

# CONNECTION

For Crime Victims, Survivors, Advocates and Friends

April 2010

Volume 10, Issue 1

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Letters, comments, victim memorials or dedications, questions, poems and/or articles are always welcome and encouraged. We must reserve the right to edit for space considerations and/or for other reasons as deemed appropriate. Please send your submissions to:

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Victim Services Unit  
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Ilinda Jackson began her career with the Oklahoma Department of Corrections in May 2003 as Chaplain II at Mabel Bassett Correctional Center and promoted to the Faith and Character Community Coordinator in 2007. In November 2009 Ms. Jackson promoted to Coordinator of the Victim Services Unit.

Ms. Jackson graduated from Oklahoma City University with a Masters in Applied Behavior Studies, and has applied to test for Licensed Professional Counselor



*Ilinda Jackson*  
*Victim Services Coordinator*  
*Oklahoma Department of Corrections*

National Crime Victims  
Rights Week

April 18 – 24, 2010

## Mission -

To serve as the initial point of contact to assist victims and survivors of crime by providing information and resources in response to inquiries related to offenders; ensuring the opportunity for victim notification through the Victim Information and Notification Everyday (VINE) network; providing the opportunity for victim/offender dialogue, offering educational workshops and panels relating to the concerns of victims and their families, and opportunities for restorative justice that focuses on the needs of the victim, the responsibility of the offender and the role of the community in seeking the greatest level of restoration and healing possible.

# *Oklahoma Victims Bill of Rights*

*As a victim of crime, you have the following rights:*

1. To be notified that a court proceeding to which a victim or witness has been subpoenaed will or will not go on as scheduled, in order to save the person an unnecessary trip to court;
2. To receive protection from harm and threats of harm arising out of the cooperation of the person with law enforcement and prosecution efforts, and to be provided with information as to the level of protection available and how to access protection;
3. To be informed of financial assistance and other social services available as a result of being a witness or a victim, including information on how to apply for the assistance and services;
4. To be informed of the procedure to be followed in order to apply for and receive any witness fee to which the victim or witness is entitled;
5. To be informed of the procedure to be followed in order to apply for and receive any restitution to which the victim is entitled;
6. To be provided, whenever possible, a secure waiting area during court proceedings that does not require close proximity to defendants and families and friends of defendants;
7. To have any stolen or other personal property expeditiously returned by law enforcement agencies when no longer needed as evidence. If feasible, all such property, except weapons, currency, contraband, property subject to evidentiary analysis and property the ownership of which is disputed, shall be returned to the person;
8. To be provided with appropriate employer intercession services to ensure that employers of victims and witnesses will cooperate with the criminal justice process in order to minimize the loss of pay and other benefits of the employee resulting from court appearances;
9. To have the family members of all homicide victims afforded all of the services under this section, whether or not the person is to be a witness in any criminal proceedings;
10. To be informed of any plea bargain negotiations;
11. To have victim impact statements filed with the judgment and sentence;
12. To be informed if a sentence is overturned, remanded for a new trial or otherwise modified by the Oklahoma Court of Criminal Appeals;
13. To be informed in writing of all statutory rights;
14. To be informed that when any family member is required to be a witness by a subpoena from the defense, there must be a showing that the witness can provide relevant testimony as to the guilt or innocence of the defendant before the witness may be excluded from the proceeding by invoking the rule to remove potential witnesses;
15. To be informed that the Oklahoma Constitution allows upon the recommendation of the Pardon and Parole Board and the approval of the Governor the commutation of any sentence, including a sentence of life without parole;
16. To receive written notification of how to access victim rights information from the interviewing officer or investigating detective; and
17. To a speedy disposition of the charges free from unwarranted delay caused by or at the behest of the defendant or minor. In determining a date for any criminal trial or other important criminal or juvenile justice hearing, the court shall consider the interests of the victim of a crime to a speedy resolution of the charges under the same standards that govern the right to a speedy trial for a defendant or a minor. In ruling on any motion presented on behalf of a defendant or minor to continue a previously established trial or other important criminal or juvenile justice hearing, the court shall inquire into the circumstances requiring the delay and consider the interests of the victim of a crime to a speedy resolution of the case. If a continuance is granted, the court shall enter into the record the specific reason for the continuance and the procedures that have been taken to avoid further delays.

# Oklahoma Victim Assistance Academy

The first Oklahoma Victim Assistance Academy (OVAA), designed to improve the quality and consistency of victim services in Oklahoma, will be held June 6-11 at East Central University (ECU) in Ada.

The OVAA is an intensive week-long course of study for victim advocates, service providers, law enforcement professionals and social service providers who work with crime victims. Applications and all required documents must be received by April 16.

The academy increases providers capacity to serve those victimized by crime, encourages cutting-edge thinking about ways to help victims regain control of their lives, and enhances the multidisciplinary training currently provided.

The OVAA is modeled after the National Victim Assistance Academy offered through the Office for Victims of Crime (OVC). The comprehensive curriculum is based on a recent needs assessment that was conducted after the Oklahoma Office of the Attorney General was awarded a federal grant from OVC to develop Oklahoma's academy.

Faculty with a variety of perspectives was solicited to apply to teach and will include university and practitioner instructors, criminal justice officials, victim advocates and crime victims, as well as representatives from different geographic regions in Oklahoma and different service agencies/organizations. Selected faculty will be also be attending a train-the-trainer course April 22 at ECU.

Steering Committee members for the academy will select up to 50 candidates to attend the academy. All students who are accepted and successfully complete the 40-hour training will receive a certificate of completion. Continuing education units (CEU's) have been applied for and academic credit will be available for an additional fee.

The OVAA is looking for advocates, providers and professionals who work in any capacity in a paid or volunteer position having direct contact with Oklahoma crime victims. Candidates should have less than five years of experience working with victims. Applicants with more than five years' experience are required to submit written justification why they should be considered for the academy. Participants also must be in-residence at the campus residence halls for the entire 40-hour training.

The comprehensive, academic and specialized training will include 40 hours of in-class study and 20 to 40 hours of pre-academy online course work.

Information about the academy and an application can be found online at [www.assistvictims.com](http://www.assistvictims.com). Information also is available from Jannason Long at ECU at 580-559-5859 or [jlong@ecok.edu](mailto:jlong@ecok.edu), or from Allyson Carson at the Oklahoma Attorney General's Office at 405-522-4397 or [Allyson.Carson@oag.ok.gov](mailto:Allyson.Carson@oag.ok.gov).

Written correspondence detailing attendance status will be mailed to all applicants.

The Office for Victims of Crime is part of the Office of Justice Programs in the U.S. Department of Justice.

## 2010 Board Members

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Karen White, District Supervisor, Central District, Oklahoma Department of Corrections

Debra Wyatt, Victim Survivor Support Staff, District 26

# Victim Rights List

## 1. Information

- What are your rights as a victim?
- What is happening with your case as it progresses through the justice system?
- What services are available in the community to help you?

## 2. Protection

- From intimidation and harm from the perpetrator.
- From publicity around the case/of your rights to privacy.

## 3. Participation

- To be heard and present at all court proceedings as deemed appropriate.
- To be heard and present at parole hearings.
- To speak with the prosecutor about case decisions before charges are made.
- The more victims are informed and involved, the more likely they will be satisfied with services and outcomes, will cooperate throughout the justice process, and will feel comfortable reporting future crimes.
- Enhanced through effective public education and community problem-solving.

## 4. Reparations

- Financial assistance in the form of victim compensation for out-of-pocket expenses such as counseling or medical expenses, funeral costs, or lost wages.
- Restitution for crime-related financial losses and to the community through services or money.

## 5. Be treated with respect, dignity, and compassion

- Victims of crime have just been through a traumatic ordeal; they need people to listen and respond with care.
- Improved training and education for criminal justice professionals, VSPS, and the public on the impact of victimization.
- Prevention of future violence.

## 6. Preservation of property and employment

- Preserving rights of victims to stay in their homes and communities.
- Education and employment services for victims who, because of the crime, cannot continue in their past careers.
- Prompt property return or replacement.

## 7. Due Process

- Right to due process in criminal court proceedings.

**Domestic violence  
leaves a mark on  
the whole family.**



**Living with violence at home can have profound emotional and physical consequences for children. Find a path to a safer future for you and your family. *There is help. There is hope.* Contact us.**

THE NATIONAL CENTER FOR  
**Victims of Crime**

**www.ncvc.org • 1-800-FYI-CALL**

# Landmark Federal Legislation

## **1994**

In 1994, the landmark Violence Against Women Act (VAWA) was passed. This has been the most significant legislation in the victims rights field, other than VOCA? This act doubled the maximum federal sentences for sex offenses and domestic violence and required that temporary restraining orders (TROs) be honored by all other jurisdictions. Domestic violence perpetrators with TROs were prohibited from possessing firearms. For the first time, information shared by domestic violence and rape victims with an advocate was considered to be privileged communication. This act also established the Office of Violence Against Women and doubled the available funding for domestic violence and rape counseling programs.

## **1996**

In 1996, the Congress passed “Megan’s Law,” the Community Notification Act, as an amendment to the national Child Sexual Abuse Registry legislation. This law provided that local communities be notified of the residential addresses of convicted sex offenders.

In 1996, the Antiterrorism and Effective Death Penalty Act included the Mandatory Victims Restitution Act, under which limited kinds of restitution were made mandatory in all federal misdemeanor and felony cases. Compensation and victim assistance services for victims of terrorism both at home and abroad, including victims in the military, were expanded.

The Interstate Anti-Stalking Punishment and Prevention Act of 1996 was enacted by Congress. This legislation created a uniform federal law to protect stalking victims when they travel across a state line or on federal property, including military bases and Indian reservations. This law made it a felony to cross a state line to stalk someone or to violate a restraining order in another state.

## **1998**

The Identity Theft and Deterrence Act of 1998. This landmark federal legislation outlawed identity theft and directed the U.S. Sentencing Commission to consider various factors in determining penalties, including the number of victims and the value of the loss to any individual victim. This act further authorized the Federal Trade Commission to log and acknowledge reports of

identity theft, profile information to victims, and refer complaints to appropriate consumer reporting and law enforcement agencies.

## **2000**

The Blood Alcohol Concentration Bill of 2000 required states to adopt a 0.08 blood alcohol content (BAC) as the legal limit for drunk driving by 2004; failure to do this would lead to an annual reduction in federal highway appropriations.

The Trafficking Victims Protection Act was passed in 2000 to combat the trafficking of persons, especially into the sex trade, slavery, and slavery-like conditions, through prevention, prosecution, and enforcement against traffickers and by increasing the protections, assistance, and mandatory restitution for victims. This act established programs by the U.S. State Department in foreign countries to assist in the safe reintegration or resettlement of trafficking victims.

The VAWA of 2000 provided for direct compensation from the federal government to victims of international terrorism. This act improved and expanded the legal tools and programs addressing domestic violence, sexual assault, and stalking. It authorized new grant programs expanding both programs and research for sexual assault and domestic violence. It defined dating violence and placed it under the VAWA programs. It widened the definition of under served populations and established four new purposes for VAWA funds: coordinated community response, forensic medical examiners training, training to recognize disabled and older victims of domestic violence and sexual assault, and assistance with immigration matters.

## **2001**

The USA Patriot Act of 2001 addressed the needs and concerns of victims of terrorists acts. The act allowed the OVC director to respond to acts of terrorism both inside and outside the United States. It established an antiterrorism emergency reserve in the Crime Victims Fund and increased federal grants for state crime victim compensation benefits.

In 2001, the VAWA of 1994 was reauthorized with a \$3 billion budget through 2005. Congress reauthorized the original programs and expanded them, including

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grants for legal services, funding for transitional housing, computerized tracking of protection orders, grants for safe visitation, and grants for programs that address dating violence.

## 2004

In 2004, Congress passed legislation defining aggravated identity theft and establishing penalty enhancements for two additional years. Title I of the Justice for All Act (JFA), called the “Scott Campbell, Stephanie Roper, Wendy Preston, Louarna Gillis, and Nila Lynn Crime Victims’ Rights Act” (CVRA), enhanced substantive rights for crime victims in the federal criminal justice system, including the right to be protected from the accused, heard at all proceedings, and treated with fairness and respect and to receive timely notice of public proceedings, confer with the government attorney, and receive full and timely restitution. The CVRA’s enforcement provisions are more rigorous than other federal victims rights laws and include the appointment of a victims rights ombudsman in the U.S. Department of Justice. The act also authorized additional, non-VOCA funding for federal victim/witness coordinators, state and federal automated victim notification systems, and victim assistance legal clinics. Other provisions in the JFA seek to eliminate the substantial backlog of collection of DNA samples in cases of sexual assault and from crime scenes, criminals, and convicted offenders.

## 2006

VAWA is reauthorized by Congress and signed into law. The reauthorization increased funding to support rape crisis centers and combat violent crimes on campuses and provided funding to place victim assistants in local law enforcement agencies and to create a national educational curriculum to ensure that all courts have access to relevant laws and best practices.

## *Federal Crime Victims Fund*

In 1995, deposits in the federal Crime Victims Fund reached a then-high of more than \$583 million, available for state crime victim compensation, local victim assistance programs, national training and technical assistance, and federal victim assistance. As a result of this increase in fund collections, state assistance grants received more than three times as much in federal funds in 1997 as they had the previous year.

In 1999, the fund deposits reached an all-time high of \$985 million. As a result of significant fluctuations in annual fund deposits, Congress began capping the amount that could be obligated each year with annual revenues above the cap stored in the fund balance, from which the program could draw as a rainy day fund when revenues did not meet the cap. Congress also began using the fund to support federal victim services, including victim/witness coordinators in U.S. Attorneys Offices, victim specialists in FBI field offices, and a federal Victim Notification System.

## *Rights Milestones: A Summary*

1962 Battered child syndrome (Kempe)  
1965 First crime victims compensation program in California  
1972 First three victims programs  
1972 National Crime (Victimization) Survey  
1974 First battered women’s shelter in Denver, Colorado  
1974 LEAA Victim Assistance Conference  
1974 LEAA pilot victim/witness programs  
1974 Rape trauma syndrome (Burgess)  
1975 *The Victims* (Carrington)  
1976 Victim Impact Statement (Rowland/Fresno)  
1975 Founding of National Organization for Victim Assistance (NOVA)  
1976 First NOVA Conference in Fresno, California  
1977 National Association of Crime Victim compensation boards  
1977 Mandated arrest for domestic violence in Oregon  
1978 National Coalition Against Sexual Assault (NCASA)  
1978 National Coalition Against Domestic Violence (NCADV)  
1978 Parents of Murdered Children (POMC)  
1978 Victim Offender Reconciliation Program (VORP)

1979 *The Crime Victim’s Book* (Bard and Sangrey)  
1980 Wisconsin Bill of Rights for Victims and Witnesses of Crime  
1980 Mothers Against Drunk Driving (MADD)  
1981 National Victims Rights Week (President Reagan)  
1982 President’s Task Force on Victims of Crime (68 recommendations)  
1982 Federal Victim and Witness Protection Act  
1983 Office for Victims of Crime (OVC) (Herrington)  
1984 Victims of Crime Act (VOCA)  
1984 Missing Children’s Assistance Act  
1984 Family Violence Prevention and Services Act  
1984 Victim Services certificate at CSU, Fresno  
1985 National Victim Center (National Center for Victims of Crime)  
1985 NIMH and NOVA “The Aftermath of Crime: A Mental Health Crisis,” a national colloquium  
1986 NOVA Constitutional Amendment Meeting  
1986 First Crisis Response Team deployment  
1987 Post traumatic stress disorder (PTSD)  
1988 VOCA reauthorized  
1989 Victim Services Summer Institute at CSU, Fresno

(Cont. on page 7)

(Cont. from page 6)

- 1991 Victimology major at CSU, Fresno
- 1994 Violence Against Women Act (VAWA)
- 1995 National Victim Assistance Academy (NVAA)
- 1996 Megan's Law
- 1996 Antiterrorism and Effective Death Penalty Act
- 1996 Interstate Anti-Stalking Punishment and Prevention Act
- 1996 Support of U.N. Declaration on Victims Rights by OVC
- 1997 Victims Rights Clarification Act
- 1997 *Legislative Source book* (National Center for Victims of Crime)
- 1998 Grants to combat violent crimes against women on campus
- 1998 Child Protection and Sexual Predator Punishment Act
- 1998 Crime Victims with Disabilities Act
- 1998 *New Directions from the Field*
- 1999 State victim assistance academy grants
- 2000 Child Abuse Prevention and Enforcement Act/Jennifer's Law
- 2001 USA Patriot Act
- 2001 VAWA reauthorized
- 2003 PROTECT Act/Amber Alert
- 2004 Justice for All Act (JFA)
- 2006 VAWA reauthorized

**FAIRNESS.  
DIGNITY.  
RESPECT.**

**National  
Crime  
Victims'  
Rights  
Week  
April 18-24, 2010**

## THE GARFIELD COUNTY DOMESTIC VIOLENCE TASK FORCE PRESENTS

**A COMMUNITY-WIDE  
OUTREACH EVENT**

**A Day  
Without  
Violence**

**IN RECOGNITION OF  
NATIONAL  
CRIME VICTIMS'  
RIGHTS WEEK**

**SATURDAY,  
APRIL 24<sup>TH</sup>**

**FREE  
Admission!**

**10AM - 2 PM**

**D. BRUCE SELBY STADIUM**

*Free Food • Entertainment • Giveaways*

*Celebrity Appearances • Games & Activities*

Contact Tricia Mitchell at YWCA, 234-7581

This project is supported by a National Crime Victims Right Week Community Awareness Project subgrant awarded by the National Association of VOCA Assistance Administrators under a Victims of Crime Act (VOCA) grant from the Office for Victims of Crime, Office of Justice Programs, US Department of Justice.

# April 2010 Calendar

National Sexual Assault Awareness Month  
National Sexual Violence Resource Center  
717-909-0710  
717-909-0715 (TTY)  
www.nsvrc.org

National Child Abuse Prevention Month  
Prevent Child Abuse America  
www.childwelfare.gov

National Crime Victims Rights Week  
April 18 - 24, 2010  
Office for Victims of Crime  
800-851-3420 (OVC Resource Center)  
www.ovc.gov

Victims Vigil  
Canadian County Courthouse  
April 19, 2010

Garfield County Candlelight Vigil  
YWCA in Enid  
April 20, 2010 - 6:00p.m.

Victims Day at the Capitol  
Oklahoma State Capitol - Blue Room  
April 21, 2010 - 1:00 p.m.

Garfield County Awareness Fair  
Enid Football Field  
April 24, 2010

## *Remember the Victims of Crime*

*FAIRNESS. DIGNITY. RESPECT.*

### **JOIN OUR CANDLELIGHT VIGIL**

MONDAY, APRIL 19, 2010 AT 6:00 P.M.

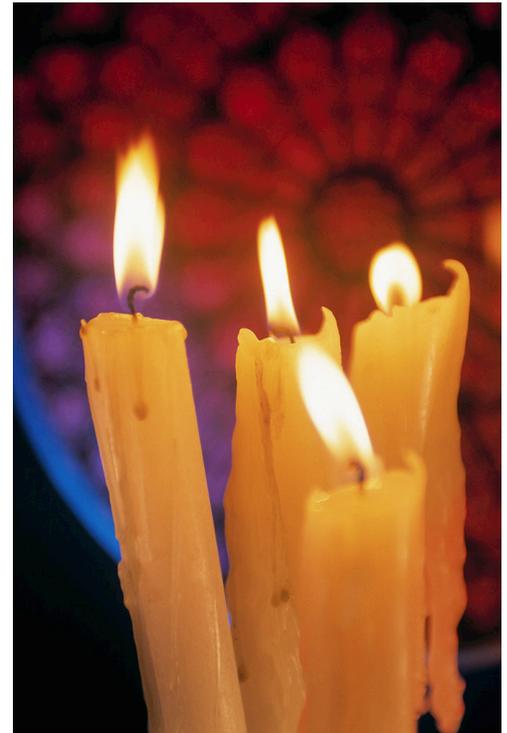
Canadian County Courthouse  
Court Room #1  
303 North Choctaw, El Reno, Oklahoma

#### **Special guest speakers are:**

Debbie Maguire, remembering her children,  
Sammie and Justin, who were murdered  
20 years ago.

&

Teresa Horn, a survivor of domestic abuse,  
her abuser knocked her out and tried to set her  
house on fire with her in it. She will be sharing  
about her experience with the VINE system.



#### **Sponsored by:**

Cathy Stocker District Attorney, Women's Service & Family Resource Center, Yukon Police Department, El Reno Police Department, Mustang Police Department, Canadian County Sheriff's Office, Canadian County Child Advocacy Center, Victim Impact Panel and Biker's Against Child Abuse