

A PRACTICAL GUIDE
FOR
VICTIMS OF VIOLENCE

SILENCE IS VIOLENCE
a campaign for peace in New Orleans

A Practical Guide for Victims of Violence is indebted to the groundbreaking work of Rose Preston and her Crime Victims Guidebook, written as a labor of love after Rose lost her husband to homicide in New Orleans in 2006. SilencelsViolence published the Crime Victims Guidebook in partnership with Rose in 2009. The book became a textbook of sorts for our organization, and was distributed by criminal-justice agencies across Orleans Parish and beyond. The present book builds upon Rose's work, adding the lessons learned over more than a decade of intensive victim-service programs by the SilencelsViolence Victim Allies Project.

A Practical Guide for Victims of Violence

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A PRACTICAL GUIDE
for VICTIMS OF VIOLENCE

Advice, guidance, and support for victims of violence
and the families of homicide victims

A PRACTICAL GUIDE FOR VICTIMS OF VIOLENCE

ADVICE, GUIDANCE, AND SUPPORT FOR VICTIMS OF VIOLENCE AND THE FAMILIES OF HOMICIDE VICTIMS

HOW TO USE THIS BOOK

This book is intended to be a resource for individuals and families who have lost a loved one to violence, especially violence in the city of New Orleans and the surrounding region.

Nothing can make the experience you are going through less painful, or make the criminal justice process you will enter into less complicated and inconsistent.

What we do hope is to provide realistic, compassionate, and common-sense support and advice for victims and victim-survivors in the weeks and months—and sometimes years—that follow a homicide, domestic-violence incident, or other violent crime.

The Practical Guide will walk you through some of the policies and procedures that are supposed to follow a violent incident in New Orleans. It also will explain some common variations on these policies that may take place, and some strategies for figuring out exactly what is happening in your own very personal case.

The content of the Practical Guide is drawn from extensive research into law enforcement and criminal justice, as well as on-the-ground experiences of victims—the clients of SilenceIsViolence—in the aftermath of more than 600 homicides.

One in 2,300 New Orleanians is murdered each year. In 2017 alone, 450 shootings were investigated in the city, 85% of which were homicides. Statistics like these can be numbing, even to those whose job it is to support victims. But each one of these cases represents one extremely personal tragedy, with victim survivors like you who know the individual circumstances of the case—people who need support, resources, and information to help advocate for their case and ensure justice. This book spells out how your case should be handled so that you know your rights and responsibilities, can make sure that no detail is overlooked, and, if you feel you need to speak up, you know how to do it in the most productive way. This is crucial for your sake as a victim, and also for the sake of a functioning criminal justice system that can prevent further tragedies in the future.

In the chapters that follow, you will find general descriptions and specific experiences pertaining to the New Orleans Police Department, the Orleans Parish Criminal Sheriff's Office, Crime Victim Reparations, the District Attorney's Office, Criminal Court facilities and proceedings, funerals following a violent loss, and considerations specific to children of victims and legal matters. You will also find, at the back of the book, a glossary that explains legal or technical terms, and a directory with contact information for organizations mentioned in this book as well as other useful resources.

Finally, this book includes Notes pages at the back. Use these pages (or create a dedicated notebook of your own) to document all of your communications with officials concerning your case. Note dates, times, names, contact numbers, and notes about the content of each conversation.

The Practical Guide for Victims of Violence is a complement to the direct services offered by SilenceIsViolence through the Victim Allies Project. (This program is explained in detail in Chapter 3.) We strongly encourage you to contact our office if you have not done so already, so that the staff of SilenceIsViolence can help you navigate the emotionally and logistically challenging times that lie ahead. It is not possible for this book to outline every eventuality or every obstacle that may block the way to equity, justice, and healing. If your case presents challenges that are not addressed in these pages, we invite you to call or visit us so we can help work through those challenges.

While the Practical Guide is primarily concerned with homicides in New Orleans and their effect on families, we also receive many requests for services from Jefferson Parish families, as well as from victims of other violent crimes, particularly domestic violence. Accordingly, two chapters toward the end of the book deal with these two situations.

For now, we offer our deepest condolences to you and your family. And we offer this book as one small step toward finding clarity, direction, and healing in the days that lie ahead.

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CHAPTER 1

CRIMINAL JUSTICE IN ORLEANS PARISH: AN OVERVIEW

There are two versions of criminal justice in New Orleans: 1) the official version, based on policies, procedures, and legal requirements; and 2) the actual version, which can be inconsistent or cut corners, and which almost certainly will not match up neatly to what you see on paper. With this Practical Guide in hand, you should know which challenges are part of the system and something to work through—and when you are facing unprofessional (or illegal) behaviors that you should question, to be sure your case is handled effectively.

The Agency Digest below outlines the official law enforcement and criminal justice agencies in Orleans Parish. Each of these agencies, and suggestions for how to work with them, will be treated in a separate chapter:

AGENCY DIGEST

The New Orleans Police Department (NOPD)

The NOPD is responsible for initial response, protecting/securing the crime scene, and investigating the crime, which includes collecting evidence and interviewing witnesses. The NOPD also files the police report that is the official legal documentation of the event. Once a suspect is identified, the NOPD is responsible for finding the suspect and making an arrest, and will provide all investigative information to the Assistant District Attorney assigned to the case.

The NOPD must communicate with victim families through one point of contact (“next of kin”), and is responsible for keeping that person updated with information about the investigation. In practice, this communication is often much spottier than it should be.

Finally, the NOPD has a Victim/Witness Services division, responsible for communication with and support for victim families. At the time of printing, there are only two Victim/Witness detectives for all of Orleans Parish. SilencelsViolence partners closely with these detectives to ensure that victim families are served as well as possible.

(For more details, see Chapter 6.)

The Office of the District Attorney (DA)

The DA’s office follows a homicide case throughout the investigation, but really gets involved once an arrest is made. An Assistant District Attorney (ADA) is assigned to the case, and is responsible for building the case for conviction.

Like the NOPD, the DA’s Office has a Victim/Witness support staff, which is supposed to provide counseling and logistical assistance (but not physical protection) if a witness or victim feels personally threatened as a result of a crime.

Finally, it is the responsibility of the ADA to keep family members informed about court dates, updates, and judgments in a case, and especially about the status of the defendant. In practice, many victim families find these communications are not as consistent as they would like. Court appearances, continuances, and other judicial processes sometimes take place without reasonable notice.

(For more details, see Chapter 7.)

The Criminal Sheriff’s Office

The Orleans Parish Criminal Sheriff’s Office is responsible for maintaining the Orleans Parish Prison system. Their website “Docket Master” (www.wopco.org) is a valuable source of information pertaining to suspects and defendants. (The state also has a victim notification system, LAVNS [<http://www.lc.lela.gov/programs/lavns.asp>], which tracks inmate status and is searchable online.)

It is also the responsibility of the Criminal Sheriff to facilitate Crime Victim Reparations (CVR) for victims of violence and/or their families. Processes for and cautions about requesting these reparations are detailed in *Chapter 4*.

Additional Agencies

Other agencies and offices you may encounter during the aftermath of a violent crime include:

- Coroner's Office (*Chapter 6*)
- New Orleans Fire Department (*Chapter 6*)
- Emergency Medical Services (*Chapter 6*)
- FBI (*Chapter 6*)
- Department of Justice (*Chapter 7*)

SUMMARY OF AGENCY RESPONSIBILITIES

New Orleans Police Department (NOPD):

- Protecting/securing the crime scene
- Investigating the crime
- Filing the police report
- Finding the suspect and making an arrest
- Providing information to the Assistant District Attorney
- Providing investigation updates to victim's next of kin
- Victim-family support (Victim/Witness Services division)

The Office of the District Attorney (DA):

- Building the case for conviction
- Supporting witnesses who feel threatened (Victim/Witness support staff)
- Informing family members about legal proceedings
- Informing family members about defendant's status

The Criminal Sheriff's Office (See Chapter 4.)

- Orleans Parish Prison system
- Crime Victim Reparations (CVR)

New Orleans Fire Department (NOFD)

- First responders: Stabilize the immediate situation
- First aid or other emergency medical care

Emergency Medical Services (EMS)

- First responders: stabilize medical conditions; save lives if possible
- Transport injured individuals to the hospital

Coroner's Office

- Collect the body (when authorized by NOPD)
- Secure identification of the body

CHAPTER 2

FINDING THE RESOURCES YOU NEED

Each case is different, and each victim and family will need different types of support and different resources following their tragedy.

After a homicide, most victim-survivor needs will fall into one or more of these categories: health (mental and physical), finances, safety, legal and logistical matters, and criminal justice. Below we list some starting points for addressing each need. It is important to find a strong support person who can attend meetings with you, ask questions, take notes and remember conversations, and help you find the exact people and organizations that will help you.

FIRST FEW DAYS: GATHERING RESOURCES

Identify these resources in the first few days after a homicide:

- A place to stay, if your home is impacted by the crime (If you are threatened as a result of the crime, the DA's office may be able to relocate you into a hotel temporarily; *see Chapter 7.*)
- Your primary support network (friends, family, church)
- NOPD police report
- Louisiana Crime Victim Reparations application
- Coroner's office contact
- NOPD homicide detective name and contact information
- Case item number
- NOPD victim assistance contact information
- If there is an arrest: Assistant District Attorney contact information
- Funeral home contact
- Grief support resources
- Additional community-based support services

WORKSHEET: GATHERING RESOURCES

Use this space to help work through the "First Few Days" list on the opposite page. If you have trouble, contact Silencels Violence for help. (*See back cover.*)

1. If your home was impacted, what safe place(s) can you stay?:

2. Who are the most important people and groups you can lean on for support? (friends, family, church):

3. Collect names and phone numbers for important contacts:

Coroner's Office: _____ (504) 658-9660

Homicide Detective: _____

NOPD Victim Assistance: _____

Assistant District Attorney (if there is an arrest):

Funeral Home: _____

4. Collect important documents and information:

Police report (*See p. xx.*)

Crime Victim Reparations application (*See p. xx.*)

NOPD Case Item number: _____

5. Identify grief support resources:

Grief support (*See p. xx.*): _____

Additional community-based support services (*See p. xx.*):

KEY NEED AREAS FOLLOWING A HOMICIDE

Health

Physical Health: Visit your physician and let him or her know what you are going through. If you are in need of medication to relax or sleep, get a prescription; do not self-medicate. Your condition is fragile already, and you should do your best to stick with, or improve upon, your normal nutritional routines.

Mental Health: Even if you think you can make it through this on your own, line up some resources to call upon when you need them.

Here are some starting points:

- *The LSU Health Services Center* has a team of psychiatrists, psychologists, and social workers who focus specifically on victims of crime.
- *Silencels Violence* provides free individual and group grief counseling for victim-survivors of homicide.
- *Family Service of Greater New Orleans* has a Victims of Crime support program, including free counseling.
- *The District Attorney's Office* has social workers on staff who field requests for counseling services.

Finances

Establish a separate account or set a budget for the next few months to deal with matters related to the incident.

Possible sources of financial support:

- Louisiana Crime Victim Reparations
- Private insurance
- Employer assistance
- Church assistance

Safety

If you were a witness or are otherwise known to the perpetrator or colleagues of the perpetrator, you will need to consider your personal safety and that of your family. Contact the Office of the District Attorney to find out about current resources (see Chapter 7). As of 2018, no victim/witness protection is consistently provided by the DA or NOPD, but some assistance may be available.

In the case of a direct threat to your safety or your life, the NOPD is the appropriate agency to call for protection. Call 911, and follow up through the main reporting line for the NOPD: (504) 821-2222.

Funeral Arrangements

Coordinating the funeral for a victim of homicide is a daunting challenge. Your church and community groups can help you identify funeral homes that are easier to work with in these instances. LCLE Crime Victims Reparations Program provides assistance in this area for victims of homicide. SilencelsViolence also has a network of funeral homes that we work with, which are prepared for the particular challenges of services for a homicide victim (see Chapter 5).

Judicial/Legal

Many questions will arise regarding the correct steps in the pursuit of justice following your loss. You will need to work with the NOPD, DA, and sometimes the Department of Justice through the actual criminal justice processes. Community groups and watchdog agencies are also important partners, and can help you understand local criminal justice, as well as navigate the particularities of your case.

In addition to SilencelsViolence, at the time of printing, some that are especially responsive to victim needs include:

- Family Justice Center (domestic violence)
- Juvenile Justice Project of Louisiana
- Loyola Law Clinic
- Safe Streets/Strong Communities
- Victims and Citizens Against Crime

CHAPTER 3

SILENCEISVIOLENCE & THE VICTIM ALLIES PROJECT

SilenceIsViolence
3401 Saint Claude Avenue
(504) 948-0917
SpeakUp@silenceisviolence.org

SilenceIsViolence is a community-based campaign for peace in New Orleans, founded in response to surging homicide rates in the city in late 2006 and early 2007. The effort began in specific response to the murders of two local artists, Hot 8 Brass Band snare drummer Dieral Shavers (d-December 28, 2006) and craft filmmaker Helen Hill (d-January 4, 2007). The killings of these two local icons, neither case solved as of today, galvanized New Orleanians and brought thousands into the streets in protest. The SilenceIsViolence movement was born of this protest and this moment of unity in our city.

Today, SilenceIsViolence runs a range of programs designed to support those who have been victimized by violence; to mobilize communities to seek peace on the ground level; to advocate for stronger systems to respond to and prevent violence; and to intervene in young lives before they get caught in the cycle of gun violence.

The mission of SilenceIsViolence is to work toward a safe and equitable New Orleans. We provide direct victim services, creative youth engagements, and public advocacy, working with clients and partners in every sector to achieve safe, just, and thriving communities..

Peace Clinics

Through both in-school and out-of-school arts-based programming, SilenceIsViolence artist-instructors lead students and youth through activities designed to inspire creative thinking and to encourage creative expression, especially as a means of addressing gun violence in their communities. Participants gain artistic skills and personal confidence, and are recruited to step outside cycles of violence and community destruction, and become part of needed solutions.

The best-known Peace Clinics are the SilenceIsViolence Music Clinics, started in January 2007 and working intensively with dozens of students ages 5–13 each week.

Community Peace Walks

Memorials, vigils, musical celebrations, and an active presence in the neighborhoods of New Orleans all form part of our community-mobilization program. Whether walking through neighborhoods or honoring a victim in a standing vigil, we remember individual lives and reach out to the city as a whole, recruiting citizens, one by one, to serve as ambassadors for peace.

Victim Allies Project

When a New Orleanian becomes a victim or loses a loved one to violence, they need the community's support. The Victim Allies Project provides direct emotional, logistical, and limited financial support to victims. We also serve as a liaison between victims and the official agencies of law enforcement and criminal justice in New Orleans. The remainder of this chapter will outline in more detail the services offered through the SilenceIsViolence Victim Allies Project.

PROGRAM HIGHLIGHT: VICTIM ALLIES PROJECT (VAP)

All services of the Victim Allies Project are free to victims of violence and their survivors in New Orleans, through the generosity of our donors and institutional funders. To access any or all of these services, please call our office at (504) 948-0917 or email SpeakUp@silenceisviolence.org.

Emotional/Grief Support

In the wake of a violent incident or violent loss of a loved one, you need the support of friends and family. Most victims also can benefit from formal grief support. SilenceIsViolence has social workers on staff who offer individual sessions by appointment and group sessions on a regular schedule. Each client family is entitled to six individual sessions free of charge. Additional sessions can be arranged on an as-needed basis.

Financial Support

Lost wages, missed work, sudden funeral expenses, and charges for items like police reports and lawyers are only some of the financial obstacles that a family can face following a homicide. If the victim was a household's primary breadwinner, the need is intensified.

SilenceIsViolence has limited funding to provide short-term emergency support for specific financial needs. In addition, the Criminal Sheriff's Office has authorized our organization to assist families with the Crime Victim Reparations process, which in some cases can provide more substantial financial resources.

To apply for funding support through SilenceIsViolence and to start the Crime Victim Reparations request process, please call (504) 948-0917 or email SpeakUp@silenceisviolence.org.

Logistical/Advocacy Support

For most victims and families of victims, the most extended relationship with our organization will center on law enforcement and criminal justice, and our assistance in navigating these systems. The criminal justice system in New Orleans does not work very efficiently, leading to frustration and re-traumatization for victims, and contributing to the cycle of violence in our streets. From police reports and item numbers to court dates and defendant status, the details of each case can be difficult to access and to interpret.

If your family has difficulty in communicating with your homicide detective or Assistant District Attorney, or if you have questions about how your case is being handled, contact our office and we will do our best to help. We cannot perfect the criminal justice system, and we cannot promise justice for you and your loved ones. However, because we work with so many cases each year, we know some of the likely steps and challenges that will arise, and we have experience in working through these challenges.

At the end of the day, nothing can make the loss you are experiencing easier. What we try to do through the SilenceIsViolence Victim Allies Project is to address and hopefully lessen some of the additional challenges presented by a flawed system, and by the lack of institutional support for victims. Our goal is to support your family through this difficult time, and ultimately to set a standard of justice and respect for all victims.

CHAPTER 4

EMERGENCY ASSISTANCE / WORKING WITH THE CRIMINAL SHERIFF'S OFFICE AND CRIME VICTIM REPARATIONS

“Victims of violence and their families must deal with emotional, physical, and financial aftermath of crime. The Louisiana Crime Victims Reparations Fund helps innocent victims and their families pay for the financial costs of crime when they have no other means of paying. The fund is administered by the Crime Victims Reparations Board under the jurisdiction of the Louisiana Commission on Law Enforcement. The funds to operate the program come from fines and fees paid by people who break the law.”

– Louisiana Commission on Law Enforcement
and Administration of Criminal Justice

The state of Louisiana provides funding to individuals and families affected by crime. This funding is paid through court fees and fines paid by offenders, as well as grants and donations.

In practice, many obstacles lie between families in need and access to state funding:

1. Applications must be submitted through the Criminal Sheriff's Office, to the crime victims representative of the parish where the crime took place. (SilenceIsViolence can assist with filling out applications before their submission). The application process itself can take up to several weeks.
2. The fund and all payments are overseen by a board of representatives from the community, appointed by the governor. Based on previous case reviews, the board appears sometimes to overlook the nuances of complex cases, and tends to interpret “innocent victims” very strictly. If victims of a crime have a felony criminal

record themselves, the family of that victim will likely be ineligible for CVR benefits.

3. Only certain expenses are eligible for coverage (listed below), and applicants must provide supporting documentation (such as funeral invoices, check stubs for lost wages, and medical bills) to document amounts owed.
4. Once benefits are approved, there may be a wait of several weeks before payment arrives. This can make it difficult for families to cover short-term emergency expenses.
5. CVR describes itself as a “payer of last resort.” Individuals who have insurance can still receive support from CVR, but it may be modified depending on the amount owed.

APPLYING FOR FUNDING THROUGH LOUISIANA CRIME VICTIM REPARATIONS (CVR)

Application Forms

Application forms are available:

- On the LA Commission on Law Enforcement (LCLE) website (<http://www.lcle.state.la.us/programs/cvr.asp>)
- At the Orleans Parish Criminal Sheriff's Office
- At the offices of SilenceIsViolence

Application Process

Assistance in completing your form is available:

- At the Criminal Sheriff's office, by appointment: Sgt. Stephanie Minto-Gibson, mentos@opso.us, (504) 202-9229
- Through the SilenceIsViolence Victim Allies Project, by appointment

Board Review

Once your form is completed and submitted, your case will be reviewed in the order it was received at the Board office. You may attend the meeting and bring a lawyer or other advocate if you wish. SilenceIsVi-

olence is able to provide on-site advocacy in some instances. If no official or legal representation is available, you may bring a support person. You should arrive prepared to speak about your case and about why reparations are appropriate and necessary.

In order to do this, you must be familiar with the eligibility guidelines for CVR. These are available in detail on the LCLE website (<http://www.lcle.state.la.us/programs/cvr.asp>).

Here are some of the crucial points:

- CVR is available to the victims of violent crime and to their claimants (persons responsible for paying the bills) and in some cases, their families and/or domestic partners.
- The crime must occur in Louisiana; if the crime occurs outside of Louisiana, then a Louisiana resident and their family may be eligible if the state or country where the crime occurred does not offer financial assistance.
- The incident must be reported to the police within 72 hours, and the CVR application must be filed within one year of the incident unless there is a good reason for not reporting or filing during that time frame.
- The victim cannot have a felony history within three years of the incident, be currently sentenced or on probation, be engaged in illegal activity at the time of the crime, or be an offender or accomplice during the incident.
- In general, LCLE states that anyone “whose own behavior contributed to the crime” is ineligible.

Eligible Expenses

Reimbursement for expenses is not guaranteed, even with receipts. Families are responsible for bills and debts if eligibility is denied.

The following expenses are eligible for CVR reimbursement:

- Reasonable medical and prescription expenses
- Dental expenses
- Mental-health counseling
- Funeral expenses

- Loss of earnings or support
- Child care or dependent care
- Crime-scene cleanup
- Reasonable replacement costs for personal items confiscated or damaged in the course of investigation.

Payments

For eligible and approved expenses, payments may be made up to \$10,000. For funeral and burial expenses, the cap is \$5,000. Emergency awards are considered for up to \$500 and can be received in approximately three business days.

Payment will arrive in the form of a check, made to the applicant, for out-of-pocket expenses, or directly to the service provider if a balance is owed. In cases where violent crime results in a total and permanent disability, the maximum award is \$25,000.

If your funding request is denied, there is an appeals process available. First, the applicant must provide additional information to the Crime Victim Reparations Board. If the appeal is denied, the applicant may appeal to district court.

COMMUNICATIONS ABOUT YOUR CASE / THE CRIMINAL SHERIFF'S DOCKET MASTER

You may be able to follow the progress of your case, including arrest and trial information, through the Criminal Sheriff's Docket Master. This information is maintained online in reasonably current updates. Information is available based on the name of the defendant, once arrested. Go to www.opco.org and select Docket Master; from there you will need the defendant's first and last name, race, and gender. Parallel information is available through the LCLE website.

If you do not have internet access, contact Sgt. Stephanie Minto-Gibson, mintos@opso.us (504) 202-9229 to request application status and information.

CHAPTER 5

FUNERAL ARRANGEMENTS

The funeral of a homicide victim is a sudden and exceptionally difficult event. You will want to make it a day to honor your loved one. Yet unexpected expenses, legal and criminal justice distractions, and sometimes media attention can make it difficult to create a meaningful ceremony.

It is very important that you create the time and the space to honor your loved one in the best way you can. Seek support from your church, family, close friends, and community organizations. Do not rush the funeral, but do make preparations as soon as you can.

FIRST FEW DAYS: FUNERAL ARRANGEMENTS

(See page xx for a worksheet to help.)

- Decide on a funeral home and/or church to work with.
- Contact the desired location and administrator of the services to establish costs and timing.
- If you are applying for Crime Victim Reparations, ask the funeral home whether they accept this application as a payment pledge.
- Take some private time to reflect, and focus on the positive in your loved one's life during the funeral planning and services. You will be dealing with the tragic aspects of your loved one's death in every other sphere; the funeral is your chance to deal with what you can love and celebrate.

FUNDING

Funding through the Louisiana Commission on Law Enforcement (LCLE) may be available to put toward funeral expenses, although there are many restrictions. Contact the Criminal Sheriff's Office (Sgt. Stephanie Minto-Gibson, mintos@opso.us, 504-202-9229) or visit <http://www.lcle.state.la/cvr> to access guidelines and an application. *(See Chapter 4.)*

Silence's Violence offers a modest stipend to families that can be put toward funeral expenses as well.

RESOURCES: FUNERAL HOMES

The following funeral homes in Orleans Parish have a track record of compassion and flexibility when working with the families of homicide victims:

- Majestic Mortuary
1833 Oretha Castle Haley Boulevard
(504) 523-5872
- Littlejohn's Funeral Home
2163 Aubry Street
(504) 940-0045
- Professional Funeral Services
1620 Elysian Fields Avenue
(504) 948-7447
- Charbonnet Funeral Home
1615 St. Philip Street
(504) 581-4411
- Murray Henderson Funeral Home
1209 Teche Street
(504) 366-4597

Gertrude Geddes Willis Funeral Home
2120 Jackson Avenue
(504) 522-2525

The Boyd Family Funeral Home
5001 Chef Menteur Highway
(504) 282-0600

WORKSHEET: FUNERAL ARRANGEMENTS

Use this space to help work through the “First Few Days” list on page xx. If you have trouble, contact SilenceIsViolence for help. *(See back cover.)*

1. Which funeral home or church do you want to work with?:

2. Talk to your funeral home or church to help determine:

Cost: _____

Timing: _____

CVR eligibility: Can your CVR application serve as a payment pledge?: _____

3. What are some positive aspects of your loved one’s life that you can celebrate during the service?:

CHAPTER 6

LAW ENFORCEMENT & WORKING WITH THE NEW ORLEANS POLICE DEPARTMENT (NOPD)

New Orleans Police Department
715 South Broad Street
(504) 821-2222 (non-emergency report line)
(504) 658-5300 (homicide division)

When a homicide occurs, the NOPD assigns a detective with special training in this type of criminal offense. In addition to this lead detective, there may be additional homicide detectives assigned to the tasks of crime-scene investigation and evidence collection, neighborhood canvassing, and working with the Assistant District Attorney on a case. It is these detectives' jobs to collect and review all possible evidence pertaining to a homicide: physical/empirical evidence, circumstantial evidence, eyewitness testimony, and additional witness testimony. Homicide detectives also are responsible for identifying next of kin (the primary point of contact for a family), and for keeping the family informed about case developments through this point of contact.

Many people distrust the police, sometimes with good reason. In the case of a homicide, however, it is in your best interest to work as closely and honestly with the police as possible. A respectful working relationship will mean that the detective on your case will be more communicative with you, keep you more up-to-date on case developments, and make use of your information and perspectives.

CRIME SCENE

Depending on the nature of the case, you may not be allowed on the crime scene for some time. On the other hand, the scene may not

be restricted beyond the first few hours. If you are on the scene quickly and feel that it is left too public, say something. It is the responsibility of the police to cordon off the area before beginning any evidence collection or interviewing.

A homicide crime scene remains an active crime scene indefinitely; the lead detective on a homicide case can refuse to turn the scene back over to normal public or private use for as long as he or she determines the scene is needed for investigative purposes. This can be frustrating and inconvenient in some cases, but there is no limit to the detectives' access to a crime scene.

If your home is affected, you may need to find somewhere to stay for a few days at least. For reasons of both the police investigation and your own mental health, do not remain on the crime scene any longer than you must immediately following the incident.

Finally, once the investigation is complete, if the crime scene is on your property, you will be personally responsible for crime-scene cleanup. Many victim families find this task to be emotionally and physically overwhelming. Help with crime-scene cleanup is available through Crime Victims Reparations. (This is for cleanup only—if there is any structural damage to your property, CVR will not replace or repair it.)

OTHER AGENCIES YOU MAY ENCOUNTER AT THE CRIME SCENE

New Orleans Fire Department (NOFD)

Members of the NOFD serve as first responders to all emergencies in New Orleans. As such, they will likely be present at the scene of a homicide or other violent crime, although they may not be able to approach a homicide scene until authorized to do so by the NOPD. The purpose of the NOFD's presence is simply to help stabilize the immediate situation. Firefighters are not authorized to address any specific concerns pertaining to the crime itself, but may administer first aid or other emergency medical care, especially if EMS (below) is not yet on the scene.

Emergency Medical Services (EMS)

The job of EMS is to stabilize medical conditions, save lives if possible, and transport injured individuals to the hospital. As such, they may need medical information about anyone who is injured, including medication lists, prior conditions, and allergies. Like the NOPD, EMS is not authorized to address matters pertaining to the crime; they are simply there to provide medical response.

Coroner

If the victim is pronounced dead at the scene, the coroner may be dispatched to collect the body. The coroner follows the directions of the NOPD and has no authority to act independently to remove the body before the investigation is completed. The coroner also does not have authority to address matters pertaining to the crime.

FIRST FEW DAYS

Within the first few days following a homicide, you should be able to:

1. Identify the body of the victim.
2. Receive the case item number, which you will use when referencing the NOPD's records on the case.
3. Receive contact information for the homicide detective assigned to the case, as well as the victim-services detective through the NOPD.
4. Review the police report on the case. (There is a \$25 charge to receive a copy of the police report. In homicide cases, the report is supposed to be ready after 48 hours, but sometimes it takes up to a week.) You will need to request the report at NOPD headquarters, in the records department.
5. Confirm next of kin for the case with the assigned detective.

COMMUNICATIONS ABOUT YOUR CASE & NEXT OF KIN

Next of kin can be a touchy concept. It is intended to give police a single point of contact with the family of a victim, in order to streamline information-sharing and make it more consistent. In reality, not all families have one unified home, single network, or even a single perspective on what has taken place. Consequently, the practice of identifying a single next of kin and denying direct information to any other family members can cause tension and confusion.

If you are not the assigned next of kin, you may have trouble getting information about a loved one's case from the NOPD. In this case, it is important that you work closely with your family members to stay updated. However, if you have important information about the case, please share that information with the case detective, even if you are not the assigned next of kin.

Some homicide detectives are sensitive to the complexities of splintered families; others are not. If your homicide detective is not responsive, particularly if you feel you have information important to the case, you should request a meeting with his or her superior. But try to avoid communications about the case outside the homicide department, especially if the perpetrator is unknown.

NOPD CONTACTS

Until you have a direct phone number for the detective on your case, you will have to try the general NOPD Investigation and Support line: (504) 658-5300. When you meet or hear from the lead detective on your case for the first time, be sure to request his or her direct work number and cell phone number. You have a right to this information, and it is usually the most reliable way to reach a detective or officer.

If you encounter substantial difficulty in reaching your detective or receiving updates, put your concerns in writing and submit them to the homicide commander and the chief of police. Email is better than a phone call, because it is documented; if you do not have an email account, go to a public library and set one up, or ask a friend to send an

email on your behalf. The Silence's Violence Victim Allies Project and other community groups also may be able to serve as a communication liaison for you.

PROVIDING INFORMATION

Whether or not you are in direct contact with your homicide detective, if you have information about the case, it is critical that you provide this information quickly. Once an investigation is underway in a certain direction, it can be difficult to insert conflicting or complicating information. It is equally important, however, that you not provide information that you are uncertain about. If the police feel you are wasting their time, you might compromise a partnership that could make a difference in finding justice.

ARRESTS

Once an arrest warrant is issued, sometimes an arrest is made within hours; sometimes it can take days, weeks, or longer. You may not be told that an arrest warrant has been issued, particularly if the police anticipate difficulty in locating the suspect. If you have strong trust in your communications with the homicide detective on your case, he or she is more likely to share the most complete information with you.

The NOPD should only make an arrest if and when they feel they have a very strong case in hand. This can result in delays that are frustrating to victim families. However, if an arrest is made without strong evidence, the charge could be thrown out before there is time to build the case. Unfortunately, some faulty arrests are made in Orleans Parish. It is a difficult thing to consider as a family member; but whether an arrest is valid or poor, it is best to remain neutral regarding the defendant's innocence or guilt until a case runs its course.

WORKSHEET: WORKING WITH THE NOPD

Use this space to help work through the "First Few Days" list on page xx. If you have trouble, contact Silence's Violence for help. (*See back cover.*)

Identify the body of the victim.

Case Item Number: _____

Homicide Detective:

Name: _____

Phone #: _____

NOPD Victim-Services Detective:

Name: _____

Phone #: _____

Obtain and review Police Report (available 2–7 days after the incident)

Confirm next of kin for the case with the assigned detective.

NOTES: _____

CHAPTER 7

CRIMINAL JUSTICE & WORKING WITH THE DISTRICT ATTORNEY (DA)

New Orleans District Attorney Office
619 South White Street
(504) 822-2414
www.ortleansda.com

After a case is screened and charges are accepted, an Assistant District Attorney (ADA) will be assigned to the case. This ADA will be responsible for prosecution of the defendant, and will be your primary point of contact at the DA's office.

The Office of the District Attorney is also responsible for the following details of your case:

- Victim/Witness assistance (in the event of a threat to the safety of a survivor and/or witness to the incident)
- Communication with the family pertaining to court dates
- Communication with the family pertaining to defendant status (whether incarcerated, out on bond, or otherwise)
- Securing information on the case from the family that might be relevant to prosecution
- All motions and appearances in criminal court

Often confusion arises because the District Attorney is responsible for convicting the suspect/defendant, and is therefore naturally allied with the victim family's interests in most cases. However, it is important to remember that the ADA on a case serves the interest of the state, not necessarily of the victim. Therefore it may be that a victim family's priorities pertaining to a case are not reflected in the ADA's position. For instance, an ADA may decide to seek the death penalty, even if the victim's family is against the death penalty.

Another source of confusion regarding the District Attorney's role relates to victim support. The term "witness protection" is loosely used and often leads to false expectations. The Orleans Parish District Attorney does NOT have a victim/witness protection program. If a case is federal (usually a felony case due to firearms considerations), then the Department of Justice may be able to provide some level of victim/witness protection—such as relocation, armed guards, or other safeguards. If the case is local (most homicides in New Orleans are local), then the District Attorney may be able to offer some victim/witness assistance in certain cases, but does not have a budget or a program for protection.

The DA's Office does maintain victim-witness support staff, mainly social workers, who are supposed to be available to violent crime victims and families of homicide victims for support pertaining to the case and to personal trauma. If you would like to seek this type of support, contact the main number at the DA's Office and ask for victim/witness services.

FIRST FEW DAYS

Within the first few days of a homicide, you should be able to:

1. Request the name and contact information for the ADA on your case, in the event of an arrest
2. Request victim counseling and assistance
3. In the event that you witnessed the incident, you may be able to receive some witness assistance

In the weeks that follow, you should expect a phone call or email with updates on your case, and subsequently should receive updates at least monthly. In the absence of such communications, call the victim/witness support department within the DA's office (504) 822-2414. Alternatively, you can call Andree Matix, Director of Social Services for the DA: (504) 421-6736 (cell).

Once an arrest has been made and trial dates are set, you should receive a phone call at least 24 hours before any significant court dates or actions.

COMMUNICATIONS ABOUT YOUR CASE

Often a homicide will lead to changes in address, phone numbers, or other contact information. It is the responsibility of the victim family to inform the District Attorney's office when your contact information changes.

The ADA assigned to your case is responsible for direct and timely communications about your case. However, often this communication has to be initiated by the victim family via phone calls, emails, or visits to the DA's Office. Communication with the DA can be complicated by high turnover among ADAs. A rotation of ADAs on a single case makes streamlined communications difficult, and in some cases you may find it necessary to provide a new ADA with information you have from prior ADAs on the case.

Try to be patient and bear in mind that many changes take place on short notice; your ADA may learn of a date change at the last minute, too. Be sure to remind the ADA on your case know that you need updates as soon as they have them, and alert the office when you have not been given notification of changes (such as continuances, suspect releases, etc).

VICTIM/WITNESS ASSISTANCE

The Office of the DA has a social service division that includes victim and witness services, including counseling. These services are supposed to be available 24/7, although there is no crisis line for accessing services after hours.

Victims and witnesses are assigned a Victim Assistance Coordinator (VAC) based on the section of court the case is assigned to. The clerk of court assigns cases based on the date of offense.

There are four VACs assigned to homicides; at the time of printing, these positions were filled by the following individuals:

Sections B, A, F: Jennifer Renfrow (504) 234-2358

Sections C, D, E: Tasha Atkins (504) 329-8827

Sections G, K, I: Alison Morgado (504) 234-8687

Sections J, H, L: Pamela Plaisance (504) 234-8531

Director of Social Services, Andree Matix (504) 421-6736

CRIMINAL COURT: PROCESSES & PROTOCOLS

Court procedures following an arrest for homicide will be pursued by the ADA or team of attorneys assigned to the case:

1. First appearance (bond is set)
2. Charge Conference (by Grand Jury or District Attorney Bill of Information, who will accept or reject the charges)
3. Arraignment (defendant pleads "Guilty" or "Not Guilty")
4. Preliminary hearing to determine probable cause. If probable cause (i.e., enough evidence to bring a case against the defendant) is found by the judge, the case continues.
5. Pre-trial proceedings, including negotiations between prosecution and defense
6. Trial
7. Sentencing (if defendant is found guilty)

You are able to attend all of these proceedings, with the possible exception of the Charge Conference.

COURT ATTIRE & BEHAVIOR

When attending court, be prepared to encounter both the defendant and the defendant's family in the courtroom. If you feel threatened and/or uncomfortable with these encounters, notify the deputy sheriffs and the ADA assigned to the case. They should then separate the families in the courtroom.

As far as personal appearance and demeanor, think in terms of discretion. It is positive for the judge and jury to know that the victim has family and friends paying attention to the case, as this personalizes the case. But you do not want to disrupt proceedings in any way, which

can irritate the judge and/or distract a jury. Dress simply and modestly. Sit quietly throughout court proceedings. Wait until breaks to ask questions, which you should pose to the ADA on the case (never the judge, unless invited to do so).

In the event of a conviction, you may be invited to present an impact statement. This is out of respect for your loss, and could influence sentencing considerations. Your personal story, simply expressed, could move a judge or jury to consider a sentence on the heavier side. If, on the other hand, you feel that some degree of leniency in sentencing is appropriate, your perspective on this will certainly be taken into account, given your loss.

However, even at this point it is important to remember that the case is legally not on behalf of your family, but the state. Ultimately, the requests of the state are the ones that represent the official sentencing recommendations.

WORKSHEET: WORKING WITH THE DA'S OFFICE

Use this space to help work through the "First Few Days" list on page xx. If you have trouble, contact Silencels Violence for help. (*See back cover.*)

- Assistant District Attorney (ADA) (after an arrest):

Name: _____

Phone #: _____

- Ask the ADA about victim counseling and assistance.

NOTES: _____

- Ask the ADA about witness assistance (if you witnessed the crime).

NOTES: _____

CHAPTER 8

LEGAL AND LOGISTICAL MATTERS

There can seem to be no end to the logistical challenges that follow a death, particularly a sudden or unexpected death. The following are some immediate topics you may have to deal with. If logistical matters become overwhelming, seek legal assistance through one of the support networks listed in *Chapter 13 (Resources)*.

DEATH CERTIFICATES

Death certificates are issued by the coroner's office to the funeral home; you can get a copy from the funeral home. You will need this certificate for many of the logistical steps you will encounter later.

INSURANCE

Each insurance company has its own requirements to file a claim. If the deceased had a life insurance policy, inform the company of his or her passing and they will tell you what documents are required.

SOCIAL SECURITY ADMINISTRATION

There may be a limited benefit available to survivors through the deceased's social security account. Call (800) 772-1213 to report the death and inquire about benefits.

AUTOMOBILE

The title on any car owned by the deceased can be transferred by bringing the death certificate and title to the DMV. Any remaining payments due on the car must be paid before the title can be transferred. Car

insurance companies should also be contacted in order to transfer the coverage; you may need to apply for a new policy, depending on the company.

WILLS/INHERITANCE

The distribution of the deceased's property and/or debts can be complicated, especially if there are multiple parties with claims to inheritance. It is a good idea to enlist the assistance of a lawyer before taking any actions in this regard. Some pro bono assistance is available; see *Chapter 13 (Resources)*.

As a general rule, if there is a will, then property and any associated debt will be distributed according to that will. If there is no will, any spouse will inherit 50% of the deceased's property; any legal children will divide the other 50%. If there are no children, the spouse inherits 100% of the property.

BANKING

If the deceased has a bank account, provide the bank with a copy of the death certificate in order to gain access to the account.

COURT CASES

If the victim has any open cases in court, notify the court that the victim is deceased in order to prevent indefinite attempts at court follow-up.

MAIL & DOMESTIC MATTERS

Your best course of action with respect to recurring mail (bills) and accounts is to notify the addresser in writing of the death of the addressee. In the event that certain accounts or communications prove difficult to stop, seek legal assistance.

CHAPTER 9

MENTAL HEALTH & PHYSICAL HEALTH

Given all you are dealing with during this time, it is almost inevitable that your health will suffer. Your mental health as well as your physical health need extra attention right now.

Here is a quick checklist of steps you can take to make sure you are as strong as possible:

- Eat balanced meals, drink plenty of water, and take multi-vitamins as an added measure. Your immune system will be weaker than usual during this time, making you more susceptible to illness.
- Go for a walk, run, or bike ride at least once a day. Even a 20-minute walk will help to clear your mind and keep your body healthy.
- Identify a friend or family member who is a good listener, and when you need to vent, do!
- Professional health assistance is valuable after trauma. Find a counselor or therapist who can help sort through some of your feelings. If you prefer discussing with a group, Silence's Violence can help with direct services or by referring you to other entities offering group-based support.
- Make a visit to your doctor and let him or her know about your situation so they can consider specific physical health support and strategies you may need at this time.

Silence's Violence offers individual and group counseling sessions to victims and victim-survivors of violence. Call (504) 948-0917 to set up an appointment.

Some people prefer to begin working on their own, through reading and talking to friends, before engaging in formal grief support. If this is

true of you, here are some books that deal well with the subject of grief, particularly grief following a tragic loss:

On Death and Dying by Elisabeth Kübler-Ross

Back to Life: Your Personal Guidebook to Grief and Recovery by Jennie Wright

Healing a Parent's Grieving Heart: 100 Practical Ideas after Your Child Dies by Alan D. Wolfelt, PhD

How to Survive the Loss of a Child by Catherine M. Sanders, PhD

THE SEVEN STAGES OF GRIEVING

Many experts agree that the following are common emotional/psychological responses to a tragic loss. (The groundbreaking ideas of Elisabeth Kübler-Ross on this subject are covered in *On Death and Dying*, listed above.) Do not be surprised if you experience these emotions; they are normal responses to what you have been through.

Stages of grieving:

1. Shock and Denial
2. Pain and Guilt
3. Anger and Bargaining
4. Depression, Reflection, Loneliness
5. The Upward Turn
6. Reconstruction and Working-Through
7. Acceptance and Hope

CHAPTER 10

CHILDREN: SPECIAL CONSIDERATIONS

Like adults who experience a homicide or other violent incident, children impacted by these crimes often feel their worlds turned upside down. Unlike adults, who can usually recognize the event as out of the ordinary, children may not have the life experience to categorize what has happened, and may react with deep fear of the everyday, waiting for a similar event to happen again.

Adults can help children in a few immediate ways, and should seek child-specific mental-health support for any child who has lost an immediate family member or witnessed a homicide.

Here are some immediate ways to help stabilize a child's orientation following a violent incident:

1. Maintain regular routines.
2. Do not whisper or otherwise blatantly conceal from the child what is happening. You will not want to tell them everything, but talk openly enough to let them know they can trust you.
3. Invite the child to express their feelings—if not to you, then encourage them to speak with a teacher or other respected adult.
4. Listen to the child's requests, and honor what you reasonably can. A little extra TLC will comfort the child and let them know they are cared for.
5. Inform the child's school about what has happened, and ask about what special services or accommodations can be made.

Sometimes adding structured activities to a child's schedule can help them make sense of the time following a traumatic event. Consider art classes, sports activities, or just a weekly trip to the museum or zoo to look forward to.

There is a model for helping children that deals with the different ways in which children process grief. The manual *Grief and Trauma*

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Intervention for Children by Alison Salloun, PhD, is a guide for practitioners based on the following stages of grief, modified for children. You may notice these stages in your child—know that all are normal reactions to a traumatic loss.

The Four Stages of Grief in Children

1. Shock and Numbness
2. Yearning and Searching
3. Disorientation and Disorganization
4. Reorganization and Resolution

If you feel your child needs professional help, or have questions about any of these stages, seek professional counseling.

RESOURCES: PROVIDERS OF CHILD-SPECIFIC SUPPORT IN ORLEANS PARISH

Children's Advocacy Center (child-abuse focus)
1101 Calhoun Street
(504) 896-9237 care center
(504) 894-5484 office

SilenceIsViolence Victim Allies Project (post-traumatic counseling and risk intervention)
(504) 948-0917

SpeakUp@silenceisviolence.org

Children's Bureau (rotating programs, including counseling for ages 6–17)

2626 Canal Street, Suite 201
(504) 821-9110

Family Justice Center (domestic-violence focus; services include play therapy, assessments of need, legal services)

701 Loyola Avenue, #600
(504) 592-4005

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CHAPTER 11

DOMESTIC VIOLENCE:

SPECIAL CONSIDERATIONS

Traditionally, domestic violence in Orleans Parish has not received the level of serious attention it needs. If you or someone close to you is a victim of domestic violence, be prepared for a fight in the criminal justice system. It is not fair, but it is reality.

Domestic violence has its own dedicated criminal justice and victim-service agency, called the Family Justice Center (FJC), funded and supervised by the Department of Justice. The Family Justice Center is based on a national model, which means both that it is reflective of the most updated practices, and that they may sometimes come across as overly structured and not locally sensitive. Overall, the FJC's range of services is impressive and unmatched in any other area of violent crime in New Orleans. (See contact information on page 51.) For wraparound support, survivors of domestic violence in particular should take advantage of this resource.

The Family Justice Center deals with family violence, child abuse, sexual assault, and stalking. They are able to provide some assistance with short-term relocation and protection, as well as counseling, legal assistance, and crisis intervention. Additional services include tutoring, child care, medical assistance, and immigration concerns. Representatives from the NOPD, DA, and Children's Hospital are on site at the Family Justice Center.

If the domestic incidents have not been lethal, it is critical that the victim be removed from the physical space of the perpetrator; unfortunately, many domestic disputes in New Orleans lead to homicide.

The Domestic Violence Coordinator at Orleans Civil District Court is Kaila Sim-Austin. She assists victims through the restraining-order and protective-order processes, and refers victims for additional services. Her phone number is (504) 407-0391.

The Civil Court in Orleans Parish is the only court that can address custody and property. If you need temporary custody of your children and use of the residence where you live, contact the Civil Court. You don't always have to leave your home; the Civil Court can evict a batterer. The Civil Court is located at 421 Loyola Avenue; Ms. Sim-Austin is located in Room 401.

SilenceIsViolence Victim Allies Project also is able to offer counseling and referral services for victims of domestic violence.

RESOURCES: DOMESTIC VIOLENCE INTERVENTION & COUNSELING

New Orleans Family Justice Center
701 Loyola Avenue, suite 201
(504) 592-4005 (office/center)
(504) 866-9554 (crisis line)

Metropolitan Centers For Community Advocacy
(504) 837-5400
www.mccagno.org

Tulane DV Law Clinic
(Pro bono legal assistance for survivors of domestic violence)
(504) 865-5153

CHAPTER 12

JEFFERSON PARISH:

SPECIAL CONSIDERATIONS

Although the majority of our services are provided for residents of Orleans Parish, SilenceIsViolence also answers calls from Jefferson Parish residents affected by homicide and other violent crime. Jefferson residents can call our office for direct post-traumatic services: (504) 948-0917.

Many of the procedures and resources outlined in the foregoing chapters will apply to Jefferson Parish, as well. However, there are some differences in the ways cases are handled in Orleans versus Jefferson Parish. One important support service available to Jefferson Parish victims and victim-survivors is protection: In cases where a violent crime leads to additional danger for survivors, the Jefferson Parish Sheriff and DA will coordinate protection for these individuals. Contact Nancy Michel, Chief of Victim-Witness Assistance in Jefferson Parish, for this service: (504) 361-2719. Victim-Witness is located in the Jefferson Parish DA's office at 200 Derbigny Street in Gretna.

On the flip side, our clients tend to find that the level of empathy shown for victims in Jefferson Parish is lower than what victims encounter in Orleans. When you are dealing with a traumatic loss, the callous attitudes and treatment that are regularly reported can be devastating. In addition, information, such as item numbers, is harder to come by in Jefferson Parish, making it even more challenging for family members to know what is happening with their case.

If you do encounter any problems with the homicide detective or any of the investigators on your case, appeal directly to Dax Russo, Deputy Chief, Criminal Investigations Bureau: (504) 364-5300.

RESOURCES: JEFFERSON PARISH

Jefferson Parish Sheriff's Office
725 Maple Ave, Harvey, LA
(504) 364-5300
www.jpso.com

Jefferson Parish District Attorney's Office
24th Judicial District
DA Paul D. Connick, Jr.
200 Derbigny St., Gretna
(504) 368-1020

Additional locations:
1233 Westbank Expressway, Harvey, LA
(504) 363-5500; and
3300 Metairie Rd., Metairie, LA 7001
(504) 833-5801
www.jpda.us

Victim Witness Assistance
(504) 368-1020 (Jefferson Parish DA)
(504) 361-2719 (Chief of Victim-Witness Assistance)
Metropolitan Centers for Community Advocacy
(504) 837-5400
www.mccagno.org
Domestic violence; 24 hours; Jefferson Parish only

CHAPTER 13

RESOURCE GUIDE

(Agencies are in Orleans Parish unless otherwise noted.)

Criminal District Court
2700 Tulane Ave.
(504) 658-9100
www.criminalcourt.org

Criminal Sheriff's Office
819 S. Broad St.
(504) 822-8000
Central Lockup Automated Inquiries
(504) 827-6777
www.opcso.org

Crime Victims Reparations (Orleans Parish)
(504) 827-6754
www.lde.la.gov/programs/cvr.asp

Crime Victims Reparations (Jefferson Parish)
(504) 376-2415
www.lde.la.gov/programs/cvr.asp

Crime Victims Reparations (State of Louisiana)
(225) 342-1749
www.cole.state.la.us

Crime Victims Reparations (national)
(888) 6-VICTIM (684-2846)

Orleans Parish District Attorney's Office
619 South White St.
(504) 822-2414
www.oreansda.com

Public Defenders

LA Department of Corrections
www.doc.louisiana.gov

LAVNS (Victim Notification System)
(866) 528-6748
www.lavns.org

Municipal Court
727 South Broad St., Ste. 105
(504) 658-9700

New Orleans Family Justice Center
701 Loyola Avenue, #600
(504) 592-4005
www.nofjc.org

Crisis Line (24 hours for domestic violence): (504) 866-9554

New Orleans Forensic Center – Coroner's Office
3001 Earhart Boulevard
(504) 658-9660
Crisis Line (24 hours): (504) 866-9554
Domestic Violence

New Orleans Police Department
715 South Broad St.
(504) 821-2222 (non-emergency report line)
(504) 658-5300 (homicide division)

NOPD Domestic Violence Unit

(504) 658-6780

Victim Witness Assistance (Jefferson Parish DA)

(504) 368-1020

Victim Witness Assistance (NOPD)

715 South Broad St., Ste. 302

(504) 658-6795

Victim Witness Assistance

(U.S. Attorney's Office)

500 Poydras St., Ste. 210B

(504) 680-3111

LEGAL-AID CLINICS

The following clinics provide free assistance to victims of violence and victim-survivors of homicide.

Common Ground Legal Clinic

1800 Deslonde Ave.

(504) 717-7324

www.commongroundrelief.org

Community Mediation Services

(504) 866-3046

(504) 606-2706

(504) 899-1942

Emphasis on restorative processes and mediation

Loyola Law Clinic

540 Broadway

(504) 861-5590

<http://www.loyno.edu/lawclinic>

ANTI-CRIME & VICTIM-ADVOCACY ORGANIZATIONS

Crimestoppers

3300 Metairie Rd, 1st floor

(877) 903-STOP or (504) 822-1111 (To leave a tip)

(504) 837-8477 (For general information)

www.crimestoppersno.org

Parents Of Murdered Children

(888) 818-7662

www.pomc.com

National network and support group for families. Currently there is no chapter in the New Orleans area, but they provide some services for families nationwide, such as parole tracking and advocacy.

SilenceIsViolence

3401 St. Claude Avenue, New Orleans

(504) 948-0917

www.silenceisviolence.org

MENTAL HEALTH SERVICES

Family Justice Center

24-Hour Domestic Violence Crisis Line

(504) 866-9554

Catholic Charities Counseling Solutions

6220 LaSalle Place

(504) 835-5007

www.ccano.org

Sliding scale for counseling services

Celebration Hope Center
1901-B Airline Drive
(504) 833-4673
www.celebrationhopecenter.org
Sliding scale for counseling services

Central City Behavioral Health Center
2221 Philip St., New Orleans
(504) 568-6650

Free or reduced counseling. Transportation may be provided.

Children's Bureau of Greater New Orleans
2626 Canal Street, suite 201
(504) 525-2366
(504) 269-2673 cope line
www.childrens-bureau.com

Cope Line
Dial 2-1-1 for crisis intervention and/or referrals
www.vialink.org
24 hours

Crescent House
Call the Family Justice Center for intake: (504) 866-9554
Domestic violence, shelter, and counseling

Daughters of Charity (medical and mental health clinic)
3201 S. Carrollton St.
(504) 207-3060

Additional locations:
111 North Causeway Blvd.
(504) 482-0084
1030 Lesseps St.
(504) 941-6041
www.dcsno.org
Sliding scale

Family Service of Greater New Orleans
2515 Canal St., Ste. 201, New Orleans
(504) 822-0800
www.fsgno.org
Individual and group counseling; workshops

Greenpath
411 South Broad St.
(504) 827-2928
www.gpadddiction.org

Focus on drug addiction, with additional mental health and family support counseling. Sliding scale; Medicaid.

LSU Health Sciences Center Department of Psychiatry
(504) 568-8772
24 hours

Metropolitan Centers for Community Advocacy
(504) 837-5400
www.mccagno.org
Domestic violence; 24 hours; Jefferson Parish

Metropolitan Human Services District (mental health resources)
1010 Common Street
(504) 599-0245

MEDICAL HEALTH CLINICS

Common Ground Health Clinic
1400 Teche St., Algiers
(504) 361-9800
www.commongroundclinic.org
For uninsured and underinsured individuals

Daughters of Charity (medical and mental health clinic)
3201 S. Carrollton St.
(504) 207-3060

Additional locations:

111 North Causeway Blvd.

(504) 482-0084

1030 Lesseps St.

(504) 941-6041

www.dcsno.org

Sliding scale

Odyssey House Health Clinic (treatment for substance abuse)

1125 North Tonti St.

(504) 821-9211

www.ohlinc.org

Free, Walk-ins ok

GRIEF GROUPS

Bridge to Naim (loss of spouse/partner)

St. Angela Merici, in Meeting Room

901 Beverly Garden Dr., Metairie

(504) 833-9470 – Jo Poche

Second Tuesday of each month, 10:30 am–noon, for the newly widowed

Grief Group

West Jefferson Behavior Medical Center

(504) 341-9368 - Toni Watigny

Every Tuesday, 6:00–7:30 pm; call for location

Grief Support Group

East Jefferson General Hospital

Yenni Bldg, corner of Ithaca and Hudson, Metairie

Second-floor conference room

(504) 456-5000 to register
www.ejgh.org
Every Wednesday, 6:30–8:00 pm

Seasons Grief and Loss (children and adults)

654 Brockenbraugh Court, Metairie

(504) 834-5957

www.seasonsgriefcenter.org

Individual counseling and grief groups

Victims of Violence Healing Circles

St. Anna's Church

1313 Esplanade Ave.

(504) 947-2121 – Diana Meyer

INTERNET RESOURCES

The following internet sites are excellent for articles, books, and showing memorials.

Counseling for Loss and Life Changes

www.counselingforloss.com

GriefNET

www.griefnet.org

GLOSSARY

Acquittal - A ruling in which a defendant is found “not guilty” because the judge or jury determines the prosecution has not proven guilt beyond a reasonable doubt. No subsequent punishment or consideration of the charge will take place, other than in the case of appeals by the prosecution.

ADA / Assistant District Attorney - The lawyer responsible for prosecuting a specific case, assigned by the District Attorney (DA).

Appeal - A request by the prosecution or defense for a higher court to review the case, because they disagree with the verdict. The finding of the higher court, if different, will override the first court’s verdict.

Arraignment - The preliminary court appearance during which a defendant pleads guilty or not guilty to the charge.

Assault - A physical attack by one or more perpetrators on one or more victims.

Bail - A fee charged by the court in order for the accused to be released from prison pending court appearances. Usually bail is not an option in homicide cases; the judge has the option to deny bail entirely.

Ballistics - The practice of analyzing firearms and ammunition.

Bond - A sum of money smaller than the bail set for release, which an intermediary (bondsman) accepts as assurance that the defendant will pay the full bail amount over time. Bond is essentially a loan from a bail bondsman so that individuals can get out of jail, pending court dates, for less than the full bail amount.

Brief - Written (as opposed to oral) presentation of facts and components of a case, which a lawyer gives to the court/judge. Both the prosecutor and the defense may use briefs as a way to document their findings, and to raise legal questions regarding the case at hand.

Capital Crime - A crime that is punishable by the death penalty.

Not all capital crimes will result in the death penalty, but it is a legal option.

Charge Conference - Meeting during which the DA reviews the evidence against a certain criminal suspect, in order to determine what charges, if any, should be brought against that individual.

Circumstantial Evidence - Evidence based on interpretation of the circumstances of a crime, rather than hard physical evidence or eyewitness testimony.

Complaint - A formal statement of a crime and identification of the accused perpetrator, presented by the prosecutor.

Continuance - Delay of a hearing or trial. Continuances can be requested by either side for legal reasons or simply if the prosecution or defense needs more time for investigations.

Conviction - A ruling that declares a defendant guilty, because of the decision of a judge or jury, or because a defendant pleads guilty or “no contest.”

Cordon - The establishment of a perimeter around the crime scene, so that investigators may have ex-

clusive access to the area.

Coroner - An elected official responsible for determining cause of death for all deaths in the parish. The coroner has authority to call for investigations in homicide or suspected homicide cases.

Crime Victim Reparations - Financial payments to victims of crime or their families, paid through court fees. Process for requesting this funding is outlined in Chapter 4.

Decedent - The individual who has died.

Defendant - The individual charged with a crime.

Defense Attorney - The lawyer representing the accused. This could be a court-appointed public defender or a private attorney.

Detective / Homicide Detective - In Orleans Parish, the homicide detective is the lead investigator on a case, who will present findings against the defendant at trial. Additional detectives may be part of an investigative team in the case of homicide, but there will always be one lead detective.

Discovery - An exchange of ev-

idence between the prosecutor and defense attorney before trial. Both sides are required to present evidence to the opposing side in advance; withholding evidence during discovery could result in a mistrial.

Dismissal - A decision by a judge to stop a case, without making a decision as to the guilt or innocence of the defendant. The charges against the defendant are dropped. If the dismissal is in response to the facts or processes specific to this case (rather than extenuating circumstances of the court, for instance), then the charges cannot be brought again.

DA/District Attorney - The lead prosecutor on behalf of the state. The DA has the power to accept or reject all criminal charges presented by the NOPD for prosecution, and will try many of the charges directly, including all homicide charges. In general, the DA will accept charges that he believes have enough evidence to warrant a conviction. In this case, the DA will delegate the development and presentation of the case to an Assistant District Attorney (ADA) under his supervision.

Evidence - Facts, physical arti-

facts, testimony, and deductions based on circumstances. Evidence creates the basis for arguing the guilt or innocence of the accused.

Expert Witness - An individual who presents perspectives on a case to the court, based on special training, education, and/or experience.

Felony - A major criminal offense that becomes part of a person's permanent record and can affect their long-term ability to work, buy property, and generally access full civil rights.

First Appearance - A first appearance in court is supposed to take place within 24 hours of an arrest. It effectively establishes why a person was arrested, and allows the judge to set bail/bond.

First-Degree Murder - Homicide that is premeditated and deliberate, and/or which is combined with other crimes such as arson, rape, robbery, etc. This is the most serious level of homicide charge.

Gist - A preliminary write-up by the police of what occurred during and following a crime. The gist is filed within 24 hours of an

incident and will be replaced by a more detailed police report later.

Grand Jury - A group of 12 citizens who meet in private to consider whether charges should be accepted in certain felony cases.

If charges are accepted, then the case will move forward to trial. Witnesses sometimes are called to testify before grand juries and must take an oath of confidentiality.

Habeas Corpus - A written order challenging the right of the state to detain or imprison an accused person.

Hearsay - A statement based on secondhand information. Hearsay is usually not admissible at trial.

Hung Jury - A trial result in which a jury cannot unanimously agree on a verdict of guilty or not guilty. The case can be retried if the prosecutor decides to do so.

Indictment - A legal accusation written by a grand jury and filed in criminal district court. Also called a Bill of Indictment.

Item Number - A number assigned to each police report and used to track cases. Item numbers

are often needed in order to get up-to-date information about a case.

Manslaughter - The accidental killing of an individual through negligence or irresponsible actions. Manslaughter implies that the perpetrator did not intend to kill the victim.

Misdemeanor - A minor criminal offense, generally punished through fines rather than jail time.

Mistrial - A trial result in which the trial the judge terminates the trial before reaching a conclusion. This may occur due to a hung jury, or because of legal errors in the proceeding. In some cases, retrials are possible, if the case is not subject to double jeopardy.

Mitigating Factors - Information that a judge may consider as part of sentencing.

Motion - A formal request by either the prosecution or defense for a judge to make a ruling on an issue of law.

Nolo Contendere - A plea that does not admit guilt but does not contest the charge. It has the same legal consequences as pleading guilty.

Parole - The release of an inmate from prison before the end of a sentence. The individual is still considered to be in legal custody of the state.

Parole Officer - A person who supervises parolees to see that they fulfill the conditions of parole. Parole officers are independent of the NOPD.

Parole Panel - A group that decides if, when, and under what conditions an inmate serving a sentence is granted parole.

Perjury - Giving false testimony while under oath. Perjury is a crime and can result in separate punishment.

Plaintiff - The person who brings a case against a suspect/defendant. In homicide cases, the plaintiff is the state, represented by the District Attorney.

Plea Bargain - An agreement between both parties in which a specific punishment is offered in exchange for a guilty plea by the defendant. This punishment will be lighter than the outcome the prosecutor would pursue otherwise, and the case does not go to trial. The judge, however, has the

authority to reject the agreed-upon punishment.

Police Report - The official police version of what took place during the crime is documented in a police report, on file at the NOPD. Anyone can request a police report for a given incident, although this usually incurs a fee.

Prejudice - Bias or preconceived opinion about an issue or person, not necessarily attached to the truth. Prejudice is seen as a flaw in a case and a potential impediment to justice. A determination of prejudice may lead to dismissal of a juror or of an entire case.

Preliminary Hearing - A stage after the arraignment in which evidence is presented to the judge, who decides if there is enough cause to pursue a case against the defendant. A grand jury indictment can take the place of a preliminary hearing.

Probable Cause - Facts that lead one reasonably to believe that the accused committed the crime. Probable cause is the basis for bringing a case to full trial; it is not enough for a conviction but moves the case forward.

Probation - The granting of free-

dom to a defendant who has been convicted in court or has admitted guilt. Such freedom may have certain restrictions set by the court for a particular amount of time.

Probation Officer - A person who supervises individuals on probation to see that they fulfill the conditions of probation. Probation officers are independent of the NOPD.

Prosecutor - A lawyer with the DA's office, usually called an ADA (Assistant District Attorney), who conducts criminal prosecutions on behalf of the state (or "the People").

Revocation - The canceling of parole or probation.

Second-Degree Murder - Assault on a victim that results in death. Second-degree murder implies that the murder was not premeditated; the perpetrator's main objective was something other than to murder the victim.

Subpoena - An order to appear in court to testify before the judge pertaining to a case. A subpoena is a legally binding document; ignoring the order can result in arrest.

Testimony - Evidence presented

at trial by individuals who take the stand before the judge, and who swear to the truthfulness of their statements.

Venue - The parish in which a case is tried. The term "change of venue" may mean the trial is moved away from the parish where the crime was committed, if it is determined that a jury may be prejudiced.

Verdict - Decision of the jury or judge regarding guilt or innocence of a defendant.

Victim/Witness Assistance - Support provided by law enforcement or criminal justice agencies to help victims and witnesses through the aftermath of a crime. May include counseling, legal guidance, logistical support, and referrals for services.

Victim/Witness Protection - Physical protection for victims and witnesses who feel personally threatened as the result of a violent crime. Protection may include relocation in or out of state, guards, or identity changes. At the time of printing this book, no victim protection was formally available to victims in Orleans Parish, other than in the case of federal

offenses.

Voir Dire - The process by which people who have been called up for jury duty are questioned by the prosecutor and the defender, to see if they are sufficiently objective to serve on a particular case.

LOUISIANA VICTIMS BILL OF RIGHTS

- The right to reasonable notice and to be present and heard during all critical stages of pre-conviction and post-conviction proceedings
- The right to be informed upon the release from custody or the escape of the accused or the offender
- The right to confer with the prosecution prior to the final disposition of the case
- The right to refuse to be interviewed by the accused or a representative of the accused
- The right to review and comment upon the presentence report prior to imposition of sentencing
- The right to make a victim impact statement
- The right to seek restitution
- The right to a reasonably prompt conclusion to the case

ABOUT THIS BOOK

This book is borne of the painful experiences of thousands of New Orleans families. During the year 2006, as residents of New Orleans returned home following the Hurricane Katrina evacuations, a relative calm fell over streets notorious for violence. Community, the true sense of which had long abandoned our lawless, elitist, unjust city, finally seemed to take hold. Neighbors looked out for neighbors, brothers protected brothers, and the city buzzed with a sense that we were “all in this together.”

Late in 2006, however, the calm and the community began to break down. Brothers started killing brothers again, and neighbors tucked behind doors when neighbors were in trouble.

During the final days of 2006 and the first days of 2007, the violent death toll in New Orleans exceeded that in Iraq, where war was raging. On December 28, 2006, beloved local brass band drummer Dinerral Shavers was shot and killed while trying to protect his family. Exactly one week later, local filmmaker Helen Hill was killed in her Bywater home. These events reunified and mobilized citizens across New Orleans, inspiring a movement known today as SilenceIsViolence. This book is the document of this movement and our efforts to stem the tide of violence in New Orleans, and to support those who fall victim in our streets.