'm from Denver, Colorado or actually one of their suburbs, Aurora. One thing I would like to see is some procedures for notification when there's a homicide. I came home from work on a Monday morning, picked up my grandson or, a Monday afternoon, and picked up my grandson from daycare, come to the house and found a note on the door. Now the note suggested that I call the police and it gave me a number and it did say regarding my daughter. And so I thought maybe she had done something and the police had picked her up and maybe she needed someone to come down to the police station and pick her up. But, in fact, when I called the number that the police had given me, I actually got the morgue. And then it was hours before I had any real information. Although when you make a phone call and you get the morgue, you know what your mind tells you. And, of course, my grandson is saying, 'Grandma, what's the note say? What's the note say?' And I'm sure they were out there in the afternoon but, you know, a weekday in the afternoon, if somebody's not home don't you presume that they're probably at work and you would come back in the evening hours? I finally did on probably my fifth call to the morgue, the county coroner, I did get him to tell me that Sherry's body was there. And then he called the police detectives and there was a victim advocate that came out, but that was hours later. So I would just like to see a little

kinder way of notification there. Those first few hours were pure hell. And another thing that I'm concerned with is this time limit for benefits for your family because, you know, there's no time limit on grief. And like with my son, he was upset when his sister was murdered and I know it bothered him immensely but he didn't think he needed counseling and he didn't want any help and then three years later we had the big Columbine massacre and that just triggered something in my son. Maybe it was because him and my daughter were just a year apart in school and they were very close during high school and it happened really close in the same area where they had shared an apartment after they'd graduated. And he just became devastated with that and became sick and, like I say, it was three years later and I think we need to have something in place for this post traumatic syndrome that does hit people years later. And the only other question I would have was how can the Department of Justice help me help the authorities to look for and apprehend the perpetrator who killed our daughter?

GILLIS: OK, I'll start with your last question first and that's how can the Justice Department help you with finding the murderer of your daughter. (pause for audio adjustment) But back to the question about what can the Justice Department do to help find the perpetrator, again, that's going to be up to your local law enforcement and there's not a lot that we can do unless it was a federal offense or some reason for the federal government to intercede. And I don't know the circumstances so I can't say if there's a reason for the Justice Department to become involved. My guess is that there is not, otherwise it would have happened before. You mentioned notification, death notification. We have a film, as a matter of fact, it's another film that Inez produced when we were in California and Collene Campbell was a part of that. It was a film on notification to victims including a lot of other things. If your local agency does not have that, if you will contact us and we'll see if we can get a copy of that to them. It might be something that we will redo on the federal level and make it somewhat generic so that it is appropriate for any law enforcement agency. Then you mentioned a time limit on benefits for survivors. That's your state VOCA, OK, they set up those rules. We do like to look at them, we like to pay attention to those, and if it's something that's unreasonable if you contact us, we'll see what we can do about it. But generally those things are left up to the states. We give them the money. They set up their guidelines on how they're going to administer the funds, and sometimes they are a little arbitrary and when that happens, we do intercede.

RIOS: My name is Cynthia Rios and a common theme that I've heard throughout the morning or afternoon is in providing resources to local agencies like the county district attorney's office and things so that they can maybe attend some of the parole hearings and things that victims are constantly having to deal with on their own as well as victim counseling, not just in grief counseling but in going on. I had stated earlier, my mother was murdered by my stepfather, and I had three siblings that I ended up having to go and get guardianship over. So, you know, I had to go get an attorney and try and get legal guardianship of them because they were all minors and I was nineteen. So I don't think a nineteen-year-old's very aware of a lot of things. So, luckily, we were able to survive, but, you know, going and getting social security for them and just all of that stuff that you don't even know where to start. I'd like to see an initial contact from a victim services rep to--how do you get started with some of the day-to-day things to function. Then when the hearings and all start, maybe another contact, a second contact, and how you, as a victim, have rights and what those rights are, that you can attend parole hearings. Even support to show you how to write a petition letter or a letter of, you know, to send to the parole board, things like that. One of my other issues I had was with the District Attorney's office in that this man had stalked us for a year yet he was able to plea bargain to second degree murder and my mother had a restraining order on him. I didn't know enough about the justice system nor do I even still know, could I have really made a difference in that plea bargain? I don't know that the District Attorney's office contacts victims to find out, you know, are you willing to take this chance of going to court for a first degree murder? Or, you know, are you OK with let's get him in there, you know. That was something that was hard for us to deal with. And the last thing I had was from his prison cell, again I mentioned, he had tried suing us at taxpayers' expense and, you know, it's never over for you. You know, they're locked up in prison and they're still harassing you by filing these frivolous lawsuits so, you know, I'd like to see some of their rights streamlined and some of the victims' rights, you know... So thank you.

GILLIS: She had several questions and some other questions that came from some of you I've indicated are states' rights issues. But one of the things that will come from this forum or from this roundtable is that we will put together some training material for the state VOCA people, also for District Attorneys, for prosecutors, for law enforcement, so your comments are not lost. Even though I may say to you that this is something that's a state

issue, we will get those to the states and it's going to be some training material for them because the main focus of this roundtable and the others that we're doing is to get the information to find out what's going on out here and the information that never gets back to the people who need to know it. So that's...

GREGORI: Some pressure from the federal level (unintelligible).

GILLIS: OK, and we will do all the pressure we can. Just one other comment regarding Cynthia's case. I was on the Board of Prison Terms in California at the time that her hearing came up. So I'm thoroughly familiar with the case and that's how I happen to know her and that's where I first met her many years ago. So...

SMITH: First of all, Director Gillis, thank you and your chief for coming out here and taking the time and trouble to do this. I know it's outreach. I didn't know about OVC until today. And I think you touched on a little bit that you do have interaction with the local agencies and so on. For instance, in Maricopa County, there's a division of the County Attorney's office that has about twenty or thirty folks in it for victims' assistance. And I had some interaction and I'm sure that any of the people whose crime was committed in Maricopa County likely did. But I would hope that perhaps you could distribute literature to the County Attorney's office. I mean, that's where most of the crimes are prosecuted, and those that aren't there are, of course, by the U.S. Attorney's office and the same thing. I had no idea that there were resources that would take care of things such as funeral expenses and what the criteria to determine if one is eligible for that, and I'm sure that there are other things that people might take advantage of if they only knew about it. And the other thing is, is just with respect to my situation. When I go home, I'm going to be debriefed by my wife and it might be helpful if there's something written that you had at a session like this, it might be helpful to people like me who have limited memories and even worse note taking skills because she's going to want to know what I did and I'll do the best I can.

GILLIS: We will see if we can provide some material for the next one. Of course, traveling across country with heavy bags and suitcases, you know, is a little difficult, but we'll see what we can do. It's well taken. Great.

INEZ: Otis, your last name?

SMITH: Smith.

INEZ: Smith. Otis Smith. Not only do we transcribe all of the proceedings so we have everything verbatim, but we also then go back and edit it.

CALDWELL: My name is Debra Caldwell. Victims' rights have a long way to go, but fortunately for a lot of you here, you know, you've come a long way. And, like I said, my son was murdered just June twenty-first of last year. And I was told about Parents of Murdered Children immediately by a cousin and I was able to go and learn about how to deal with the detectives and how to deal, you know, with a lot of things. You know, fortunately you had done a lot of this work and I was a recipient of the work that you've done, you know. They picked up two murderers on January fourteenth for my son and, you know, that's when the Arizona Voice for Crime Victims that Steve Twist founded, you know -- Again, I'm able to be a recipient of a lot of work and effort that you all have put in and I just want to mention that I'm very grateful for that. So I just, you know, again, I'm just really grateful for the work that a lot of you have done. (applause)

WINN: My name is Loretta Winn and thank you, John, for being here. And I feel, too, an honor for being here and thank you, Steve, for this invitation. A couple of things. First of all, I'd like to say that most of my support and a lot of the things that I was able to be a recipient from, I owe to Parents of Murdered Children. And I think it's a shame that they don't get the funding that they deserve, that they do have to do so much to get the little bit of funding that they do get. Second, in my case I feel grateful that the boy that murdered my son, due to a plea, he was given an eighteen year sentence with no early release, no parole. We thought we found justice. However, just a year ago, a little over a year ago, we received a letter from the Clemency Board stating that it would be this perpetrator's right to be heard and listened to in front of this Clemency Board to reduce his sentence. That told me every two years my wound would have to be reopened, my wound that I started to heal. Like Mr. Goldman said when he was here, we're not the victims but our families are. I, too, have a son, my only child, Kyle, who took to drugs and crime. After my son was murdered, I helped advocate that new juvenile crime bill here in the state of Arizona to say if you're a juvenile and you're fourteen years or older and you commit murder, rape or aggravated assault, you're going to be

tried as an adult. My son, Kyle, at the age of fifteen and a half committed an aggravated assault charge. He was tried and charged as an adult and he spent six and a half months in the big boys' jail with the big boys. I was mortified. I was humiliated. But like the boy that murdered my son, my own son Kyle needed to pay the price. He needed to be held accountable. I didn't ask for the death sentence when my son was murdered; I just hoped for accountability. Now we have to go every two years to the Clemency Board who told me from the get-go that this was Christopher Columby's right to be heard. What about our rights? What about my son Kyle? As I listened in the Clemency Board, the parents telling the court that Chris was sorry for murdering my son, he committed a juvenile act, he earned many degrees, he even goes to drug rehab, gets lots of counseling. You know who pays for Kyle's counseling? His drug and alcohol rehab? And as you all know, I can go on and on all day long and tell you about the ripple effects of what this violent crime did to our family. Thank God my husband and I have made a commitment, a commitment to stay together to work it out. Thank God, today Kyle is twenty, he's making baby steps to recovery. I'm thankful. But must we go before the Clemency Board every two years? Chris served less than five years and now it's his right to be heard. What about our rights? Thank you, John.

GILLIS: My wife and I go through the same thing, and I think the murderer will be up again in about another year, I believe, when we will have to go back for another hearing. So I understand what you go through when you do that, we both understand. A lot of us here understand, and we wish we could change it. I don't know how we'd do that.

WINN: Well, one thing that shocked us was that we had paperwork from the sentencing, the court, stating that this boy would not have early release, no early parole, not a Clemency Board hearing either. And even the County Attorney's office was quite surprised that we received that letter. That was a mistake.

GILLIS: Yeah. The murderer of our daughter was sentenced to seventeen to life and he went to prison in 1979 and we have just started. We've gone through the second parole hearing, so it's-- We'll do it. We'll do it every time it comes up, but we don't like it.

LEVEY: My name is Dan Levey and thank you, Director Gillis, for being here. I guess I'll start. I have several things I've written down. I'll try and be fairly quick. But like Loretta, I

echo sentiments regarding Parents of Murdered Children. Being a national board member, I know we really struggle for financing and funding. But something that, like most of us who have gone through this life experience, that came out of mine, something I'm very passionate about, was an issue with victims in the workplace in which after my brother was murdered, our state constitution, like many constitutions, allow victims to be present at every proceeding that the defendant is at. And I wanted to be at every single hearing, no matter how insignificant the prosecutor said it was going to be. Oftentimes, as you know, you go and it's continued and nothing even happens. Or if you do go and something happens, it's quick. But I wanted to be there so the judge, the prosecutor, the inmate, the defendant, they all knew that I was there. But I kept having to take personal time and vacation time to go to these proceedings and, God forbid, actually take a real vacation day, and I found myself running out and did run out of time. And I worked for a large insurance company whose corporate headquarters were back east and basically their policy was after you ran out of leave or vacation, you were written up and a letter of reprimand was put into your personnel file. And ultimately then, you're fired after your third one. And I got three of them and basically had to plead and literally cried to this director of our office here in Phoenix and he said, you know, let me see what I can do, but I had to go through, you know, the worrying and wondering if I'm going to still have a job. And I know other victims have gone through similar situations. Some employers and I should say probably a lot of them, most of them, will work with victims, but we've had horror stories here in Arizona where people were either threatened with termination or were fired. Here in Arizona, we recently passed a law that allows crime victims to take unpaid leave to go to court proceedings, but I'd like to see it on a federal level, maybe under the Family Medical Leave Act, because rightly so, when a mother brings a child into the world or the both parents, you're given up to three months for family medical leave, but if one's taken by violence, you're lucky if you get three days bereavement leave and yet, you know, the father and the mother are grieving. And I think it doesn't make a productive work employee to be there if you're constantly worrying if you're going to have a job or just the stigmatism that goes along with coworkers wondering where you're always going or having to explain yourself. So I'd really like to see the federal government get involved in that. On another issue, something to do with in our case the individuals were Hispanic and were fleeing towards Mexico. And the police had told me that if they hadn't caught them when they did, they would've been gone. And I know this isn't a new thing, but extraditing inmates or defendants or

criminals, whatever you want to call them, that flee or look at Mexico as a safe haven, I work in the Attorney General's office and we've had several cases where the perpetrators have gone there and we basically have no bargaining power to get those people back. So I just want to reemphasize that from a victim's standpoint. Also, the victim comp. We've talked a lot about that and I know it may be governed by the states, but the application for the victims' comp, at the time that I got it, it was long. It was several pages and I can call up over the phone and get a home loan easier than I think I could've filled that form out. And I would like to see that made simpler. There's no doubt who the victim is in most cases. And then the other thing I had here was I think, and I know I've talked to Steve and he, I believe, agrees, that until there's meaningful enforcement of victims' rights, they're not worth much. And I think and hope and know when the federal amendment passes, that will help, but there needs to be some consequence of a violation of a victim's rights. A victim needs to have some standing. I'm not sure what the federal level can do other than, you know, maybe reiterate this to the states. Thank you.

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JOHN GOLDSMITH: Thank you. My name is John Goldsmith. I retired as a judge in Louisiana at the end of 1990. Five years before that or four years before that, I met the young lady sitting on my right six months after her daughter was murdered. I did never have the pleasure of knowing Tina, although I feel like I've known her for a long, long time. I participated with her in meetings through a long, long time. In fact, I'm kind of hesitant to speak out because I know I'm not one of you although I have a great sympathy for what all of you or most all of you have been through. I wanted to speak today, Mr. Gillis, in regard to the fact that I know from what I've understood today that you do fund speakers and presenters. You print brochures. You've sent a lot of training materials to district attorneys and prosecutors and I know you fund states to assist victims. The observation I'd like to make is this: Almost everybody here is a homicide victim. And that's where most of my experience in the time that I've known Rita has been spent. From all the meetings I've been to, from all the conventions I've been to, I think I can say without a doubt in my mind that the victims that I've seen have drawn more comfort than anything else from their actions and from the words that I've heard them speak from networking with other victims. I can't go to a meeting and tell any of you that I know how you feel. I haven't walked in your shoes, I haven't been there. But I know

that when you sit together, you share your stories with each other, when you share your experiences with each other, I think that's the greatest comfort that any of you derive at any point in time. So, Mr. Gillis, my point is, number one, I would hope that there would be some way that your office can consider and, like I said, all the other things you do are very laudable, but I wonder if there would be some way you could consider making it a priority, number one, to try to establish some type of victim networking. I know it's not an easy thing to do and I know it's something that couldn't be done overnight. But I think it's one of the things that you should very seriously consider. And along those lines, because my experience has been with Parents of Murdered Children, what I would suggest or ask it could be done would be that either your organization set a priority for organizations that are made up of victims, not just to give money to a speaker to talk to them or somebody else to try to help them, but something that would go directly to organizations that are made up of victims because I think those are the people that need the help directly. So I would hope that there would be a way to maybe set either a priority for organizations that are made up of victims or maybe even to set aside some percentage of funds or something to work with those type organizations. Thank you.

GILLIS: We've taken that initial step and that was with the Hope Project that I was talking about this morning. Now that's going directly to grassroots organizations that are providing services to victims or they are comprised of victims. So money will go to those organizations. This is the first time that that's been done. Generally, you have to have some kind of program up and going and somebody was just mentioning to me a moment ago about the four and five pages of documentation and then much more after that, but this initial step will take care of some of those victims that you're talking about, and the victim networking. Hopefully, in the next budget session, I'll have more to give to those organizations and we will start identifying more of those organizations. But this is kind of seed money for those groups. You know, they're out there doing their work for the right reason and they don't do it to get paid. They do it just to help people. And if they're doing it to help people, then I think we ought to be able to take some of the money that we have there and give them something that will help them with their budget. You know, sometimes five or ten thousand dollars, it'll take care of all their mailing lists, pay their phone bills, and these are the kind of things that they have difficulty doing, trying to make ends meet. So we've taken the first step in doing that and I appreciate your comments and we'll be doing more in the future.

Also, in relation to the victim networking, and someone was talking today about the number of murders in, I think it was, ten months. Somebody said thirty thousand?

UNIDENTIFIED: It was a year, yeah.

GILLIS: Yeah, thirty thousand a year, and when you add those up over a period of years, that comes to an astronomical number. You know, and when we're in DC, we have monuments for people who were killed in the wars, we have monuments for everything except for victims. We don't even have a national--we have the one national ceremony every year where we have a few people there where we give out awards. But when I mentioned this to the staff the other day, I said, you know, we ought to have at least something in Washington, DC on an annual basis where victims can come along with the law enforcement people who are murdered during the course of their duty. We have it for correctional officers, everything but for the victim and we have more of those killed every year than we do in any other thing that goes on in the country. So I'm thinking that by next year we will at least have a national ceremony and we will notify all of you that are going to be on our list. We may not be able to pay for your transportation or any of those things, but it will be a place where you can come to meet with people and discuss similar problems and talk. We can have some training and do some other things. So that's what I'm looking forward to for next year, for next April during National Crime Victims Week. And I'm hoping that most of you or many of you will be able to attend that. So if you think that's an idea that you want us to pursue, let me know. If not, we'll forget it. So that's it.

NORWOOD: My name is Marilyn Norwood. I'm from Colorado Springs. My husband was killed, 1988, on Mother's Day. Well, they don't quite know. It was either the day of Mother's Day or the day after. I think what I'd like to see done is--to me, it's so confusing. You go to one state and they get this for murder, you go to another state, they get that for murder. Why don't they all get the same thing? Because they've all done the same thing and they've all killed a person. That person is dead. Why let them out? And I agree with the person that said about when you kill somebody when you're drunk, hey, lock them up, throw the key away. That's how I feel. I have no sympathy for them whatsoever. When my first parole hearing was, five years after his murder, the lady that was our leader at that time, Tina Shell in Colorado Springs, she had taped a parole hearing and by watching that parole hearing is what helped me get up there and go to my parole hearing. I

wanted so bad, if I didn't sit on my hands, I probably would've reached across the table because I was closer than you are to me, and I wanted to just beat him up but I couldn't. And, you know, I think people need help with that. They also need help--and POMC does do it--with telling you about going to court, what's going to happen because you got to know. If you don't know, it should already be wrote down for you in a booklet of some sort or a lawyer should give it to you because if you don't know, you don't know. The jury can't see you break down and go (gasps), you know, like that. I mean, you've gotta be so matter of fact, like you can't let go. They keep you under guard all the time. And there should be more. Like you say, money, compensation, for the victims. I got it, but I got it through my lawyer or, my family lawyer was a representative of Tennessee. He told me. The police didn't tell me. Nobody else told me. You know, I've had very good luck with the D.A., Al Schmutzer. Every time this one guy has come up, which has been every three years, he has wrote a letter stating he does not want him back in his county and please do not send him back. They haven't promoted him. We had trouble with one whatever you call those people that sit up there, and he listened to the kid's story two years ago and he says, well, you know what?, I think you should get out next year. So you come back next year instead of three years, and he says, I'm pretty sure--in fact, I can promise you you'll be out next year. Do you know what that did to me? Crushed me. Because for twelve months, I worried. I dragged around getting petitions, all that. Well, he didn't get out. Al Schmutzer and--we all worked together, POMC. But they shouldn't have that right to say that. We got him for another three years. I do have a parole hearing coming up next September. I don't know. The other one, 2013 will be his first. Now, I'll be seventy-some years old. I may be not here. So I'll do a tape in advance. I do not travel that much. I have multiple sclerosis, so I don't make these trips all--I don't have the money. But I do tapes, and that helps. If you can't go there, do a videotape, and they will help, every bit of them. But we do need the money to help us, all of us. And they should help us.

ALLENDORF: I'm Donna Allendorf from the state of Colorado. And there's actually two things I'd like to address. But one of the things that affected us was trying to deal with two different states. We live in Colorado and our son was murdered in Maryland. Well, after the sheriff's deputy notified us, it was like, OK, now what? It was not the state of Colorado's problem and Maryland didn't know what a victim's advocate was. I asked and they had no idea what I was talking about. And so there was never any help

offered in any form from the state of Maryland, no compensation, no counseling. There was nothing given at all. We were just totally on our own in a state that we knew no one. That is something that I think could be handled in a better form. There has to be ways that that can be handled. The other thing, that not being familiar with the criminal justice system when this happened, when we went to Maryland for the first trial, which didn't happen--there was a plea bargain accepted on the day that the trial started--we did not understand or comprehend exactly what that plea bargain meant. The state's attorney told us that we should take this, you know, but we didn't have to; we could go to trial if we chose. She was being very kind. I don't know if she really meant it or not, but she said that, you know, it was our decision did we want to accept this plea. Well, you know, you're in shock, you know, you're not emotionally stable. And we tried to figure out exactly what this plea would mean. And she said, you know, this is the best deal you can get. You know, she's going to be in there x-amount of years. Well, I could go on and on and you all know what I'm talking about. We agreed to the plea after much soul searching and going off in a room and being hysterical and whatever, we agreed to the plea. The plea that we took, when we got home it wasn't but a month till we got a letter from the Department of Corrections telling us when she would be eligible for parole. It was not the time that we had thought we were going to get for her because of the fact that you've got days off like you were talking about in truth in sentencing. You know, you have all these days that you can get off that the sentence is reduced right away. You know, there was a whole lot of mix-up. When we got that, that's another big shock. You know, you call the state's attorney, you try to straighten it out. She says, I'm really sorry, you know, I thought... Well, it's too late, you know. And so it seems to me like when victims are presented with plea bargain arrangements, you should get the bottom line. And when a criminal is convicted or takes a plea and it's in the newspaper that the bottom line should be there as to how much time these people are really serving. Not like if they get fifty years. They're not going to be in there fifty years, let's get real. How, you know, what is the time? What's that bottom line when they can get it out? And why can't the reporters report that correctly instead of giving us this big picture, which is not really true.

LELAND: Hi. I'm Gail Leland from Tucson, Arizona and I'm really happy to be here. I'm glad for this opportunity. I work with all survivors of homicide victims. I'm a survivor myself. My son was killed twenty-one years ago and the case is still unsolved. Our

family did go through a lot of trauma when it first happened and still have residual effects to this day. Many of the families that I work with have unsolved cases or no-arrest cases, murder/suicide cases, families that have missing children or missing persons that are presumed dead. And one of the things that I have found is that although victims become victims at the time of the victimization, rights and services for crime victims seem to really start once there's an arrest. And so I believe that there should be more done in cases where there is no arrest. There may never be an arrest, and we look at more at providing services to those victims. There are ways to do that. Those victims do have needs, they have needs for compensation, they have needs for assistance. They have needs for personal advocacy and criminal justice advocacy when it comes to the law enforcement stage, as well as civil justice advocacy. Those are some of the things that our program does. Our program is funded through VOCA in Arizona. And I'd like to see more programs like ours funded that provide these kinds of services that are beyond death notification but prior to arrest for all victims of crime. I know that somewhere--I think it's OVC and if it's not, it's somebody else out there--sets priorities for VOCA funds and also compensation funds, some limitations for compensation funds. And then I know the states then have additional authorities to make changes within those. But I'd like to see a new top level priority set for homicide. We are considered underserved, however we're within that ten percent range of all the other underserved. And I believe that homicide survivors have unique needs that are much different from other crime victims and that because of those unique needs, a higher priority percentage of funding needs to be set. For example, one of the unique needs when there is an arrest, if you're a victim of crime other than homicide, you're also a witness. That means the prosecutor's office pays for you to come to the trial if you should move after victimization or live out of state. They pay for your room and board during that time, so you don't have any expenses. But if you're the victim of crime because the victim is deceased because you're a survivor of homicide, you don't get any help at all. Our organization does car washes, bake sales, sells root beer floats, whatever we can to raise that money to help survivors travel to attend the funeral and plan the funeral or attend the trial. But we can't meet all the needs of all the victims and that's just Tucson, Arizona. Nationwide, survivors of homicide victims need more assistance that is unique and beyond that of other victimizations. So I'd like to see that priority set higher. And I'd like to see better rules at the federal level for crime victims' compensation. Even though the states has that leeway in making some changes, they

follow the federal guidelines still. And if the federal guidelines set out a little bit clearer rules regarding contributory conduct and collateral resources and counseling limits, then I think the states are more apt to follow those guidelines. One other thing that I know is probably not for your office, but if you can help spread the word, I'd like to see nationally and statewide as well as county no tax for victims in the crime year. No property tax, no state tax, no federal tax. We've paid our dues. I'd like to see for children of murdered parents, college or technical school scholarships for those children. If their parent was murdered, they have no opportunity then to save for a college fund for their child anymore. We should have the money. We should make the money for that. Thank you.

MELTON: Well, thank you again. I forgot to mention earlier some of my organizational and professional affiliations. I got to thinking about my little brother and it totally focused me on him. But what I do for a living is that I run a little company. It's a small business. I own it. It's a family business and we provide training and technical assistance to Indian Nations throughout the country to help them develop their tribal justice systems to be more responsive to crime, violence and victimization in Indian Country. And the other thing that I do as a service, just to help on a pro bono basis, is that I sit on several boards. But one of the most important ones for me is the tribal court appointed special advocates, which I helped to start, starting at the Office of Juvenile Justice and Delinquency Prevention, and I've been serving on that board for several years now. The other thing is that I am JJ's TTA provider for the Tribal Youth Program. That's how I get to be able to do the things that I do. I think that there's several things that I'd like to say, Mr. Gillis, about the rights of Indian people in our country. Most of you may or may not know that Indian people have more rights than anyone in this room, and that's because of several reasons. One of them is because Indian citizens is the first government in America, but many of us, no one was ever taught that. In your sixth grade civics class, you probably never heard that there were three levels of government, three levels of courts. There's the Indian Nation governments, then the federal government came, and then the state governments came. In Indian Country, first there are the tribal judges, the tribal courts, indigenous justice systems, then the federal courts were born, and then the state courts were born. But the way that it goes, Indian citizens are not the ones that have the greatest resources available to them to take care of their many needs, and in particular to take care of the needs of

Indian victims, which is one of the reasons why when my brother was killed we had no idea where to go. Where there was a jurisdictional vacuum. No one knew. They were looking to see and measuring the boundary lines of where the event occurred to figure out what cops they would call, what ambulance they would call, to figure out who had jurisdiction and who would pay for this stuff. Twenty-two years ago, that happened to my brother but it's still very true to this minute in all parts of Indian Country including Alaska. As a part of that, because there's three sovereigns that are responsible--tribal sovereigns as Indian nations, state governments because Indian people are citizens of the tribe, the state, and the federal system and the national government--we have three sovereigns that are equally responsible to take care of the needs of Indian people and Indian victims. However, most people are ignorant about what Indian Nation issues are or to even deal with them on a government-to-government basis. So I think one of the things as the policy leadership office for victims, I would look to you to really address the needs of Indian victims, to start by training all of the federal criminal and juvenile justice practitioners and providers to teach them how to work effectively with Indian Nations. Teach the history. Talk about the historical trauma that Indian people face. American Indian policies are a lot of the reasons why crimes that happen in Indian Country aren't even prosecuted by Indian Nations themselves. The Major Crimes Act froze in 1883 the ability of Indian Nations to develop their systems to address crime that happens on their reservations. And so we have situations where if a murder, a rape, a sexual assault, molestation, any kind of assault with a deadly weapon or anything like that happens, it's considered a felony. And guess who prosecutes that? Not the Indian Nation, but the federal government. And the federal government is not using tribal law, it's using federal laws to prosecute a case that happened on Indian Country. And they're not bringing together peers to do the trials, they're bringing together people who are strangers to the situation. It's really important for Indian people to be able to have the ability and the types of funding that's available to unfreeze their indigenous justice systems because those systems are primarily based on love and care, and largely also because Indian people live on the Indian community. We have to live next door to the rapist, the murderer, the person who was DUI and killed somebody or maimed somebody because we live on these reservations. It's really important for us to be able to have these indigenous systems that can not only allow healing for the family that was hurt, to have accountability to the person who did the harm, and to have some reparation, restitution, retribution, whatever you want to call it, for these people to be

able to live together. Families have to continue to live together. They don't have the luxury of being strangers. You know, lots of you here don't have to see your perpetrator or even their family members who may not have the same kind of feelings that you have about the people that have hurt your loved one. And so it's really important for a different lens to be there for taking care of Indian victimization within Indian Country. And then outside Indian Country, Indian people are victimized by non-Indians at a greater rate than anyone, and we found that out from the National Crime Victimization Survey just recently. So Indian people are victimized at a much higher rate than within their own community and outside their community. Which brings me to the third point. There has to be much greater collaboration in terms of how investigation and services are provided. As a leader, as the office, the federal office, we can use your leverage in getting the U.S. Attorneys to work with the tribal prosecutors, for the FBI to work with the criminal investigators from the Bureau of Indian Affairs, and who all of these federal agents should be working with the Indian investigators and law enforcement. One of the things that happens a lot of times is that there's lack of prosecution for Indian crime victims because the threshold for prosecution is too high. And sometimes they will accuse our tribal officials, our law enforcement people, of contaminating this crime scene and so the whole case'll be thrown out. There's no sharing of investigation services and because it's the federal office that's prosecuting, there's no notification or involvement of the Indian families or the Indian government in how these cases are prosecuted. So I think those are my three major recommendations to you. And the final one is just media advocacy for people who come from culturally different groups. I think that not only is it difficult to speak out as a victim, but if you come from a non-white population, many of us are afraid and largely because we don't know the system. As Indian people, we are clearly ignorant about the American justice system but the couple that came today, they came from another country but there are people who have been born here, generations and generations, who are from, you know, different cultural groups and they are completely unfamiliar with how the American justice system works. And so I think that greater media advocacy to reach out to them is important and that's, I feel, is something that your office can do. (phonetically) Econopa ila ilo loli imui h'juagoma hashtu me, in my husband's language. In my language, we are laying before you many of our burdens, our most intimate fears, and our most intimate hurts that we have been experiencing and we're laying them on you and I wish you to have strong shoulders so that you, in the next four years, can champion all

these things that we need from your office. Thank you, Mr. Gillis. And thank you, Jeannie.

ATKINSON: I'm Linda Atkinson again, from Albuquerque, New Mexico. I just, as an advocate, I am, again, focused on that legal system that you all have had to experience by no choice of your own. And what I find with the state of New Mexico, we've had victims' rights, we passed a constitutional amendment in 1990, and they're merely social policy. There's no teeth in them. There is no rights that are enforced. And as I did some research, I think that pretty well holds true across the country. And so what we would like to see is that there is a way to enforce these rights, if it's training attorneys to go in there and represent victims, because I think that's what I hear as everybody tells their experience that have gone into the legal system. You are lost, you don't understand, it holds true in Indian Country, it holds true with anybody who has not been in the system before. What in the world is going on? To have it explained is one thing. To be told you have these rights and then watch them dissipate or never even really exist, you're victimized again. And I think the attorneys that created the system that everyone is thrown into need to, in a sense, we need to level the playing field. It has to be attorneys, I believe, that are going to help victims assert their rights and enforce their rights. You know, the offenders have made sure that they have their rights and, by golly, all kinds of things happen if they are violated. Yet with a victim whose rights are violated, there is nothing. Oh, sorry, too bad, better luck next time, or absolute silence. That is the mission that I am on, is let's change this. Let's make this a judicial system that works for victims not just for the perpetrators and the offenders. And so that is the mission that I'm on. Since I spend a lot of time training volunteers in court monitoring, their mission is to identify players in the system that are particularly obstructing justice for victims. And we try to do things that would, hopefully, protect victims but, again, without the attorneys to, I think, present the case for the victims, we don't have as much leverage as I would like to see. And that's all I have to say. Thank you.

GILLIS: I have taken a look at some of the unique problems in Indian Country. And we've made some adjustments there. We're talking about vertical prosecution, and that's where the federal agencies along with the tribal justice people do the prosecution and the victim witness part from start to finish. One of the problems is that the victims are transferred. You know, they are transferred from agent to agent, and they don't feel that there's

any continuity. They never get to develop any rapport with the individual that's working with them. So this vertical prosecution, I'm hoping, will solve some of that problem. I've also provided some funds in this budget for colposcopes and that's for the examination of sexually abused children in Indian Country, and sexual abuse seems to be somewhat of a problem. So I'm looking at that. We will be holding some meetings in Indian Country. I mentioned we're going to do the roundtables, we're going to do one for northern, for southwest, and Jeannie's giving me directions here. For southwest and the northwestern United States. We're going to divide it up into two parts and we're asking for victims from each of those areas to come in and sit down and talk with us, and we'll see what we can come up with and we'll get a chance to look at some of the problems. We'll also be asking you to attend those if you would.

BIEHN: I agree with there shouldn't be any limitations on the mental health aspect of victims where they can get counseling. Myself, I sat around staring at the walls for about seven years. Seven years disappeared out of my life. I don't know what I did then. But if you get involved with an organization, it's very therapeutic. And I think that there should be some kind of a book or a tape on coping skills and how to cope with the justice system, which can be drawn from a lot of what we've been going through or have gone through. And there has to be something for the siblings. Like if you lose a child and you have other children in the family, you're not there for them because you're in shock. Just like these ladies over here and when, you know, you try to be there for your kids but you're so absorbed with what's going on and what's happening that you're really not there completely to guide them through anything. So then you have the ripple effect where they're having problems. And we have a daughter that has a learning disability and she's probably got the mind of a twelve year old so therefore she doesn't see things like you and I would see. And so when I was spending time with Parents of Murdered Children or other organizations, she felt that I didn't love her, that I loved my sons more than her. I think she still believes that in a small way. So I think we need something in writing or on film that could be passed out by, say, the police officers or something to at least give people who are in shock some kind of idea where they're going and where they are. And that's about all. And the accountability of the judges and the parole board. Thank you, Mr. Gillis.

LAURENCE: My name is Holly Lawrence. I'm from Albuquerque, New Mexico. And our case had some interesting facets to it given that

the five people were murdered, three of them were in my family. We couldn't find my grandparents or my cousin that morning and we were supposed to be with them. And we got some calls from the neighbors that the newspaper was still out. Things like that that alerted us that something was wrong. And we ended up at the video store just shortly after the police got there. So I know that some of the notification and some of the things that might be done in other situations weren't able to be done with our family. But we couldn't find my grandparents' bodies for about two days. We didn't know what had happened, didn't hear anything. Then we did get notification from the police department. But we actually had to call the advocate from the DA's office and ask her what was going on. The police were on their way and she hadn't heard anything, so I think it goes back to the communication between the departments. And, as we found out later, they were beating the media to our house because the media had caught wind of what had happened. And the two people in our case, the male, Shane Harrison, was twenty-six, and the female, Esther Buckalew, was forty-two, and they were out on a community corrections program. He was a violent offender, had committed armed robberies in the past. Did not qualify for the program but New Mexico being overcrowded, they went and literally asked for volunteers to get out of prison. So there he was with his hand up, wanting to get out of prison, and he had already said that next time he wouldn't leave any witnesses. He had stated it in prison. His cellmates and other people had already known that. His psychiatric records, all of those things, said, you know, he shouldn't get out and they let him out. And so within a few months these two had hooked up with some other people in the community corrections program. There's an office where they go for their counseling or meetings, what have you, in Albuquerque and yet they're not supposed to spend time together. They're not supposed to be friendly or, you know, live in the same places or spend a lot of time together yet they meet there, and this is where things kind of came to be planned for this robbery for these two. And each year there are legislators in our state that want to start this back up. So each year you have to watch and see if there's a bill to start this back up because, fortunately, the governor, within a few days, stopped this program. We're fixing to have a new governor, you know, new people in power in some of those spots and so that's something I know you'd mentioned you were looking at. And it's a hard fight, definitely a hard fight. And the first thing when we went to the District Attorney's office, the first thing the two attorneys said to us is, we don't work for you. We work for, you know, for the state and we work for the people that were killed. Period. And we had never had exposure to the system at all in

this regard. I mean, you watch the news and that's all you know. We did get to where we had a good relationship with them, but we were also told on the plea, the female that pled guilty to some of the charges, you know, it's a formality that they talk to you and they may get your input, depending on who the District Attorney is, but it's not really up to you. And, you know, it doesn't really matter what you may want or what you may like to see out of it, the ultimate decision is theirs because, again, they aren't there to represent you, which was a little bit difficult at the beginning for us to understand. But one thing I'd like to ask-- and I don't know if there's anything that can be done, but it goes back to training. During our trial, we had to move the trial to Las Cruces in the southern part of the state because of some of the media publicity. So we moved the trial and during the voir dire, the bailiff was fired for not showing up so the secretary took over as the bailiff. So the secretary was serving as the bailiff, she started dating and living with a security guard who was in the courtroom and in the courthouse and that security guard became sympathetic to Shane Harrison, who was on trial, and actually left a loaded gun in his cell. Apparently, they changed clothes in that cell and left his loaded gun in there and Shane Harrison in there, and put him in there after he had murdered five people. I'm sorry, allegedly; he hadn't been convicted, obviously. And the judge never said anything, never did anything, we never saw anything happen. The professionalism, you know, the seriousness of it--you know, when you see the bailiff and a guard kissing in the middle of the courtroom, you're thinking wait a minute, you know, this is a little bit more serious than that. And it is very bothersome that it didn't seem to matter to anybody and I don't know if that can go back to training or professionalism. I don't know where that can go, but it was very difficult to sit and watch when, as survivors, we're told you, you know, you have to be quiet, you have to be still, you have to, you know, no crying, no acting out, and no talking to the media, you know, during the trial, you could hurt your case. Yet you see the other side and you see what's happening and you see defense attorneys come out and say whatever they want. And it's very difficult to be in that position, and I wonder if there's any training or anything that can be done with the judges and the court personnel as well as defense attorneys. I don't know if there's anything that could ever happen to those people, but I sure would like to see it. Does that make sense?

GILLIS: Yes.

LAURENCE: OK.

GILLIS: Yes, I understand what you're saying.

LAURENCE: All right.

GILLIS: And, again, we're talking about at the state level but we will look. We'll take a look. OK.

N. MELFORD: New Mexico does do things just a bit strange. To follow up a little bit about Holly, we had a similar situation in our case--and I won't dwell on it because I got a whole list of stuff I want to talk about. But we had the judge's wife--and no offense, Judge--I'm always very sensitive to judges because we sit in court a lot. But we had the judge's wife at our first trial go and hug the offender, when the whole thing was over, and ask to meet him. At that very same trial, her husband--again, no offense, Judge, I'm sure you were wonderful--but the same judge asked my son-in-law, who was the father of the three little girls, to get out of the courtroom because he was looking at the offender. At that same trial, the offender's family had come to us and tried to hold conversations with us. My problem of all of that was this, is we did not have a safe place to go. What happened was, the judge finally put a moratorium on people going in and out of the courtroom. But we couldn't use the restrooms because the other family was in there, so I left the courtroom to go to the restroom and I was barred from coming back in to see. Well, I went immediately to the media because they have always been my friend. So I would like to see--and I'm sure that this is probably a states issue and I cannot think globally; I think pretty much statewide that that would be a really neat thing to have, would be a very safe place where we don't have to come in contact with the offender. I've been sitting here fairly dancing because I talked to Inez about the rest of the information I want to share with you. I am with MADD. This is not a commercial for MADD. It's only information for you. MADD has a wonderful death notification book that we do as a training book. It is for chaplain, for police personnel, for hospitals. You don't have to reinvent the book. It's already out there for your information. For those of you that got no information about the grieving process, I believe you shared with me that you had gotten a book. Tell me again. "Good Grief?" "Good Grief." I believe that was written by Janice Lord, who is part of MADD. MADD puts out brochures. This is a listing of a few, OK? We deal a lot with closed head injury. I finally figured out what was wrong with my son-in-law through this closed head injury book. The [books] are small because, you know, we're brain dead, right? When we come

into this, we're brain dead. We can't comprehend a lot of stuff, so these are quick. We have grief books for teens, for young children, and for sibling adults, which I had four of my older children. We have a book called "Your Grief: You're Not Going Crazy." These are wonderful things, and MADD can be reached at Arlington, Texas. Our headquarters is there. If you don't have a local chapter and if you want these books, all you gotta do is contact me and I'll be happy to give you a card. We also have books in Spanish, so if you have a Spanish community, some of these books are in Spanish. We also have a wonderful book on the justice system. And Miss Atkinson was my teacher. Poor thing, I'd ask her, well, who's the defense person? What's he supposed to do? Well, what's a prosecutor? That's where I was. I was in grief. I didn't know. And she so patiently shared with me and gave me some of this information. We have support groups. We love for anybody to come to our support groups. I have tried to, in our state and in our particular city, New Mexico, Albuquerque, I mean, not have it structured just for MADD people and just for DWI. One of the things that I'm the most proud of is when we were in Beverly Hills at a NOVA conference, I was struck with the fact that, my God, there's other people out there hurting. Gee whiz, Nadine, what a concept. Because I heard the story of this woman who had gone through five hours of rape, and it hit me. And I heard about this grandmother whose son-in-law's girlfriend had murdered his child. And this grandmother had to track down this murderer. And this stuff began to just pour into me and pour into me. And you know what came out of it? I realized that we could coalition. And the opportunity came when our District Attorney had kind of messed up, bless his heart, and we needed another two hundred thousand dollars to reindite cases that were going to be lost. And so I went to the New Mexico legislature, but before I got there we coalitioned with the people from homicide, victims of homicide, rape crisis, domestic violence, child abuse, all these organizations, we went to. I have spoken at the Victims of Homicide's candlelight vigil, and we share back and forth. Trust me, if you will coalition and if you can, get these folks together. Do you realize how powerful that is? Do you realize you can take that pain and harness it and do something. With this coalition, we were able to go to the New Mexico legislature on a special deal, special session, and get a hundred and seventy-five thousand dollars. They gave twenty-five thousand to something else, but we got that money and guess what? Those domestic violence cases weren't lost. Our DWI cases were not lost. Now, I want to share with you about the legislature. That's my most favorite thing and I know I need a psychiatrist, you know? I know that. I've done it for ten years. I've been to every legislature

session they have. And I want to tell you something, you can win. You can win. All you have to do is make up your mind and show up. And I was that person that made up her mind and showed up. Our drive-up liquor windows--and we were number one in 1992--we had drive-up liquor windows, drive up, get your six pack and drive off drunk. Sixteen year fight. I was not there for sixteen years. I was there for the last six years, and I refused to give up. And the senate pro temp, who hated my guts, who would've never run this bill, finally was forced to run this bill and we closed them. And the governor who hated the bill hated to sign it. The two most unlikely people had to do it. I'm here to tell you, you can win. Just give a woman a cell phone, honey, and you got it won. (applause)

B. MELFORD: Sounds easy, doesn't it?

N. MELFORD: No.

B. MELFORD: Most of these problems I've been hearing today, are state problems, not so much federal problems, and I think that people either have to get educated or have town hall meetings and get people involved to change the laws within your own state. The federal government isn't going to do it. You're going to have to do it. You're going to have to get these people together and you can. We've done it in New Mexico, and I know you can do it in your state. And it's just a matter of getting one person, another person, and get them together, get a town hall meeting, and get the media involved. If you get the media involved and you get the media on your side, they'll do wonders for you. They'll move mountains where you can't even move mountains. And in our case, when we were dealing with our DA, I think we were lucky compared to a lot of you. Our DA was pretty up front with us. He told us it was probably going to be the worst rollercoaster ride that we'd ever been on. And that was true. He gave us the option of trying to plea bargain or go the full boat and our whole family was there and we chose to go the full route. And he said it was going to be difficult, hard, and hold on, and he was right. It took us six and a half years to get it done. But if you set your goals for something, you can get it done. And it's just a matter of educating the people, getting the people to vote for the right people. Those people that are in there that are screwing us around are all people that we have voted for. Most people vote for somebody they don't even know who they are. They don't even know what they can do. They go by their last name, they go by their nationality, and that's the way they vote. They don't find out whether this judge knows anything, they don't find out whether

this DA is intelligent enough to even run an office. They don't find out anything. They go by party system. If it's a party, well, it must be good. Well, look into it. It's your responsibility to look into these things and find out what's going on. You're the ones that are getting hurt. We're getting hurt. But I do want to touch on a federal thing. And on DWI on federal highways, why can't we have standardization of laws on DWI across the country? And I'll leave it at that.

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S. GOELZER: John, my name is Sally Goelzer and I spoke before, but sitting here listening to everybody talk, your mind just fills with so many things you want to say. And I've written a bunch down, but I want to add one thing to what my cohort Bob here said. He's absolutely right. What I would recommend as a victim is tell people you know, learn about the judges that you vote for in your state. I admire this man across here because he's now -- he's helping his wife, he's a judge, he knows. You know what I'm talking about, I know you do because judges are elected. When you become a victim, I think one of the first things I learned was as a citizen I never knew about judges. I voted for judges exactly, oh, gosh, his name is great. Oh, let's see, well... I didn't take the time. Then you get in court. We had a prosecuting attorney here in Phoenix, Juan Martinez, who was a special prosecutor for only homicide victims. And I guess we were really, really, really lucky because Juan and I, and Jim, my husband, and my younger brother, we are incredible friends. Juan gave us information. Of course, I drove him crazy. I asked questions. As a victim, I don't care what the system offers, but ask questions. You drive your prosecuting attorney crazy. Juan and I became very good friends because I met with him at the very beginning. We had five prosecutors before we got to Juan, first of all, which I never knew. We were assigned one prosecutor, months later we find out we've been through five. Now we have Juan, which we were blessed because Juan told us the same thing. He says, I represent the state, I do not represent you, I am not your attorney, but we can work together because you are a team with your prosecutor. That is my best advice to anybody, is get to know your prosecutor, get on his side as best you can because you can get information from him. He will help you. Our advocate, I drove crazy. I asked questions. Now, I have some recommendations for the OVC from my experience. One thing we learned is the information. Every single person here has said the same thing that we experienced. You're in the dark. You're absolutely in the dark. We are not criminals, we don't know what

the systems are like. I'd never been in a courtroom. And you walk in and you talk to a prosecuting attorney and you start hearing all these kinds of motions and legal terms. Well, I'm not a lawyer, I didn't know. I think the best recommendation for the OVC is to prepare something, a flyer or a some kind of preparation that you can encourage all county attorney offices or whatever the prosecuting attorneys come from in counties, prepare something to recommend to them. And I don't know how much power you have. That's a question I have, too. Can you demand that they give you these things? I don't know. I think it's a state issue, I believe. But I think something should be prepared from the OVC to recommend to all these officials that these things be given to crime victims immediately. Now this is a point that I really want to make. If you have advocates in a prosecuting's offers, I think these things should be given. Criminal court procedures. Did any of you know about criminal court procedures? I didn't. It was incredible to learn. You know, there's so many different names for these hearings you go to. We got notices--I don't know if other states got notices--and it would say a 703 hearing, at mitigation. You learn them, you learn them after six years. But in the beginning, I would have to call Gretchen, my advocate, what does this mean? What does this mean? What does this mean? To make a long story short, when we were all finished, I went to Gretchen, my advocate, and I said, you know what we didn't do after four and a half years? I had three advocates, too, during these six years too. I recommended to her too, make a list of things you can hand out to victims from day one, the first day you meet with the prosecutor, a list telling the victim what is happening, how a criminal procedure case goes in your state. I think the recommendation can come from your office. That is something you can do. To give the victim a list of the statutes that pertain to your case because I would get so many copies of motions, I would get copies of motions. Well, you read it in legal jargon, I didn't know what it meant. I don't know what these charges are, what this charge is. And after it was all over, I got a copy of our criminal law in Arizona and then I got a copy of our criminal procedures and I told Gretchen, I went to her boss and I said, would you give these out to victims when they first get there? Because if you have an explanation, it's a peace of mind. First of all, you're in the dark. Secondly, if you just know what's going on, it's such an incredible--you can't control anything. Everything's out of your control, but at least you can understand a little bit. Because you are lost in this system even with an advocate. And I love advocates. I mean, I do. Dan Levey is our advocate over here in our appeals cases because both our defendants who were sentenced to life are appealing. And I just

talked to Dan, I said, I was telling him, I said, what's happening? And Dan and I haven't talked in a long time. And I said, you need to call me. I know. But call and let me know nothing's happened. And I'm not criticizing. But another thing that you mentioned is, John, you said that you have training, or I guess Jeannie said it. That you have training for volunteers who want to be speakers. Did I hear that right? You have speakers' training.

GREGORI: Training and Technical Assistance Center and so they can sign up to be a consultant and then when somebody, anybody, in the field wants to put on a training conference, they can go to this TTAC and ask for speakers on certain subjects, and we can provide them.

S. GOELZER: Do you have to be an employee of the Department of Justice to do that?

GREGORI: No, like anybody here could sign up if you have an expertise in speaking on something, and become a consultant in the database.

S. GOELZER: Well, my thought is all of us here are involved. Everybody's involved in some organization or something here. Once you do, we do become speakers, we do this. And in a way, we're volunteers. Is there any way that people like us could come to the OVC, come to Washington, D.C.? I was fortunate enough to be there in Washington, D.C., Jim and I, about a month ago to watch Steve Twist testify at the Senate hearing for the constitutional amendment, and I'm going to talk about that in a second. But we got to visit the office of the OVC and it's incredible the literature that you do have. We were just amazed. I never knew that office was there until Steve mentioned it. But as people involved, I would love to attend some kind of training for speaking because we do speak about it. We speak about it to our friends, we speak about it at church, I talk about it everywhere I go. I think we all do that. But then added onto that, could we become some kind of emissaries for you in our states? Like could we be a volunteer of the OVC? I don't know if that's government allowed. But why couldn't you start a volunteer force? I think there's a whole bunch here that would--we're doing it anyway. It would just go along with what we're doing in our local areas. And...

INEZ: Why don't you let him respond to that.

S. GOELZER: Yeah, OK.

GILLIS: Well, that was a very promising proposal. I mean, we-- Yeah, free. That will go at the top of my agenda.

S. GOELZER: Well, and here's why. Because if we're working in our own local groups, but if we got connected with you, too, do you know what that does for us? It gives us access, better access, to literature, to the stuff--Otis mentioned he wanted stuff out there. What better access than to use us and then we, in turn, with our local groups, we need to come home with boxes of brochures. And I mean that sincerely. We're...

GILLIS: The Office for Victims of Crime, I think has been one of the best kept secrets in the federal government and that's what we're doing now, getting out, trying to get that information out to people and your offer to volunteer is certainly...

S. GOELZER: Yes, I'll be your first volunteer.

GILLIS: OK.

S. GOELZER: I really think that you can access us. We, who can better get out the information than us? We know prosecutors, like I said, we're just sitting here. We're available for you. And...

INEZ: You have one more point.

S. GOELZER: I have one more point. I'm almost done.

B. MELFORD: I'll turn her off.

S. GOELZER: I know. I'll hurry. I'll hurry. The second is, the last thing I want to tell you about is, please inform your House of Representatives who represent you, and write a letter, a simple letter, and encourage them, please, to pass this amendment. It is HJ Resolution 91 that Steve Twist worked so hard for. It's called the Crime Victims'...

INEZ: Well, we're going to have...

GILLIS: A little later on.

S. GOELZER: Well, Rights Amendment. But we need to support it, so contact people.

INEZ: He's going to make a presentation.

MARCH: My name, again, is Patty March with New Mexico Survivors of Homicide. And the good judge took my idea. I really think preferential treatment should be given to awarding grants to grassroots organizations. Although in New Mexico, we have wonderful advocates that work for the District Attorney's office. We have a great grief counseling program. It was the other mothers and fathers and sisters and brothers who really help us get through the grief and through the justice system and understand the pain that we're going through. For instance, my husband found it really difficult to trust the District Attorney's advocate because he did not consider her an advocate. He said, you work for the DA, you don't work for me. So if I disagree with what the District Attorney's office is doing, you're not going to help me, you're going to try to convince me to agree with what the District Attorney wants to do in our case. Secondly, when I got involved with Survivors of Homicide, my main agenda was to remember the victims. I felt like the public needed to know that my son Gary was a person. He was a living, breathing, loved human being. And so I do think your memorial is a wonderful idea, and I'd like to give you our support on that. (applause) And the only thing new I have to say is, being a programmer and a web developer myself, I would like to see the inmate records, not just the parole records, I would like to see those accessible, federally and statewide, through all corrections departments available to victims and to the general public. The public has a right to know what inmates are being released, when they're being released. They deserve to see pictures of the inmates so that let's say your daughter brings home a new boyfriend and she says to you, no, Mom, he's a good kid. He doesn't do anything wrong. Well, I could go into the Internet and I could look up his name and see if he's got a record in New Mexico. Or if I'm, you know, if I want to take the time, three o'clock in the morning, I could get up and get on the web site and see where these inmates are, same with my son's killer. I could get up at any time. I don't have to bother an advocate, just get on my computer and look it up and see which prison he's being held at at at the moment because they are moved around frequently. The only complaint I've heard or one of the biggest complaints I've heard federally is that you guys don't have any advocates. In New Mexico, you have, I think we've heard, one advocate or two at the most that deals with victims. And being such a rural area, they can't get out to help many people. So that's why a lot of people end up calling us. It would be helpful if, federally, there were some more advocates to work with the victims. So...

GILLIS: Look at or get a copy of the booklet that my wife is holding up there. I've allocated some funds for rural law enforcement and for victim advocates. And that's where the funding will come from, so take a look at that and see whether or not there is something you can put together. OK.

TWIST: We have victims' rights laws in every state in the country. We have thirty-two states that have state constitutional amendments. The federal government has statutes. One of the things that distinguishes the ineffectiveness of those laws and the effectiveness of defendants' rights is the fact that defendants have had lawyers advocating for them and pushing those laws in individual cases in courtrooms all across the country; victims have not. How many times have you heard it said today the prosecutor told me that he wasn't representing me, he was representing the state and that I wasn't represented; he wasn't my lawyer. Well, one of the things that we're doing is beginning an effort across our country to change that by providing free legal services to victims of crime to help them in their criminal cases assert whatever rights they may have in the jurisdiction where the crime is being prosecuted. To do that, we have established the National Crime Victim Law Institute. It is part of Lewis and Clark College Law School in Portland, Oregon. It was funded with an original appropriation from the United States Congress to get it started, and it is run by a professor, Doug Beloof, B-e-l-o-o-f, who has written the only casebook in America on victims' rights. It won't surprise any of you to know that victims' rights are not taught and have never been taught in the law schools in America. Of course there are lots of classes that teach defendants' rights and the constitutional rights of the accused and convicted, but no one has taught victims' rights. Professor Beloof has established a course at Lewis and Clark College. He wrote the book. I'm lucky enough now to be teaching the class at Arizona State University College of Law. Sally and Jim have attended and sat in on a couple of classes. Professor Paul Cassell at the University of Utah has taught the course for a couple of years now. And sadly for our movement and happily for our country, President Bush has just appointed Paul Cassell to be a federal district court judge in Utah. He is a strong advocate and before he takes the bench or even after he takes the bench, you need to call Paul Cassell and he will get you in touch with others in Utah who will be very helpful. But this movement of providing lawyers for victims is at the very beginning stages. Working with Doug to establish the institute, we've, at the same time, established the Victims' Legal Assistance Project here at

ASU Law School, and it is now providing free legal services to crime victims in the state of Arizona. Kelly Luther, who's here today, is one of the volunteer attorneys. She's a fulltime volunteer for our project. And we are getting now thirty to forty new cases every month coming in, and that just shows you. We're at the very beginning stages, but that'll show you the need that there is out there for victims who want their own lawyer. Just as the defendant has a lawyer and just as the state has a lawyer, victims ought to have lawyers. And I think all of the counseling services and the supportive services that have, to date, been characterized by the criminal justice system are well and good, but victims also need, in addition to the support of counseling services that they get, they need hard-edged, vigorous advocacy by lawyers who will stand in a courtroom and say that's not right, here's the law. This is the way you need to do it. So that's what we're trying to do. We've got the National Institute as sort of the mother ship of this idea and now we've got the first, hopefully, what will be a model program at Arizona State University. It's a partnership between Arizona Voice for Crime Victims, our statewide umbrella organization, and the ASU Law School. And we're hoping that that will be replicated in every state in the country. The idea is have some seed money to hire the nuclear staff of the project, and then rely on lawyers who will volunteer their time, law students who will volunteer their time, to help crime victims. And we're very excited because it seems to be working; people keep coming in the door. Kelly's not getting any sleep. Stacy Click, our director, is working twenty-four hours a day, seven days a week. But it's a very exciting project. And this is the second thing I want to talk about. One of the frustrating things about the project is that all we have to advocate for are the enforcement of state statutory rights and state constitutional rights, and then state constitutional rights only in thirty-two states in America. We don't have U.S. Constitutional rights to fight for. And what happens is, in a courtroom, the defendant and his lawyer stand up and say, Your Honor, if you do this, my U.S. constitutional rights will be violated. And the victim stands up--and maybe sometimes the prosecutor--and says, well, Your Honor, if you don't do it, you'll violate a statute or you'll violate a state constitutional amendment. Well, we know from sixth grade civics who wins. The U.S. Constitution is the supreme law of the land. It's a trump card for any argument that gets made. And the path of least resistance for a trial court judge is to always go with the trump card, the U.S. Constitution. So a few years ago, in fact in 1982, the President's Task Force on Victims of Crime, appointed by Ronald Reagan, recommended sixty-some changes to the criminal

justice system to be more attentive to the needs of crime victims. The last of their recommendations was that the Sixth Amendment to the United States Constitution be amended to provide rights for crime victims. So this idea of federal constitutional rights for crime victims is now twenty years old. Bob Preston, who is with us and been with us all day today, and a number of others got together and looked at that recommendation and said, you know, before we press to change the U.S. Constitution, which is the most enduring, fundamental law in our country, we need to be pretty thoughtful about this. So wouldn't it be a good idea to try to get state constitutional amendments and state statutes to test different ideas, use the states as what they're called, laboratories of democracy, to try to make a difference at that level and see what works. And, indeed, that's what happened. Bob Preston led a coalition of folks all over the country. At that time, we had no states that had state constitutional amendments, no states had statutes. Now, twenty years later, with the movement that Bob started, which now operates under the umbrella of the National Victims Constitutional Amendment Network, there are thirty-two states with amendments, as I said. Every state has statutes. But we've also got two decades of experience that teach us it's not enough, it doesn't work. Only the U.S. Constitution in our country has the power to change the culture. Only the U.S. Constitution, which is the law of all of us, as James Madison called it, only the U.S. Constitution has the power to be respected in every courtroom in America. Only the U.S. Constitution changes the way lawyers and judges go about their business day to day. And as long as victims are not in the U.S. Constitution, they will forever be second class citizens. So we have started a project under the leadership of Bob and Roberta Roper from Maryland to go to congress--and we started it six years ago--to go to congress and say, now's the time. State constitutional amendments, state statutes don't work. Now's the time, we've got plenty of cases all over the country that prove this, plenty of stories. Each of you have brought stories to this meeting today that prove that these rights and statutes and state constitutions don't work. So six years ago we went to Senator Kyl from Arizona and asked him if he would champion a constitutional amendment for victims' rights. He said yes immediately. He immediately turned to Dianne Feinstein knowing that this has to be a bipartisan effort; it's not about Republicans or Democrats, it's about what's right for the country. Dianne Feinstein said yes. So she and John Kyl have been the co-sponsors of the Crime Victims Rights Amendment since 1996, first introduced in April during Victims Rights Week. We've had hearings every year since in the House and the Senate, sometimes multiple hearings. It's been

reintroduced every year. The high watermark so far has been three days of debate on the floor of the United States Senate and, unfortunately--that was in April of 2000--unfortunately we just didn't have enough votes to get to cloture. Those of you who'll remember about how the Senate works, there's something called the filibuster. In order to shut down a filibuster, out of the one hundred senators, you need to have sixty who vote to close off debate, otherwise something can be filibustered or talked to death. Which is what some of you think I'm doing probably, but... So we didn't have sixty votes. We were very close; we were like three votes shy, three or four votes shy of being able to pass a cloture petition. But that was the high watermark. So we pulled back, we spent some time thinking about the arguments of the critics and we have come up with a new kind of leaner version that at the same times protects all of the core values that we sought in the original amendment. And I have it in front of you behind this blue page. You'll see two amendments, House Joint Resolution 91, or HJ-Res--(as they say on the hill)--91, or SJ-Res-35, they're identical. You can see some of the sponsors who are on there. Other sponsors have come on since this was put up on the web site, but this is the amendment that we are seeking. Congressman Chabot held a hearing on May ninth before the Constitution Subcommittee of the House Judiciary Committee. There were witnesses who testified in support of the amendment, one witness who testified in opposition to the amendment. And you heard Congressman Shadegg today say he's very hopeful and I reported that Congressman Armev told me he was very hopeful that we will get a vote in the House before the end of the year. I'm hoping before the August recess. But that is not going to happen without a lot of work in the country. And so, again, just for purposes of reporting to you, I'm not giving a political speech, but just reporting to you about events that are going on. Many people in the country are mobilizing now to contact their senator and their congresspersons and asking them to support, in the case of the congress, HJ-Res-91, in the case of the Senate, SJ-Res-35. And not just support, be a co-sponsor and actively work to champion the passage of the amendment. And for arguments both for and against, I've included some written testimony that I submitted and at the end of that there are a couple of appendices and one of the appendices goes through kind of a point/counterpoint where a person says, well, I'm all for victims' rights but they don't have to be in the Constitution. And there's a brief response to that. Or, I'm all for victims' rights but I don't like this idea of victims being in the courtroom throughout the trial. They should be excluded if they're going to be witnesses. And there's a response to that. There are lots of points and counterpoints in

one of the appendices. Well, here's the sad thing. We're starting now to see a way clear of having lawyers be advocates in the courtroom for victims. We've got some things to fight to enforce, but still every day in some courtroom in America there's a release proceeding and the woman, who was raped by the rapist who stands to be released, hasn't been told about it and doesn't get a right to be heard. Every day, still, every day in our country, parents of a murdered child are excluded from the courtroom during a trial of their child's murderer. Every day someone is released on parole without notice being given to the victim or without an opportunity to be heard. And these injustices continue day in and day out and Americans who hear about this are shocked. They have no idea. If they're not in the system, if they haven't been thrust on the road to hell that you've all been on, they don't know about this. You have to tell your stories. You have to communicate to the country. And I will tell you this, and I believe this with all my heart, if you do that and if you continue to demonstrate the courage that brought you here today, you're going to make history. You're going to change the history of America. You're going to change the criminal justice system so that others who walk your road to hell don't experience the same injustice from the court system. It's bad enough to have the injustice from the murderer, the perpetrator of the crime. You should not have to endure the second victimization of having the system itself inflict victimization on you. And that's what the Constitutional Amendment's all about. Why do we need it? Because nothing in the country will change without it. I am going to be here until after the meeting. If any of you feel moved to want to participate, want to give me your name and contact information, or authorize Collene to give me your name and contact information, I'd be very happy to communicate with you. We need your help and we need it now. Thank you very much.

INEZ: Yes, you have a question for Steve?

MELTON: As you know, Indian Nations are pre-constitutional and they're also extra-constitutional. And so many times when you propose national legislation, you need to very deliberately include Native American language in there or ask the Native American people if they want to be included or that there is at least an option or there is at least a way for them to opt in or opt out has been the usual way to address that issue.

TWIST: In an earlier version, we explicitly included Indian Country in the scope of the amendment. And we were told by many

of our Indian colleagues that that would not be appropriate. So right now the amendment, if you look in Section One, it says 'the rights are hereby established and shall not be denied by any state or by the United States.' So if there was a federal prosecution that arose out of Indian Country, the rights would apply and they would apply to Indian victims. If it is a 1968 Indian Civil Rights Act prosecution on the reservation, the rights will not apply because those are prosecutions under tribal law and we've been told that it's appropriate not to include those. But, as an advocate, I would say I would hope the Navajo Tribal Council, for example, would enact this as part of their fundamental law. I would hope the Pueblo Nation would enact this as part of their fundamental law, and each of the nations would do that. So that's where we are. Thank you.

INEZ: Please give Steve some applause. (applause) He's not going anywhere, so he's available afterwards to chit-chat or what have you. And he's definitely a resource to use. Oops, Steve, you dickens, you must wait for the microphone.

TWIST: As you think about your stories, please think about these questions because these are questions that are very relevant, very pertinent to the question of a constitutional amendment or victims' rights generally. Were you given notice of every proceeding in your case? And if not, what happened. What happened there, not getting notice? Were you ever excluded from any proceeding in your case? And think about it in the context of not just trial, but any proceeding where you might've been excluded. Were you ever allowed or denied the right to speak. And specifically I'm interested in these times: whenever there was a release after arrest, whenever there was a plea, a proceeding involving a plea, whenever there was a sentencing proceeding or anything related to sentencing or parole.

UNIDENTIFIED: Bond reduction?

TWIST: Any bond reduction because that relates to release. So was there a right to speak at all of those various times? And were you allowed to speak? Or was that right denied? Were there long delays in your case? And how long were they and what were the reasons? And how did that affect you? Were you ever told about a release or an escape? Or did they fail to tell you about a release or escape? I mean, literally, we have some people who have seen the perpetrator on the streets, not knowing that they've been released from custody. Was your safety considered whenever any decision was made about release, about plea bargaining, about

sentencing, parole, pardon, commutation, you name it. And then what about restitution. Was your right to restitution protected? These are the critical questions.

INEZ: Thank you, Steve.

TWIST: Thank you.

INEZ: Thank you. And just to give you a little bit of information as well, I have done a number of interviews and so tomorrow when we're doing the interview, we typically work in a one-on-one style and it's very conversational, back and forth. So don't sit up tonight, you know, memorizing your answers. That's not what I'm looking for. We're just being conversational. I will guide you through, because, really, what we want to be able to do is share your experience with others to help them. So that's the objective. So if you're not going to be here tomorrow, and you have something else on your mind that you'd like to share, I'd like you to be able to go first. So anyone who's not going to be here tomorrow, who's a victim that would like to share anything at this juncture, I will give you the microphone. Please.

R. GOLDSMITH: I just wanted to say that I hope John Gillis, Mr. Gillis, will take notice of the number of people in this room today that said they had no idea that the Office of Victims of Crime existed. And that was my point in, hopefully, trying to develop something to get the word out there that the office exists for victims of crime.

ATKINSON: There doesn't ever seem to be a place where victims can go for resources. There's never a place for victims to go to complain or to say this or that happened. And so initially we had looked at an ombudsman program. And I think some states have had them, but I'm thinking that in addition to having attorneys pro bono represent victims, perhaps consideration of an ombudsman program, some central office, again, that would help victims with what they are being denied. I mean, to gather that information, I think it's gathered somewhat? When victims' rights are violated but, again, where do they go to tell somebody I didn't get my rights? When, in the first place, you might not even know you have those rights. So that's something that we've thought about that I think probably should still stay in the fore of something that might need to be in conjunction with the attorneys. Thank you.

INEZ: Please, did you have a...?

UNIDENTIFIED: (unintelligible)

INEZ: That's an excellent question, which I will let Jeannie Gregori answer.

GREGORI: Well, a lot of you already have my phone number and I've spoken to you. You can continue to do that. My direct line, as you know, it's 202-305-0093.

INEZ: Do you have an 800 number?

GREGORI: Do we have an 800 number?

GILLIS: No.

GREGORI: I didn't think so. We don't have an 800 number.

GILLIS: E-mail.

GREGORI: Yeah.

GILLIS: E-mail, yes.

GREGORI: Yeah. I have an e-mail. The e-mail is Gregori, it's a capital G, and then lower case r-e-g-o-r-i@ojp.usdoj.gov, g-o-v.

INEZ: So what I'd like to do is have everyone join me in the center here. We're going to make a circle. Did you have a point you wanted to make?

LAURENCE: I just wanted to add on to Steve Twist. I work in a congressional office and just as a little bit of information, the letters that actually get to the congressperson or to the senator, if everyone writes the same letter and it's more of a petition and everyone signs off on it, you may get a letter back depending--I mean, from my congressperson, you would. I don't know from all of them. And that would represent a number of people that would be in support of the amendment. But I think that if you do that, is great, but if you also would write a personal note about how it would affect you or what impacted you and make it a personal story, it goes a little bit further. So it's just a suggestion that I had so that maybe your stories would actually get to the person who's really going to make that vote and make that decision whether to support the amendment or not. OK, that's all.

INEZ: If I can get everybody to stand up and come and join me in the center here. Trust me, it'll be worth it. Form a circle. Well, I would like you to hold hands. And this is something, you know, we did it at the first roundtable sort of spontaneously, we did it at the second and I feel like we should keep doing it. The bottom line is, I'm here only because of Collene and John and Patsy and Mary and the folks that I met that just changed my life in the sense of how important this issue is. And so I want to just say that I have nothing but the utmost respect for all of you. I really thank you for being here. I thank you for your graciousness, putting up with the technical hardships that we had. The bottom line is that your voices, the things that you've said, it's going to matter. It's going to be heard and it's going to be considered and people are going to learn from what you've said. So I want to just thank you sincerely for just your goodness in being here. And God bless you all. That's it.

GILLIS: Thank you, Inez.

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