A PRACTICAL GUIDE FOR VICTIMS OF VIOLENCE
A Practical Guide for Victims of Violence

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. SilenceIsViolence 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 SilenceIsViolence Victim Allies Project. The present book builds upon Rose's work, adding the lessons learned over more than a decade of intensive victim-service programs by the SilenceIsViolence Victim Allies Project. The book became a textbook of sorts for our organization, and was distributed by criminal-justice agencies across Orleans Parish and beyond.

By SilenceIsViolence

Written by: Baty Landis and Tamara Jackson

Cover art: Monica Tyran
Editor: Beth Hester

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

While the Practical Guide is primarily concerned with homicides in New Orleans, the book also addresses cases of other violent crime or domestic violence. Nothing can make the experience you are going through less painful, but our hope is to provide realistic, compassionate, and common-sense support and advice for victims and victim-survivors in the city of New Orleans and the surrounding region.

How to Use This Book

The content of this book 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 and information to help advocate for their case and ensure that justice is served. Thanks for choosing to read this book, and good luck as you navigate through this difficult time.
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—

the Agency Digest below outlines the official law enforcement and court appearances, communications, and other judicial processes. We encourage you to communicate openly about the events of the investigation. If a witness or victim feels personally threatened as a result of a crime, it is the responsibility of the ADA to inform family members 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.

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 throughout one course. 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.

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.opcs.org) is a valuable source of information pertaining to suspects and defendants. The state also has a victim notification system, LAVNS (http://www.lavns.org), which tracks-in real time the status of inmates 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.

An Overview

Criminal Justice in Orleans Parish:

Chapter 1
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 (EMS)
- FBI (Chapter 6)
- Department of Justice (Chapter 7)
- Orleans Parish Prison System

New Orleans Police Department (NOPD):

- Transports injured individuals to the hospital
- First responders: stabilize medical conditions; save lives
- First responders: stabilizes the immediate situation

Emergency Medical Services (EMS):

- First responders: stabilizes the immediate situation

The Criminal Sheriff’s Office (See Chapter 4):

- Orleans Parish Prison System
- Support staff
- Building the case for conviction
- Informing family members about defendant’s status
- Supporting witnesses who feel threatened (Victim/Witness Support Staff)
- Building the case for conviction
- Informing family members about Legal proceedings

The Office of the District Attorney (DA):

- Victim/Witness Support (Victim/Witness Services Division)
- Building the case for conviction
- Providing investigation updates to victims & next of kin
- Providing information to the assistance District Attorney
- Finding the suspect and making an arrest
- Filing the police report
- Interviewing the crime scene
- Processing/Securing the crime scene

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- Building the case for conviction
- Providing investigation updates to victims & next of kin
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Department of Justice (Chapter 7)
- FBI (Chapter 6)
- Emergency Medical Services (Chapter 6)
- New Orleans Fire Department (Chapter 6)

Coroner’s Office (Chapter 6)

A violent crime includes:

Other agencies and offices you may encounter during the aftermath of...
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 victims-survivors need a home-like place to stay, if their home is impacted by the crime. If you are threatened as a result of the crime, the District Attorney’s office may be able to assist you into a hotel temporarily (see Chapter 7). Identify these resources in the first few days after a homicide:

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): ________________________
4. Collect important documents and information:
   - Police report (see p. xx.)
   - Crime Victim Reparations application (see p. xx.)
   - NOPD Case number:
5. Identify grief support resources:
   - Grief support services (see p. xx.)
   - Additional community-based support services

Find in-Depth Assistance and Counsel
If there is an arrest, the Assistant District Attorney may be able to assist you into a hotel temporarily (see Chapter 7).

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

First Few Days: Gathering Resources

Use this space to help work through the “First Few Days” worksheet and further organize these resources that will help you:

- Gather all the resources and information you need and remember conversations, and help you find the exact people and organizations that will help you.
- Use this space to help work through the “First Few Days” worksheet and remember conversations.
In addition to seeking advice from the people you trust, it's also important to consult with professionals who can provide guidance and support. For example, your primary care provider can help you manage your medication and monitor your physical health. If you need mental health support, consider seeking out a therapist or counselor who specializes in working with trauma survivors.

Financial Assistance

If you've experienced financial hardship due to the loss of a loved one, you may be eligible for assistance through various programs. For example, the Louisiana Crime Victims Reparations Program can provide financial assistance to victims of crime, including reimbursement for medical expenses and funeral costs. Additionally, some employers may offer bereavement leave or other forms of support.

Judicial/Legal

Navigating the legal system following a homicide can be overwhelming. It's important to work with qualified professionals who can help you understand your rights and options. For example, a personal injury lawyer can help you pursue compensation for your losses.

Funeral Arrangements

Coordinating a funeral for a loved one who was killed is a difficult task. You may want to consider working with a funeral home that has experience with tragedies, or that has a reputation for being compassionate and understanding.

Support Programs

In addition to the resources provided by the LSU Health Services Center, there are many other organizations that offer support to victims of homicide. For example, Silence Is Violence provides counseling and support for victims and their families.

Thank you for reading. If you have any questions, please don't hesitate to reach out to us.
CHAPTER 3

Silence Is Violence

Silence is a community-based campaign for peace in New Orleans. Founded in response to surging homicide rates in late 2006 and early 2007, the effort began in specific response to the murders of 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.

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 Victim Allies Project

When a New Orleanian becomes a victim or loses a loved one to violence, the SilenceIsViolence Victim Allies Project provides direct emotional, logistical, and limited financial support. They need the community’s support. When a New Orleanian becomes a victim or loses a loved one to violence, SilenceIsViolence provides direct emotional, logistical, and limited financial support. They need the community’s support. When a New Orleanian becomes a victim or loses a loved one to violence, SilenceIsViolence provides direct emotional, logistical, and limited financial support. They need the community’s support. When a New Orleanian becomes a victim or loses a loved one to violence, SilenceIsViolence provides direct emotional, logistical, and limited financial support. They need the community’s support. When a New Orleanian becomes a victim or loses a loved one to violence, SilenceIsViolence provides direct emotional, logistical, and limited financial support. They need the community’s support.

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Peace Clinics

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 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.

Logistical/Advocacy Support

If your family has difficulty 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 the details of each case and your loved one’s experience. We can provide information and support on how to navigate these systems and what to expect. We can also provide assistance and support on how to access and interpret documentation. If you are unable to access or interpret documents of each case, please call or email us. We will do our best to help you navigate these systems and what to expect. If you are unable to access or interpret documentation of each case, please call or email us. We will do our best to help you navigate these systems and what to expect.
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" 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. 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.

4. Once benefits are approved, the family of the victim will likely be ineligible for CVR benefits if the crime victim themselves have a felony record.

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.

Applications for funding through CVR 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
- On the Louisiana Commission on Law Enforcement (LCLE) website

Application Forms

L O U I S I A N A C R I M E V I C T I M R E P A R A T I O N S (CVR)

Pennsylvania Crime Victims Repayments

Financial The funds are paid through the Pennsylvania Crime Victim Repayment Program. The Pennsylvania Commission on Crime, as the state’s crime victim’s office, received and distributed the funds to eligible victims. The funds are paid through the Pennsylvania Crime Victim Repayments Program. Funds are paid to eligible victims who have suffered financial losses as a result of a crime. Pennsylvania Commission on Crime, as the state’s crime victim’s office, received and distributed the funds to eligible victims. The funds are paid through the Pennsylvania Crime Victim Repayments Program. Funds are paid to eligible victims who have suffered financial losses as a result of a crime.

Emergency Assistance / Working
You may be able to follow the progress of your case, including arrest and trial information, through the Criminal Sheriff’s Docket Master. You can access this information online at www.opso.org and select Docket Master; from there you will need the defendant’s first and last name, race, and gender. Alternatively, you can contact Sgt. Stephanie Minto-Gibson at mintos@opso.us (504) 202-9229 to request application status and information.

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

CRIMINAL SHEFFER’S DOCKET MASTER

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 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:

• Funeral expenses
• Dental expenses
• Reasonable medical and prescription expenses
• Mental-health counseling
• 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. For eligible and approved expenses, payments may be made up to $25,000 in cases where violent crime results in a total and permanent disability.

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.

Funeral expenses

In general, LCLE states that anyone “whose own behavior contributed to the crime” is ineligible.
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. 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.

Every other sphere of your life is your chance to deal with what you can love and celebrate. You must work through the grief, but you must also honor your loved one. This is your chance to do so.

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.

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

**Resoures: Funeral Homes**

- Majestic Mortuary
  1833 Oretha Castle Haley Boulevard
  (504) 523-5872

- Littlejohn’s Funeral Home
  2163 Aubry Street
  (504) 940-0045

- Professional Funeral Services
  2163 Aubry Street
  (504) 940-0045

- Majestic Mortuary
  1833 Oretha Castle Haley Boulevard
  (504) 523-5872

- Charbonnet Funeral Home
  1615 St. Philip Street
  (504) 581-4411

- Murray Henderson’s Funeral Home
  1209 Teche Street
  (504) 366-4397

- Professional Funeral Services
  2163 Aubry Street
  (504) 940-0045

- Majestic Mortuary
  1833 Oretha Castle Haley Boulevard
  (504) 523-5872

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 (504-202-9229) or visit http://www.lcle.state.la/cvr for guidelines and an application.

**First few days: Funeral Arrangements**

You can love and celebrate. It is very important that you create the time and the space to honor your loved one. You will want to make it a day to honor your loved one. You must work through the grief, but you must also honor your loved one. This is your chance to do so.

**Funeral Arrangements**

**Chapter 5**
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?:
   ________________________________________________
   ________________________________________________
   ________________________________________________
   ________________________________________________
   ________________________________________________
   ________________________________________________
   ________________________________________________
   ________________________________________________
   ________________________________________________
   ________________________________________________
   ________________________________________________
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 work on the case. This detective’s job is to conduct and oversee all possible evidence collection and crime-scene investigation. Neighborhood residents, law enforcement, and anyone who may have additional homicide detections associated to the case. The detective is responsible for collecting and preserving all possible evidence. He has the authority to issue search warrants and work with the Assistant District Attorney on a case.

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. You may not be allowed on the crime scene at all, or you may be allowed only 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 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.

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

**THE NEW ORLEANS POLICE DEPARTMENT**

**LAW ENFORCEMENT & WORKING WITH**

**CHAPTER 6**

**NEW ORLEANS POLICE DEPARTMENT (NOPD)**

(504) 821-2222 (Non-Emergency Report Line)

(504) 658-5300 (Homicide Division)

715 South Broad Street

New Orleans, Louisiana 70112

New Orleans Fire Department (NOFD)

715 South Broad Street (504) 821-2222 (Non-Emergency Report Line)

New Orleans Police Department (NOPD)
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 need medical information about anyone who is injured, including medication lists, prior conditions, and allergies. Like the NOFD, 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 from the scene. The coroner also does not have authority to address matters pertaining to the crime.

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

1. Identify the body of the victim.
2. Get the case item number, which you will use when referring the NOPD's records on the case.
3. Receive contact information for the homicide detective as assigned to the case, as well as the victim-services detective assigned to your case.
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. You will have to pay a fee to receive the report.
5. Confirm next of kin for the case with the assigned detective.

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 happened. 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, the practice known as “cutting off” or refusing to share any information about a loved one’s case with you is not unusual. However, if you have important information that may help with your family’s recovery or any other family, you should still request information and be persistent. If you are not the assigned next of kin, you may have trouble getting information from the NOPD. It is important that you work closely with your family members to share relevant information about a loved one’s case.

N O P D C O N T A C T S

If you encounter substantial difficulty in reaching your detective or the next of kin, write down the details of your communication and submit a complaint to the NOPD Investigation and Support Line.

If you are not the assigned next of kin for the case, you should be able to:

1. Communicate with the assigned detective.
2. Receive the case item number, which you will use when referring the NOPD's records on the case.
3. 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.
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First Few Days

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

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

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.

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 a case. Unfortunately, some faulty arrests are made in Orleans Parish. Even in cases where there are strong suspicions that the suspect is involved, the police may not make an arrest. Sometimes it can take days, weeks, or longer. You may not be told that an arrest warrant has been issued.


to help work through the "First Few Days" WORkSheEt: WORkING WITH THE NOPD

If you have trouble contacting the NOPD, please call the silenceisviolence hotline. (see back cover)
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 family may be against it. It is crucial to understand that the District Attorney’s role is to represent the state, not the victim or any single party involved in a case.

Another source of confusion regarding the District Attorney’s role is the term “witness protection.” 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), then the District Attorney may be able to offer some victim/witness assistance in certain cases, but does not have a program of support for protection of survivors of violent crime or other crimes.

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 subsequent follow-up at least weekly on your case. In the absence of such communications, you should contact the DA’s office (504) 222-4144, where support for the victim/witness can be arranged.

Within the first several days, you should be able to:

FIRST FEW DAYS SERVICES

1. Contact the main number at the DA’s Office and ask for victim/witness services.
2. Contact the District Attorney’s office to request information on the family that might be affected by the event.
3. Call the victim/witness support department for assistance in preparing for court.

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) 222-4144, where support for the victim/witness can be arranged.

The District Attorney is responsible for the following:

After a case is screened and charges are accepted, an Assistant District Attorney will be assigned to the case. This ADA will be responsible for the following:

• Criminal justice & working with the District Attorney (DA)
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.

Victims and witnesses are assigned a Victim Assistance Coordinator (VAC) based on the section of court the case is assigned to. There are four VACs assigned to homicides: two in sections B, A, F, and two in sections C, D, E. The positions were held by the following individuals: Jennifer Renfrow (504) 234-2358, Tasha Atkins (504) 329-8827, Alison Morgado (504) 234-8687, Pamela Plaisance (504) 234-8531. The Director of Social Services, Andree Mattix (504) 421-6736, is responsible for communicating with the office when you need updates as soon as they become available. You have the right to request and receive notification of changes to your case. You must also be prepared to encounter other defendants in the courtroom. When attending court, be prepared to encounter 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.

When attending court, be prepared for possible court appearances with the possible exceptions:

1. Preliminary hearing to determine probable cause
2. Grand Jury or District Attorney Bill of Sale if probable cause is found
3. Pre-trial proceedings, including negotiations between prosecution and defense
4. Pre-trial motions to determine admissibility of evidence
5. Pre-trial motions to determine admissibility of evidence
6. Trial
7. Sentencing (defendant is found guilty)


The Office of the DA has a social service division that includes victim and witness services, including counseling. These services are available 24/7, although there is no crisis line for accessing services after hours. The position of VAC is never assigned to a case. The clerk of court assigns cases based on the date of offense. The ADA assigned to your case is responsible for communicating with the VAC assigned to your case. This position is never assigned to a case. 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.
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 considerations. Requests of the state are the ones that represent the official sentencing considerations.

NOTES:
- Ask the ADA about victim counseling and assistance.
- Ask the ADA about witness assistance.
- Silence is golden: never speak to the judge.

Use this space to help work through the "First Few Days" worksheet: Working with the ADA Office.
CHAPTER 8

LEGAL AND LOGISTICAL MATTERS

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. If the victim has any open cases in court, notify the court that the victim is deceased.

COURT CASES

If the victim has a bank account, provide the bank with a copy of the death certificate in order to gain access to the account. If the deceased has any open cases in court, notify the court that the victim is deceased.

BANKING

100% of the property will devolve to the other 50%. If there are no childre, the spouse inherits. If there is no will, any deceased children will inherit 50% of the deceased’s property. Any deceased children will be distributed according to the will, if there is no will, any property is a general estate. If there is a will, their (Chapter 13 (Resources))

As a general rule, if there is no will, the deceased’s property will be distributed according to the will.

WILLS/INHERITANCE

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. If the victim has any open cases in court, notify the court that the victim is deceased.

AUTOMOBILE

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

SOCIAL SECURITY ADMINISTRATION

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.

INSURANCE

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 consult the assistance of a lawyer before taking action. Especially if there are multiple parties with claims to inheritance.

DEATH CERTIFICATES

Each death certificate is 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.

For many of the logistical steps you will encounter later, you can get a copy from the coroner’s office. You will need this certificate in order to proceed with the necessary steps.

Legends
Given all you are dealing with, 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, SilenceIsViolence can help with direct services or by referring you to other entities offering 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.

SilenceIsViolence 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:

- *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

Many experts agree that the following stages 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:

1. Shock and Denial
2. Pain and Guilt
3. Anger and Bargaining
4. Depression, Resolution, Loneliness
5. Rain and Cultil
6. Reconstruction and Working-Through
7. Acceptance and Hope

**Stages of Grieving:**

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

**Mental Health & Physical Health**

**Chapter 9**
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 the child's school if there are any structured activities available. Consider an added schedule can help children make sense of the time following a traumatic event. Some examples include art classes, sports activities, or just a weekly trip to the museum or zoo. Sometimes adding structured activities to a child's schedule can help children cope with their fear of what might happen next.

There is a model for helping children that deals with the different stages of grief, modified for children. The Four Stages of Grief in Children

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

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

The Four Stages of Grief in Children

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

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

Special Considerations

Children: Specific Support

Resources: Providers of Child-Specific Support

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

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

2. SilenceIsViolence Victim Allies Project (post-traumatic counseling and risk intervention)
   960-3486 office
   960-3487 care center
   1101 Calhoun Street

3. Children's Bureau (rotating programs, including counseling for ages 6-17)
   2626 Canal Street, Suite 201
   (504) 821-9110

4. Family Justice Center (domestic-violence focus, services include legal services)
   600 Loyola Avenue #600
   (504) 822-1100

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

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(504) 822-1100

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

701 Loyola Ave., #600

Play therapy, reassurance of need, legal services,

Family Justice Center (domestic-violence focus, services include legal services)
600 Loyola Avenue #600

2626 Canal Street, Suite 201
(504) 821-9100

Like adults who experience a homicide or other violent incident, children who experience a traumatic event need to feel safe and secure. Provide children with a safe space to express their feelings and ask questions.

SilenceIsViolence Victim Allies Project (post-traumatic counseling and risk intervention)
960-3486 office
960-3487 care center
1101 Calhoun Street

Children's Bureau (rotating programs, including counseling for ages 6-17)
2626 Canal Street, Suite 201
(504) 821-9110

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

701 Loyola Ave., #600

Play therapy, reassurance of need, legal services,
CHAPTER 11

DOMESTIC VIOLENCE

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 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. They are able to provide some assistance with family violence, child abuse, sexual assault, and stalking.

INTERVENTION & COUNSELING

RESOURCES: DOMESTIC VIOLENCE

Trained advocates can offer counseling and case management to survivors of domestic violence. Advocates are available for outreach, education, and community organizing. They can also provide information about local resources, including legal assistance, medical care, and access to social services.

The Civil Court in Orleans Parish is the only court that can address issues of domestic violence, and only in cases where a restraining order is in place. If you or someone you know needs assistance with a restraining order, please contact the Civil Court.

Special Considerations:

DOMESTIC VIOLENCE

The Domestic Violence Coordinator at Orleans Civil District Court assists victims through the restraining-order process. She is assigned to the Civil Court and can assist victims with obtaining a restraining order. If you or someone you know needs assistance with a restraining order, please contact the Civil Court.

The Domestic Violence Coordinator at Orleans Civil District Court is Kaila Sim-Austin. She assists victims through the restraining-order process.

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.

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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 Parish Sheriff and DA will coordinate protection for these individuals. 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.

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Jefferson Parish Sheriff, making it easier more difficult for family members and legal actions that are regularly reported in Orleans Parish. The Jefferson Parish Sheriff and DA will coordinate protection for these individuals. 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.

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CHAPTER 13

RESOURCES

(225) 342-1749
Crime Victims Reparations (State of Louisiana)

(800) 827-6745
Crime Victims Reparations (Jefferson Parish)

(225) 638-6777
Central Lodging Accommodations

(504) 638-9500
2700 Tulane Ave.

Crisis Line: (225) 638-9700
Municipal Court

www.wden.state.la.us

(504) 592-4005
New Orleans Family Justice Center

(504) 821-2222
New Orleans Police Department

Crisis Line: (504) 821-2222
712 South Broad St.

New Orleans Police Department

(225) 888-6-VICTIM (684-2846)
Crime Victims Reparations (national)

(504) 827-6754
Crime Victims Reparations (Orleans Parish)

(866) 528-6748
LA VNS (Victim Notification System)

(504) 822-2414
Orleans Parish District Attorney’s Office

www.orleansda.com

(866) 376-2415
Crime Victims Reparations (Jefferson Parish)

www.lcle.la.gov/programs/cvr.asp

(504) 592-4005
New Orleans Family Justice Center

Crisis Line (24 hours): (504) 866-9554
Domestic Violence

www.wden.state.la.us

www.doc.louisiana.gov

LA Department of Corrections

(504) 822-2414
New Orleans Police Department

(504) 592-4005
New Orleans Family Justice Center

www.wden.state.la.us

(225) 342-1749
Crime Victims Reparations (State of Louisiana)

www.wden.state.la.us

(866) 528-6748
LA VNS (Victim Notification System)

(504) 827-6754
Crime Victims Reparations (Orleans Parish)

(225) 342-1749
Crime Victims Reparations (State of Louisiana)

(800) 827-6777
Central Lodging Accommodations

(504) 638-9500
2700 Tulane Ave.

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

(866) 528-6748
LA VNS (Victim Notification System)

www.lcle.la.gov/programs/cvr.asp

(504) 376-2415
Crime Victims Reparations (Jefferson Parish)

www.lcle.la.gov/programs/cvr.asp

(504) 822-2414
Orleans Parish District Attorney’s Office

www.orleansda.com

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www.orleansda.com

(866) 528-6748
LA VNS (Victim Notification System)

www.wden.state.la.us

(866) 528-6748
LA VNS (Victim Notification System)
The following clinics provide free assistance to victims of violence and victim-survivors of homicide.

MENTAL HEALTH SERVICES

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
http://www.loyno.edu/lawclinic

Crimestoppers
3300 Metairie Rd, 1st floor
(877) 903-STOP or (504) 822-1111 (To leave a tip)
(504) 837-8477 (For general information)
www.crimestoppersgno.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.

All Health Services
300 Pogunakan St, 1st floor
U.S. Attorney’s Office
(504) 838-7477
For general information
(504) 822-1111 (To leave a tip)
3000 N. Claiborne Rd, 1st floor
Chimera

Silence is Violence
3401 St. Claude St., New Orleans
(504) 948-0917
www.silenceisviolence.org

Family Justice Center
24-Hour Domestic Violence Crisis Line
(504) 866-9374

LEGAL AID CLINICS

Anti-Crime & Victim-Advocacy

Organizations

NOpp Domestic Violence Unit
504-658-6795
Victim-Witness Assistance (U.S. Attorney’s Office)
504-658-6780
Victim-Witness Assistance (Jefferson Parish DA)
504-368-0120
Victim-Witness Assistance (NOpp)
504-658-7975
Victim-Witness Assistance (NOpp)
504-861-5590

www.legalaidla.org

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(504) 899-1942
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504-368-0120
Victim-Witness Assistance (NOpp)
504-658-7975
Victim-Witness Assistance (NOpp)
504-861-5590

www.legalaidla.org
MEDICAL HEALTH CLINICS

For uninsured and underinsured individuals:
www.childrensbureau.com
(504) 525-2366
2626 Canal Street, Suite 201
Children's Bureau of Greater New Orleans
(504) 525-2366
(504) 269-2673 cope line
www.childrens-bureau.com
Dial 2-1-1 for crisis intervention and/or referrals
www.vialink.org
24 hours

Managed by:

1) Alton Family Services District (mental health resources)
(504) 399-0475
1001 Common Street
Managed by:

2) Alton Domestic Violence; 24 hours; Jefferson Parish
www.alton.org
(504) 877-3400
Managed by:

3) Alton Centers for Community Advocacy
24 hours
www.alton.org
(504) 768-8772
Managed by:

4) Alton Health Services Center Department of Psychiatry
www.alton.org
411 South Broad Street
Managed by:

5) Alton Medical and Health Clinic
www.alton.org
1400 Teche St., Algiers
Managed by:

For uninsured and underinsured individuals:
www.childrensbureau.com
(504) 525-2366
2626 Canal Street, Suite 201
Children's Bureau of Greater New Orleans
(504) 525-2366
(504) 269-2673 cope line
www.childrens-bureau.com
Dial 2-1-1 for crisis intervention and/or referrals
www.vialink.org
24 hours

Managed by:

1) Alton Family Services District (mental health resources)
(504) 399-0475
1001 Common Street
Managed by:

2) Alton Domestic Violence; 24 hours; Jefferson Parish
www.alton.org
(504) 877-3400
Managed by:

3) Alton Centers for Community Advocacy
24 hours
www.alton.org
(504) 768-8772
Managed by:

4) Alton Health Services Center Department of Psychiatry
www.alton.org
411 South Broad Street
Managed by:

5) Alton Medical and Health Clinic
www.alton.org
1400 Teche St., Algiers
Managed by:
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 Group
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

West Jefferson Behavior Medical Center
(504) 341-9368 – Toni Wattigny
Every Tuesday, 6:00-7:30 pm; call for location
Grief Support Group

East Jefferson General Hospital
Second-floor conference room
Yenvil Bridge, corner of Iberia and Hudson, Metairie
Grief Group

The following internet sites are excellent for articles, books, and show-

INTERNET RESOURCES

Counseling for Loss and Life Changes
www.counselingforloss.com

Victims of Violence Healing Circle
www.victimsofvioencehealingcircle.org

Individual counseling and grief groups
www.griefsource.com

Every Wednesday, 6:30-8:00 pm
www.counselingforloss.com

GriefNET
www.griefnet.org

Second Thursday of each month, 10:30 am-noon, for the newly widowed

Bridge to Naim (loss of spouse/partner)

GRIEF GROUPS

Five, Walk-ins ok
www.ohlinc.org

Odyssey House Health Clinic (treatment for substance abuse)

Shiloh Cafe
www.shilohcafe.org

Additional locations:
111 North Causeway Blvd.
(504) 207-3060
3201 S. Carrollton St.
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 will result in a conviction. There is no death penalty.

Acquittal - An excess of ex-er

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

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

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.

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Evidence - Facts, physical art-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-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.

Habeas Corpus - A written or der challenging the right of the state to detain or imprison an accused person. Habeas Corpus is often used in cases of wrongful imprisonment or abuse of legal rights.

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 may 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.

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.

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 or to withdraw from the prosecution of a case.

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

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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 freedom 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 - An 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 not be impartial.

Witness/Witness Protection - Support provided by law enforcement or criminal justice agencies to help victims and witnesses through the aftermath of a crime, including counseling, logistical support, and referrals for services.

Witness/Witness Assistance - Support provided by law enforcement to help victims and witnesses who feel personally threatened as the result of a violent crime. Witness protection may include relocation in or out of state, guards, or identity changes.

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The right to a reasonably prompt conclusion to the case

• The right to seek resolution

• The right to make a victim impact statement

• The right to review and comment upon the presence or representation of the accused

• The right to refuse to be interviewed by the accused or a
disposition of the case

• The right to confer with the prosecution prior to the trial

• The right to review upon the release of a
discharge of the accused or the offender

• The right to be informed upon the release from custody or

• The right to reasonable notice and to be present and heard

process

during all critical stages of pre-conviction and post-conviction

• The right to a reasonably prompt conclusion to the case

Voir Dire - The process by which

juries are selected.
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.