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THE WHITE HOUSE

WASHINGTON

April 18, 1991

MEMORANDUM FOR THE PRESIDENT

THROUGH: TONY SNOW *TS*  
FROM: EDWARD E. McNALLY *EM*  
SUBJECT: NATIONAL CRIME VICTIMS WEEK

I. SUMMARY

On Monday, April 22, at 2:00 p.m., you will give brief remarks at the Rose Garden ceremony honoring seven individuals who have made outstanding efforts to assist victims of crime. The audience will be 200 representatives of crime victims organizations and Department of Justice staff.

II. DISCUSSION

The remarks (8 minutes, on cards) pay tribute to the award recipients, highlight Administration action on behalf of crime victims, and appeal to Congress to pass your anti-crime proposals.

After your remarks, you will assist the Attorney General in the award presentation.

(Mr. President: On a personal note, this is expected to be my final speech for you before returning to the courtroom as a prosecutor at the end of the month. Thank you for the honor and the opportunity to serve you, your family, and this Administration. I will be cheering from a distance, and I will be back.)

McNally/Simon  
April 18, 1991  
Draft 3 (B:VICTIMS.'91)

PRESIDENTIAL REMARKS: NATIONAL CRIME VICTIMS WEEK  
THE ROSE GARDEN  
MONDAY, APRIL 22, 1991, 2:00 P.M.

Welcome to the Rose Garden. I'm very pleased to see so many Members of the House and Senate here. And it's always good to see Dick Thornburgh and Jane Burnley, Director of the Office for Victims of Crime.

Over the past two years, we've traveled across the country, praising those involved in service to others. And our crime victims effort is a very special part of that tradition. Shortly after I took office, the A.G. invited 1989's honorees to meet me in the Oval Office. A year ago this week, we gathered here in the Rose Garden to salute 1990's honorees. And today, it is again a privilege to stand with a new group of honorees and salute you not only as "points of light" -- but also as "points of courage."

Ladies and gentlemen: Standing before you are seven good Americans who refused to surrender. Seven good Americans who won against the odds. Representing seven good reasons why our efforts for crime victims will continue to triumph, and to grow.

Far too often, for far too many years, victims of crime became the "forgotten people," subjected to continued victimization by the system itself. Then people like Virginia's Frank Carrington -- rightly regarded as one of the "founding fathers" of the movement -- stepped into the breach. They fought back.

They got involved. And they proved to America that one man or one woman can make a difference. \\\

Maybe you heard about this 11-year old girl up in Alaska. She tried to help when her mom was attacked at home just after Christmas. The assailant got away, but not without the girl showing the police where the man left his fingerprints. <sup>10 weeks</sup> ~~Four~~ ~~months~~ went by without a lead. Then the girl spotted the accused at a convenience store. She didn't hide. She didn't run away. She ~~had~~ ~~dad~~ call<sup>ed</sup> the police, and then, unbelievably, she grabbed a neighbor and chased the man down the street. When police made the arrest she was holding onto his hair for all she was worth.

Like a real-life version of the gutsy child in Home Alone, Diana Bowles stood up for family, stood up against crime, and stood up to be counted when the chips were down. Like the seven All-American heroes we honor today, she symbolizes a new America where people refuse to be victims any more.

I think of pioneers like California's Gail Abarbanel [a-BAR-ba-nel], and Jayne Crisp of South Carolina. A generation ago, a continent apart, each of these two women helped cultivate the grassroots effort to assist victims of rape. Out of efforts like these, America came to understand a simple truth: That every victim, of every crime, deserves to be treated with dignity and compassion.

Over the past decade, community efforts like those represented here have been backed up by a new partnership with the White House and America's cities and states. While the crime

bill I signed last year fell far short of the effective criminal justice reform that I had sought, it did create the first-ever Federal Crime Victims Bill of Rights. It gave the Justice Department enhanced authority to ensure that the system treats crime victims fairly. And it contains new measures to protect child victims and witnesses.

Working with Congress, we not only reauthorized the 1984 Victims of Crime Act, we also boosted its annual victims' compensation and assistance fund to \$150 million -- dollars that come not from taxpayers, but from criminal fines and penalties. We stepped up efforts to fully implement the Victim-Witness Protection Act and the new Victims' Rights and Restitution Act. And there's probably no better model of their success than one of today's honorees -- Nancy Stoner Lampy, our Victim/Witness Coordinator in South Dakota, an outstanding advocate for Native American crime victims.

We've made real gains. But many challenges remain. Two of today's honorees can help point the way: California's John Gillis and Tennessee's Barbara Reed have both made their mark fighting for tougher laws. They know the real way to help the crime victims of tomorrow is by taking dangerous criminals off the streets today.

Almost exactly a year ago, on this same occasion, I stood here and called on Congress to act on our full range of tough new anti-crime proposals. Regrettably, most of them never made it

back to my desk. We've got to do better. Each day that passes is one too many. Each victim lost is more than we can afford.

Our Violent Crime Control Act of 1991 contains a wealth of new proposals that support the growing, national concern for innocent victims of all crimes. It includes new protections for witnesses and abused kids; new rules to enhance Federal prosecutions of sexual violence involving children; mandatory HIV testing of accused sex offenders; and it guarantees a victim's right to address the court at sentencing.

Just as important, our Crime Bill proposes bold new reforms of habeas corpus appeals, the exclusionary rule, and the death penalty. These three reforms are based on three simple and fundamental truths: First, that victims should not have to endure endless years of frivolous appeals. Second, that victims have an interest in knowing that courts will consider all relevant evidence when deciding guilt or innocence. And third, that victims and survivors have an interest in knowing that the punishment imposed will be commensurate with the brutality of the crime.

Seven weeks ago I put a challenge to Congress. I said: If our forces could win the ground war in 100 hours -- then surely the Congress can pass this legislation in 100 days. \\\

The clock is running. America wants it done right. America wants it done responsibly. And America wants it done now. \\\

I've saved one honoree for last. She's Josephine Bass, who founded a shelter in Chicago for women and children who are victims of domestic violence. It's called the Neopolitan

Lighthouse. And I like the symbolism. Like each of you, a lighthouse shines through the storm and gives hope in the night. Like each of you, it is a beacon to hundreds of others, an immovable light by which to chart one's course to safety. And like each of you, it is proof that each point of light matters. Each time your message gets through can mean one life changed -- and another life saved. \\\

Together, let's "take back the streets." Congratulations and thanks to you all. And God bless the United States.

# # #

McNally/Simon  
April 17, 1991  
Draft Two (B:VICTIMS.'91)

PRESIDENTIAL REMARKS: NATIONAL CRIME VICTIMS WEEK  
THE ROSE GARDEN  
MONDAY, APRIL 22, 1991, 2:00 P.M.

Welcome to the Rose Garden. I'm very pleased to see so many Members of the House and Senate here. And it's always good to see Dick Thornburgh, <sup>June Burnley, Dir. of Victims of Crime</sup> here to do the honors in just a few moments. Over the past two years, we've traveled across the country, praising those involved in service to others. And our crime victims effort is a very special part of that tradition. Shortly after I took office, the A.G. invited 1989's honorees to meet me in the Oval Office. A year ago this week, we gathered here in the Rose Garden to salute 1990's <sup>honorees.</sup> winners. And today, it is again a privilege to stand with a new group of honorees and salute you not only as "points of light" -- but also as "points of courage."

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Maybe you heard about this 11-year old girl up in Alaska.

speech  
4-25-90

DOJ  
fact  
sheet

She tried to help when her mom was attacked at home just after Christmas. The assailant got away, but not without the girl's showing the police where the man left his fingerprints. Four months went by without a lead. Then the girl spotted the accused at a convenience store. She didn't hide. She didn't run away. She had dad call the police, and then, unbelievably, she grabbed a neighbor and chased the man down the street. When police made the arrest she was holding onto his hair for all she was worth.

Like a real-life version of the gutsy child in Home Alone, Diana Bowles stood up for family, stood up against crime, and stood up to be counted when the chips were down. Like the seven All-American heroes we honor today, she symbolizes a new America where people refuse to be victims any more.

[a-BAR-ba-nel]

John Dawson  
DoJ  
514-6444

I think of pioneers like California's Gail Abarbanel, and Jayne Crisp of South Carolina. A generation ago, a continent apart, each of these two women helped cultivate the grassroots effort to assist victims of rape. Out of efforts like these, America came to understand a simple truth: **That every victim, of every crime, deserves to be treated with dignity and compassion.**

Over the past decade, community efforts like those represented here have been backed up by a new partnership with the White House and America's cities and states. The crime bill I signed last fall created the first-ever Federal Crime Victims Bill of Rights. It gave the Justice Department enhanced authority to ensure that the system treats crime victims fairly. And it contains new measures to protect child victims and witnesses.

DoJ  
fact  
sheet

Jane  
Bumby  
307-5993

dollars that come not from the taxpayer,  
but from all criminal fines +  
penalties, not taxpayer

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Jane  
Branley  
307-5983

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*Joint session address*  
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*3-5-91*  
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*DOJ fact sheet*  
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# # #

QUALITY SERVICES

Date MAR 23 1991

Anchorage Daily News

Client No. 0151

# Warrant issued in rape

## Victim's daughter found man in store

By PAMELA DOTO  
Daily News reporter



Ernie G. Jensen

Diana Bowles has never forgotten the man who raped her mother in December. She thought she saw him again in a convenience store near her home on Monday and chased him through a trailer park.

A family friend caught up to the suspect, but 11-year-old Diana hung onto the hair of the man she spotted while he struggled to get away. Police took the man into custody, but said they didn't have enough evidence to charge him with rape, so they had to let him go.

But on Friday, police informed the Bowles family that a warrant had been issued for the man's arrest.

The suspect, 18-year-old Ernie G. Jensen, is being sought on charges of first-degree sexual assault, first-degree burglary and third-degree assault. Anchorage police say he broke into Elaine Bowles home and raped the woman at knife-point Dec. 26.

The rapist assaulted Bowles on her couch, where she was sleeping about 8

a.m. after seeing her husband off to his job as a taxi driver.

She and her family have been living in fear ever since. Friends and relatives take turns watching their trailer all night to make sure the man doesn't come back, the family said.

"It's terrorism, that's what it is. It's more than rape," Bowles' husband, Del, said.

But Monday evening, Diana's discovery at the 7-Eleven store on DeBarr Road was a turning point in the case.

She said she had no doubt the man was the same person who assaulted her mother.

"I could tell by his face and the way he rushed" away, she said Friday evening.

Please see Page B-2, RAPE

# RAPE: Victim's daughter finds susp

Continued from Page B-1

She ran back to her home directly behind the store and

you've got the wrong guy," Hornby said Friday, his neck in a brace from injuries caused by the fight. "I saw him against the man to him to st mother. The mar that she ha

pounds with shoulder length dark hair.

Meehan said the rape was one of the most disturbing he has investigated in a long time, and investigators had no leads in the

"Someone you probably feel isn't about being out there."

Police said the 31-year-old woman was sleeping the morning of Dec. 26, when she awoke to find a man standing over

they had to let him go.

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Please see Page B-2, RAPE

## RAPE: Victim's daughter finds suspect

Continued from Page B-1

She ran back to her home directly behind the store and told her father and his friend, William Hornby, who she had seen.

The men dashed to the store, but didn't find the man. They checked at the neighboring Kentucky Fried Chicken, and found the man and a friend hiding in the bathroom.

Del Bowles thought he had the men trapped when he cornered them in a hallway of the restaurant, but just then a worker opened a back door and they escaped.

Hornby and Diana chased the men through the trailer park. Near Klevin Street, Hornby tackled the suspect and got on top of him to hold him until police arrived. But the man's friend came up from behind and kicked Hornby in the face.

Hornby said he struggled with the two men while the suspect pleaded with him to let go.

"He said, 'Hey man,

you've got the wrong guy.'" Hornby said Friday, his neck in a brace from injuries caused by the fight. "Something told me, 'Don't let him go.'"

Diana Bowles came up and grabbed the suspect's friend by the hair, trying to pull him off Hornby. The girl said she wasn't frightened.

"If they hurt me, no matter what, the police were coming," she said.

When Del Bowles reached the group, his daughter had a tight hold on both men.

"She had them both by the hair," Bowles said. "All I heard was, 'No, I won't let them go.' She's been the biggest help to police."

When police arrived, they took the rape suspect into custody. Hornby was taken to Humana Hospital and treated for his injuries.

"I thought it was all over," Hornby said. "Really, it had just begun."

Anchorage Police Investigator Jim Meehan said police didn't have enough evi-

dence against the man to hold him that night so they let him go.

"We needed to corroborate evidence that we did not have with the identification" of the suspect, he said. "The whole system is set up to protect the rights of the accused."

Now, Meehan said, they have that evidence, but he would not disclose what it is.

Del Bowles thinks the laws are too soft. Since the rape, the family's lives have been shattered.

"The laws protect the criminals," he said.

Diana Bowles and her 4-year-old brother Curtis were home last December when the man broke into the house and raped their mother. As he was assaulting the woman while threatening her with a knife, the children came out of their rooms and saw what was happening, according to the police. Curtis grabbed a plastic toy sword from his room and tried to strike the man to get

him to stop hurting his mother.

The man told his victim that she better make her son go to bed and the boy retreated to his room.

When the man finished, he apologized to Bowles. He left the home taking a gold ring, her purse and keys.

After Monday's struggle, the family said, the suspect and a friend carrying a baseball bat returned and stood outside their home for a while that same night. He came back later in a car, squealed his tires and then left.

Elaine Bowles did not want to talk to a reporter about the incident. She sat quietly smoking a cigarette while her husband detailed the effect the rape has had on the family.

He speaks proudly of his daughter, who showed unusual courage. But the rape has had a profound effect on the child.

"Since it happened, my life has been crooked," she said.



U.S. Department of Justice

Office of Justice Programs

Office for Victims of Crime

91 APR 12 Pd: 49

## FAX TRANSMISSION COVER SHEET

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Bob Simon

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FROM:

Jane Burnley

OFFICE:

OVC

OFFICE PHONE NO.:

307-5983

FAX 514-6383

Bob -  
 This material is excerpted from the Crime Victims Week Ceremony Briefing Book which will be delivered to the W.H. today. I trust it will be helpful. Call me if you have any questions. Look forward to talking to you next week. Jane

NATIONAL CRIME VICTIMS RIGHTS WEEK TALKING POINTS

- o It is a pleasure to share this time with all of you who work so diligently on behalf of crime victims in public service and in the private sector.
- o As you know, in the not so distant past, innocent victims of crime in this country often found themselves subjected to continued victimization at the hands of our criminal justice system. Improvements have been made in balancing the scales of justice but we must be ever mindful that more progress needs to be made.
- o Last month, I spoke before a gathering of this country's most capable law enforcement officers, prosecutors, criminal justice professionals and victims advocates at the Attorney General's Summit on Law Enforcement Responses to Violent Crime. I then reminded those crime fighters that today the fear of becoming a victim of crime strikes too many American families. Parents fear for their kids in school, and on the way home. They fear for their teenagers and the lessons they may learn in the streets. And they fear for their own parents, for whom a single trip to the grocery may become an exercise in terror.
- o While we do have an outrageous problem here on our local streets, it is not insurmountable and, as I said at the Crime Summit, it is going to change. In fact, concrete legislative progress has recently been made to improve the criminal justice system's response to crime victims:
  - \* The Crime Control Act of 1990 contains a wealth of new legislation which demonstrates a growing, national concern for innocent victims of all crimes. Officials and employees of the Justice Department and other Federal agencies have received enhanced authority to undertake their best efforts to ensure that crime victims are treated with compassion, respect, and dignity by the criminal justice system. Title V of the Act, the Victims' Rights and Restitution Act, creates a Federal Crime Victims' Bill of Rights which ensures that certain vital services shall be made available to crime victims. In addition, changes in the law (the Victims of Child Abuse Act) regarding the protection and treatment of child victims and witnesses in the Federal criminal courts have enhanced our ability to help children participate in criminal proceedings, while minimizing the additional trauma that may occur as a result of such participation.
  - \* The Victims of Crime Act of 1984, which was reauthorized until 1994, established the Crime Victims Fund. The Fund enables us to take money from offenders to use it in assisting and compensating victims of crime.

Since deposits were first made into the Fund in 1985, nearly \$600 million has been collected for the benefit of crime victims. The Crime Control Act of 1990 made more funds available for victims, annually, by accelerating an increase in the 1991 Fund cap from \$125 million to \$150 million.

- \* The 1982 Federal Victim-Witness Protection Act guides Federal law enforcement authorities in their treatment of victims and witnesses involved in the Federal criminal justice process. On behalf of this Administration, Attorney General Thornburgh has stepped up efforts to fully implement the Victim-Witness Protection Act and the new Victims' Rights and Restitution Act. Every United States Attorney's Office now has a victim/witness coordinator to ensure that the rights and needs of victims and witnesses are protected and served.
- o Through the Comprehensive Violent Crime Control Act of 1991, I have called for the enactment of an even stronger law enforcement and victim-oriented response to crime. Specifically, the proposed bill:
  - \* Restores the death penalty as a viable, constitutionally sound sanction. Victims and survivors of victims have a significant interest in knowing that justice will be appropriately served; that the punishment imposed will be commensurate with the injury inflicted. Brutal, heinous crimes exact immeasurable degrees of human suffering from victims, survivors of victims and the society at large. The death penalty, as reflected in the proposed legislation, is a sanction which must be made available to provide such victims with redress.
  - \* Provides for exclusionary rule reform. The proposed legislation injects a reasonableness standard into the constitutional assessment of a law enforcement officer's search and seizure activities. Victims have an interest in knowing that courts will consider all relevant evidence when determining the guilt or innocence of an offender. To date, such evidence has been held inadmissible in instances where law enforcement has erred, regardless of whether the search and seizure was carried out in circumstances justifying a reasonable belief that it conformed with the fourth amendment.
  - \* Provides protections for witnesses, and other participants in the criminal justice system from violence and intimidation.
  - \* Provides new proposed Federal Rules of Evidence to permit the admission of evidence of other similar crimes by the defendant in child molestation and sexual assault cases.
  - \* Provides increased protections for sexually abused children.

- \* Requires mandatory HIV testing of accused sex offenders and the disclosure of test results to victims. This provision will enable sex crimes victims to have access to information about the HIV status of the offenders. The fear of contracting AIDS has become a new terror for victims of sexual assault and abuse. It also provides enhanced penalties for HIV-infected sex offenders who know or had reason to know of their infection, and payment of the costs of HIV testing for victims.
- \* Ensures a victim's right to address the court at sentencing, provides victims with expanded rights to restitution, and suspends eligibility for Federal benefits for persons delinquent in their restitution payments.
- o One of the most essential sections of the Comprehensive Crime Control Act of 1991 addresses the abuses of habeas corpus. The bill offers reforms which protect the victim's right to finality, sparing victims the torture of repeated judicial replays of the crime and allowing the families of murder victims to know that state death penalties will be carried out.
- \* According to an Ad Hoc Committee on Federal Habeas Corpus in Capital Cases, chaired by Justice Lewis Powell: "Our present system of multi-layered state and Federal appeal and collateral review has led to piecemeal and repetitious litigation, and years of delay between sentencing and a judicial resolution as to whether the sentence was permissible under the law. The resulting lack of finality undermines public confidence in our criminal justice system." (Finding of the Judicial Conference of the United States, Ad Hoc Committee on Federal Habeas Corpus in Capital Cases, August 23, 1989.)
- \* By statute, Federal courts have authority to hear the claims of state prisoners that they are being held "in custody in violation of the Constitution ...." It has been established that this authority includes the power of the Federal courts to review, anew, issues of Federal law, even if those issues have already been fairly litigated in state courts. Thus, a criminal defendant who has a Federal constitutional claim determined against him in the state court, affirmed on appeal by a state appellate court, and who has certiorari denied on the issue by the United States Supreme Court, nonetheless has the right to have a Federal district court make an independent determination of the issues. Federal habeas corpus is, in essence, another round of appeals. In many instances, it is a third or fourth round of appeals, because most states also provide state collateral remedies for criminal convictions. (Justice Sandra Day O'Connor, the Attorney General's Crime Summit, Local Control of Crime, Washington, D.C., March 4, 1991).

- \* The burden of these delayed and repeated filings is great. Federal courts have been flooded with untimely, frivolous and repetitious petitions.

The true burden, however, of Federal relitigation of state court decisions is felt by the states. It is the states that are forced to respond to the petitions by relitigating in Federal courts issues the state has won, and often won repeatedly in state courts. The independent Federal court relitigation of questions that have been decided by state courts shows a lack of respect for those state proceedings. When recently describing this problem, Justice Sandra Day O'Connor appropriately stated that "the delay and uncertainty that Federal relitigation brings frustrates the states' ability to enforce their criminal laws and to control anti-social behavior just as surely as cutting the budget for law enforcement." (Justice Sandra Day O'Connor, the Attorney General's Crime Summit, Local Control of Crime, Washington, D.C., March 4, 1991).

Finally--and most importantly--"the uncertainty and lack of finality is not only felt by criminals and potential criminals who are less deterred, but by the victims of crime and their families, who must believe that the swift hand of justice is not so swift, and not so just." (Justice Sandra Day O'Connor, the Attorney General's Crime Summit, Local Control of Crime, Washington, D.C., March 4, 1991).

- \* A recent survey commissioned by the National Victim Center with Dr. Dean Kilpatrick indicates that an overwhelming proportion of the American public supports an expedited appeals process in death penalty cases (80%) and also supports the death penalty (81%). (Report released April 18, 1991).
- \* Let us make sure that Congress hears the message--that the American public, in general, and crime victims, in particular, support habeas corpus reform.
- o While much remains to be accomplished, the last 8 years have seen a new emphasis placed on crime victims issues at the Federal level and throughout the States. Specifically, we have seen:
  - \* President's Task Force on Victims of Crime, 1982
  - \* Attorney General's Task Force on Family Violence, 1984
  - \* Enactment of the Victims Bill of Rights in 45 states and the expansion of victim assistance and compensation programs.

These efforts have greatly enhanced our understanding of the issues and how all levels of government and the private sector need to work together to accomplish our goals.

- o Increased emphasis has been placed upon victims of Federal crime. Under the Bush Administration, the Office for Victims of Crime has established more than fifty new victim assistance programs serving Native American Indian tribes in 17 states, thus enabling victims of violent crime on reservations to have a place to turn for help when violence strikes.
- o The growth of services to victims of crime and their improved participation in the justice system is evidence of the progress that we have made in this decade.
- o However, challenges remain. We must renew our resolve to ensure that all aspects of the criminal justice system are sensitive to the needs of victims and that victims and their families have a place to turn for support and assistance. In addition, we must expand our efforts to develop victim service programs where none exist.
- o Through the concerted efforts of compassionate individuals such as those present here today, innocent victims of crime are being treated with the dignity and respect they deserve. The future holds promise for continued support of crime victims; a voice in the criminal justice system for such Americans must be secure.
- o It is indeed an honor for me to stand before you today as we commemorate the great strides we have made toward preserving the rights of our victimized citizens. I thank you for your dedication and hard work, and applaud the successes of your determination.

*Real way to help  
crime victims is to  
ensure they never  
become victims in  
the first place.*

## BACKGROUND ON CRIME VICTIMS

Our nation's victims of crime have long been the "forgotten people" of our criminal justice system--delegated to serving as witnesses, or as mere pieces of evidence--often denied the dignity, respect and assistance which they deserve. Public reaction to crimes often implied that victims, not criminals, were somehow to blame for their victimization.

Little attention was focused on the needs of victims of crime until the early 1970's. The victims' rights movement emerged as a grass roots effort to assist victims of rape and, eventually, victims of spouse abuse. Coincidentally, the Department of Justice's Law Enforcement Assistance Administration (LEAA) supported the development of a small number of victim-witness programs predicated on the simple realization that if victims and witnesses were informed and received basic services, they would be more likely to cooperate with the criminal justice system.

In early 1982, national attention was focused on the imbalance in the criminal justice system. The concern was that attention was being accorded to offenders while victims' rights were ignored.

On April 23, 1982, former President Reagan appointed the Task Force on Victims of Crime. In a Rose Garden Ceremony the former President told a gathering of people that:

The innocent victims of crime have frequently been overlooked by our criminal justice system. Too often their pleas have gone unheeded and their wounds -- personal, emotional and financial -- have gone unattended. They are entitled to better treatment, and it is time to do something about it.

The nine-member Task Force held public hearings in six cities across the country, receiving testimony from nearly 200 witnesses. Its Report, issued in 1982, marked a significant step in the victims movement. It focused on three fundamental needs of victims: (1) victims must be protected; (2) the justice system must be responsive to victims' needs; and (3) victims need assistance to overcome the burdens imposed by crime.

The Task Force presented a series of 68 recommendations addressed to all levels of government and the private sector including the criminal justice system, the medical, legal, educational, mental health and religious communities. The recommendations comprise perhaps the most comprehensive set of proposals which articulate the scope of victims' needs. Included among these recommendations was the call for Federal financial incentives "reasonably matched by local revenues, to assist in the operation of Federal, state, local and private nonprofit victim/witness assistance agencies that make comprehensive assistance available to all victims of crime."

As a follow-up to the President's Task Force Report, in 1983 a Task Force on Family Violence was established. It was charged with the responsibility of identifying the scope of the problem of family violence in the United States of America and of making recommendations to bring about solutions.

The Task Force gave priority attention to the criminal justice response to family violence and the need for protection and assistance for the victims of family violence. Its proposals were prefaced by the enlightened recognition that "the assistance needs of the victims of family violence range from the most immediate need for safety and shelter to the long-range needs for post-trauma counseling and therapy." Its recommendations delineated a number of steps to be taken to address the unique needs of family violence victims (Attorney General's Task Force Report on Family Violence, 1984).

In 1984, the Victims of Crime Act was enacted. It established the Office for Victims of Crime (OVC), within the Department of Justice, to administer the Crime Victims Fund (Fund) and to act as the Federal leadership focal point on crime victims issues. The Fund receives millions of dollars each year in criminal fines, forfeited bail bonds, penalty fees, and forfeited literary profits -- monies collected from Federal criminals, not from innocent taxpayers. OVC is charged with responsibility for distributing these funds to assist and compensate crime victims.

Since deposits were first made into the Crime Victims Fund in 1985, there has been a steady increase in collections and a corresponding expansion of victim assistance and compensation programs. To date, nearly \$600 million has been collected for the benefit of crime victims. The Bush Administration has consistently pledged full support for the Federal Crime Victims program, funded out of revenues deposited into the Fund. The majority of states also utilize criminal fines to support crime victims programs.

The states have also taken an aggressive approach toward improving the response of state and local criminal justice systems to crime victims. Extensive legislative reform has been enacted since 1982. The majority of states have passed legislation that is designed to ensure the fair treatment of crime victims. A Victims Bill of Rights is no longer a novel idea. Forty-eight states have Victims Bills of Rights. Virtually all states include Victim Impact Statements at the time of sentencing. This is an impressive increase from only eight states in 1982. At least twenty-nine states permit Victim Allocation, up from only three states in 1982. Additionally, at least 23 states have enacted legislation which mandates that restitution be ordered unless a judge explains, in writing, reasons for not issuing such an order.

## **SERVICES FOR VICTIMS OF FEDERAL CRIMES**

The Office for Victims of Crime (OVC) Federal Program provides and improves services for victims of Federal crime. Approximately \$1.25 million of the Victims of Crime Act (VOCA) funds is specifically designated for services for victims of Federal crime. Recent OVC efforts in this regard have focused on providing:

- 1) victim assistance services for victims of Federal crime in Indian Country;
- 2) emergency assistance for victims of Federal crime;
- 3) training and technical assistance projects for law enforcement officers and other professional groups who provide support and assistance to victims of crime; and,
- 4) monitoring compliance with the Victim and Witness Protection Act of 1982.

### **Victim Assistance Services for Victims of Federal Crime in Indian Country**

Since 1988, grants totaling more than \$2.4 million have been made to fifteen states to develop victim assistance services on Indian reservations. The participating states (Arizona, Idaho, Kansas, Michigan, Minnesota, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming) have awarded Federal funds to 52 Indian tribes and tribal organizations to provide victim assistance services. The new programs provide victim assistance in remote areas where previously there has been only limited access to services. Services include crisis intervention or counseling to provide emotional support for victims following a violent crime; emergency, short-term child care or temporary shelter for family violence victims; help in participating in Federal criminal justice proceedings; and payment for forensic medical examinations. The funding is also used to train law enforcement personnel and for victim service provider salaries.

### **Emergency Assistance for Victims of Federal Crime**

OVC and the Executive Office of the U.S. Attorneys (EOUSA) have entered into an interagency agreement to fund emergency services for Federal crime victims. Funds are made available to U.S. Attorneys' offices to address emergency situations in which victims involved in Federal prosecutions need services that are unavailable through any other source. Since the emergency fund was first established, OVC has approved 68 requests and provided over \$350,000 in services to victims of Federal crimes. Examples of victims' needs addressed through the emergency fund are as follows:

- o temporary residential therapy for an adolescent boy who was brought to the U.S. from a central American country to be sold for sexual purposes;
- o transportation for six children to accompany their family to a trial in Wyoming, when it was determined that the children would be in danger if they remained at home, alone, on an Indian reservation;
- o psychological evaluation and treatment for a 4-1/2 year old child who was sexually assaulted by her uncle on a reservation in Washington; and,
- o emergency transportation expenses for an Arizona victim attending an out-of-state gang-rape trial;
- o psychological counseling for scores of Native American children, and their families, who have been victims of child sexual molestation by teachers and other trusted adults.

#### Training and Technical Assistance Projects

OVC provides various training and technical assistance opportunities for individuals involved in providing victim assistance services to Federal crime victims. Recent training and technical assistance projects have included the following:

- o an agreement with the Federal Law Enforcement Training Center to provide victim and witness assistance training to all Federal law enforcement officers who train at the center and to provide regional training seminars for mid-level law enforcement professionals;
- o training conferences and on-site technical assistance to Native American victim assistance programs;
- o the third National Indian Nations: Justice for Victims of Crime Conference to address the special needs of crime victims in Indian country; and,
- o a special training day for Federal investigators, prosecutors, and victim advocates in conjunction with the national symposium on child sexual abuse. The training focuses on the unique aspects of handling these cases in the Federal criminal justice system.

#### Monitor Compliance with the Victim and Witness Protection Act of 1982

In 1990, OVC completed a survey of the U.S. Attorneys' offices to determine if the offices were implementing the Attorney General's guidelines on fair treatment for victims and witnesses. The survey

concluded that there is widespread compliance and indicated that Victim-Witness Coordinators provided services to more than 20,000 Federal victims and more than 20,000 Federal witnesses during a six-month period in 1990.

**Children's Justice Act for Native Americans**

OVC's Federal Division also administers a new grant initiative to assist Indian tribes in the development and operation of programs designed to improve the investigation and prosecution of child sexual abuse while limiting trauma to child victims. To date, grants have been awarded to 20 tribes. Specialized training and technical assistance is also provided to these programs by OVC.

## VOCA COMPENSATION AND ASSISTANCE PROGRAM ACCOMPLISHMENTS

Nearly \$600 million has been deposited in the Crime Victims Fund (Fund) since its inception in October 1984. These revenues have been derived from the collection of various criminal fines, penalty assessments and forfeitures; not from the pockets of innocent taxpayers. In Fiscal Year (FY) 1991, \$117,521,500 will be available from the Fund to benefit victims through victim compensation and victim assistance programs. This amount represents an increase of over \$6 million above the amount that was awarded in FY 1990.

All states receive the Victims of Crime Act (VOCA) victim assistance grants. VOCA funds have enabled states to expand existing services and develop new programs. Most VOCA supported programs provide services to victims of sexual assault, domestic violence and child abuse. The 1988 amendments to VOCA, however, support expansion of assistance services to victims of other types of violent crimes, e.g., survivors of homicide victims, and DUI/DWI victims and survivors.

This year, \$65,674,500 in VOCA funds will be awarded to the states to provide partial funding for over 2000 community-based victim assistance service programs. Assistance award amounts to the states and territories have increased dramatically over recent years - 63 percent since money was first made available from the Crime Victims Fund in 1986. Concurrently, OVC has observed an expansion in the number of community-based victim assistance programs receiving Federal funds, a commensurate expansion in the types of services provided, and an increase in outreach efforts to other victims of violent crimes; i.e., victims of DUI/DWI crashes, elderly victims of assault and abuse, Native American victims of violent crime on reservations, survivors of homicide victims, etc. OVC has also noticed the states awarding subgrants to new victim service organizations such as universities, mental health and social service agencies, etc., in order to make services more accessible to victims of violent crime.

Forty-nine states, the District of Columbia and the Virgin Islands have enacted legislation or established crime victim compensation programs which reimburse crime victims for financial losses resulting from crime, e.g., medical expenses, funeral expenses, lost wages and mental health counseling. In 1988, amendments to VOCA imposed three new requirements on the VOCA crime victim compensation programs. States must now provide compensation to victims of drunk driving and domestic violence. This is important because these victims had been excluded from eligibility for compensation in many states. Compensation must also be provided to state residents who are victims of crimes occurring outside the state, if the crimes would have been compensable crimes had they occurred inside the state. Lastly, resident victims of crimes occurring in other states that do not have eligible crime victim compensation programs must be deemed

eligible for compensation from their home states. Amendments to VOCA contained in the Crime Control Act of 1990, Pub. Law 101-647, extended the deadline imposed upon states to meet the new requirements from October 1, 1990 to October 1, 1991. Most states have already amended their laws to comply with the requirements.

Over the past 5 years, the number of eligible States participating in the VOCA crime victims compensation grant program, and the Federal fund amounts disbursed, have steadily increased. In FY 1986, the first year that awards were made, 39 state compensation programs received Federal awards from the Crime Victims Fund, totalling \$23,594,000. This amount was based on 35 percent of the states' certified payments to crime victims (\$67,504,583) from state funding sources. State payouts to crime victims have grown tremendously since VOCA authorized a Federal financial incentive for such programs. Forty-four (44) states that awarded \$130,198,291 to crime victims from state funding sources in FY 1989 will receive 40 percent reimbursements from the Crime Victims Fund, totalling \$51,847,000, in FY 1991. These amounts represent an increase of over 100 percent in state and Federal payments to crime victims over the past five years.

The increase in Federal funds has fostered: 1) an expansion of state victim compensation benefit payments and services for which compensation is granted (e.g., mental health counseling) and maximum awards to crime victims; 2) efforts to make crime victims aware of benefits; 3) improved coordination between crime compensation programs and local victim services agencies and law enforcement; 4) outreach to victims who have traditionally been excluded from participating in state compensation benefits, i.e., Native Americans, domestic violence victims, etc.; and 5) stabilized state funding support for crime victim compensation programs.

Since the enactment of VOCA in 1984, there have been other significant developments pertaining to state crime compensation programs: (1) eleven (11) states established new compensation programs--Arizona, Idaho, North Carolina, Utah, Wyoming, Mississippi, Georgia, Vermont, New Hampshire, South Dakota and Arkansas; (2) elimination of residency requirements in 18 states; (3) improved benefits to secondary victims in 9 states, e.g., survivors of homicide victims; (4) thirty-six states now provide for emergency awards; (5) mental health counseling is now a compensable expense in all eligible states that have victim compensation programs; (6) only one-fifth of the programs now have a financial requirement provision as compared to about one-third of the states in 1983; (7) eight states have increased

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<sup>1</sup> Currently, only the State of Maine has not established a state crime victims compensation program. However, there is a bill pending to establish such a program in that state.

their maximum awards since VOCA was enacted; and (8) thirty-seven (37) states now include domestic violence as a compensable crime and provide compensation to victims of drunk driving. By October 1, 1991, we anticipate that all states will provide compensation to domestic violence and drunk driving victims in response to recent amendments to VOCA.

**OFFICE FOR VICTIMS OF CRIME  
SPECIAL PROJECT INITIATIVES**

The Office for Victims of Crime's Special Projects Division is responsible for providing Federal leadership in identifying and addressing crime victims issues. To address this responsibility, OVC often undertakes cooperative efforts with state and local criminal justice systems as well as crime victims advocacy groups. These efforts are focussed on facilitating the implementation of the recommendations of the President's Task Force on Victims of Crime and the Attorney General's Task Force on Family Violence.

The President's Task Force on Victims of Crime, Final Report (1982), sets forth a number of specific recommendations on how law enforcement and other governmental agencies can improve the criminal justice system's response to crime victims. To accomplish this objective, OVC, in cooperation with the Bureau of Justice Assistance (BJA), has designed training and technical assistance grant programs to improve victims services within the criminal justice system. Specifically, OVC has awarded or intends to award the following FY 1990-91 grants:

- o The American Probation and Parole Association and the Council of State Governments has been awarded \$150,000 to develop a training and technical assistance package for probation and parole personnel who seek to implement victims assistance programs, with emphasis upon the management of restitution, in their respective agencies.
- o The National Victims Center, in cooperation with the American Correctional Association, the National Organization for Victim Assistance, the California Youth Authority and the California Department of Corrections, has been awarded \$150,000 to develop a training and technical assistance package for corrections personnel seeking to implement victim services within correctional facilities.
- o In the near future, OVC expects to award a \$200,000 grant to develop a law enforcement training and technical assistance program. The purpose of this grant program will be to enhance the quality of victim services rendered by law enforcement officers.
- o The National Victim Center has been awarded an \$80,000 grant for the purpose of drafting a manual to train non-lawyer victim service providers and practitioners on how to assist victims in 1) understanding their civil legal rights and remedies against perpetrators and 2) determining how and when to obtain qualified legal assistance. This grant program is designed to make legal assistance, and particularly civil legal remedies, more obtainable for crime victims.

The Special Projects Division also manages grants and contracts that may have beneficial implications for victim service providers, nationwide. An \$80,000 grant is now pending with the National Organization for Victim Assistance to develop a training and technical assistance program. The purpose of this program will be to enhance the capability of victim service organizations to address the unique needs of victims of drug-related crime. Several grants, amounting to over \$300,000 have been awarded to Paul and Lisa, Inc. to provide assistance and to improve victim services for child victims of sexual exploitation. These grants, cooperatively awarded by OVC, BJA, the Office of Juvenile Justice and Delinquency Prevention and the Family and Youth Services Bureau of the Department of Health and Human Services, are intended to address the needs of an historically isolated and underserved group of victims, sexually exploited children. Many of these victims are at risk or are actively engaged in prostitution, are frequently drug addicted and are often transported across state lines for immoral purposes by adults in violation of Federal criminal statutes. Lastly, the Division recommends Federal policy or strategy on AIDS issues as they affect the criminal justice system and crime victims.

OVC funding, in the amount of \$340,000 has been awarded during FY 1990-91 for the operation of the National Victims Resource Center (NVRC), under a contract awarded to the National Criminal Justice Reference Service. Through this award, OVC offers the general public clearinghouse services for victims-related information and materials. The Special Projects Division is responsible for managing this contract award and overseeing services rendered.

Under the Family Violence and Prevention Services Act, OVC has made \$360,000 available during FY 1990-91 to six selected applicants for funding. The purpose of these awards is to provide training and technical assistance to local and state law enforcement agencies in order to improve their response to incidents of family violence. An additional \$40,000 was also made available to four selected applicants to develop and distribute informational materials to family violence victims and to improve the exchange of relevant crime report information to domestic violence victims, social service providers, victim assistance organizations and hospitals by law enforcement agencies.

Additional responsibilities undertaken by the Special Projects Division include the review and analysis of proposed legislation affecting victims, and responding to any and all opportunities to make the rights and needs of crime victims known to the general public.

1991

Gail Abarbanel  
Director  
Rape Treatment Center  
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Neopolitan Lighthouse  
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Parole Commissioner  
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Barbara Reed  
Coordinator for Remove Intoxicated Driver (RID)  
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Gail Abarbanel

Director

Rape Treatment Center

1250 16th Street

Santa Monica, California 90404

For the past 20 years, Gail Abarbanel's life work has been focused on bringing justice and effective care to rape victims. In so doing, she has helped to raise the nation's consciousness about the crime of rape and the way in which rape victims are treated. Ms. Abarbanel is credited with the founding of the Rape Treatment Center at Santa Monica Hospital, a comprehensive multidisciplinary program that provides treatment to rape victims, including forensic examinations, medical treatment and counselling. This program was selected by the National Institute of Mental Health (NIMH) as a model for an NIMH training film on hospital-based rape treatment services.

Ms. Abarbanel was instrumental in launching a national campaign to stop campus rape. Two years ago, she published a landmark report setting forth recommended policies and programs for colleges to adopt in order to prevent rapes and provide effective victim support. As a result of this work, campus rape victims now have identified rights and protections.

In addition, Ms. Abarbanel has initiated, directed, and raised funding for other programs: Senderos, a program providing bilingual/bicultural Rape Treatment Center services to Latino victims; and Stuart House, an internationally recognized, model facility serving sexually abused children through the multidisciplinary approach--an approach that brings police, prosecutors, mental health specialists, child protective service providers and medical experts together to investigate, prosecute and treat child abuse victims.

Josephine Bass

Executive Director  
Neopolitan Lighthouse  
P.O. Box 24622  
Chicago, Illinois 60624

Josephine Bass is to be commended for her dedication to and service on behalf of women and their children who are victims of domestic violence. She first became involved with victims of domestic violence in 1980 when she was employed as a social worker at the Salvation Army Emergency Lodge, and later as director of counseling at Rainbow House, a shelter for battered women.

Ms. Bass is the founder and Executive Director of Neopolitan Lighthouse, a not-for-profit, grassroots social change agency which serves Chicago's West Side Garfield Park community. She was the driving force that first brought services to victims of domestic violence residing in Garfield Park, as well as the driving force that has kept it firmly rooted in that community. Ms. Bass has made personal as well as professional contributions to victims of domestic violence, donating her own money to insuring that the doors of the shelter remain open.

In 1989, Neopolitan Lighthouse became unable to accommodate the growing number of domestic violence victims seeking its services. Thus, in response, Ms. Bass and the Board of Neopolitan Lighthouse were instrumental in opening a second shelter, the Lifeline Homeless Shelter.

*pts. of  
life*

*reason in  
the park  
that's what  
you are*

Frank Carrington, Esq.  
Crime Victims Litigation Project  
4530 Oceanfront Avenue  
Virginia Beach, Virginia 23451

Frank Carrington's sincere personal commitment and outstanding legal contributions have served to open many doors for crime victims in the criminal justice system. His professional and volunteer involvement in the crime victims movement spans decades. Mr. Carrington has lectured, written, and advocated on behalf of crime victims from a number of various perspectives. As a police officer, legal counsellor to police departments and law enforcement associations, leader of national advocacy organizations, as well as an attorney in private practice, he has left no stone unturned in his pursuit of the rights of crime victims. He has experienced and shared the effects of violent crime within his own family.

Mr. Carrington was a member of President Reagan's Task Force for Victims of Crime and now directs the activities of the Coalition of Victims' Attorneys & Consultants (COVAC); a clearinghouse of legal information and a provider of support for those undertaking victim-related litigation. He was instrumental in securing passage of the Federal Students' Right to Know and Campus Security Act of 1990. Through Security on Campus, Inc., Mr. Carrington has provided legal research and opinions to victims of campus crimes. Often providing his legal services free of charge, he has helped many victims and victims' attorneys bring successful litigation against perpetrators and negligent third parties. He is widely regarded as one of the "founding fathers" of the crime victims movement.

Jayne G. Crisp

Project Coordinator for Training and Community Development  
South Carolina State Office of Victim Assistance  
7 Queensbury Drive  
Greenville, South Carolina 29609

Jayne Crisp is a dedicated, energetic victim service provider who has devoted years of hard work to not only the people of Greenville County, but also to those victims throughout the State of South Carolina. Her contributions in the area of victim services are numerous. Ms. Crisp established the Rape Crisis Council of Greenville in 1974; and in 1978, the first prosecutor-based Victim Witness Assistance Program in South Carolina, a program which she directed for 13 years. Her victim witness program has been recognized as a service model for sensitively addressing the needs of victimized children faced with the procedural complexities of our criminal court system and the difficulties of testifying against perpetrators. In her present capacity, as state Project Coordinator for Training and Community Development, Ms. Crisp provides training and shares her victims service and program management expertise with field programs throughout the State of South Carolina.

Ms. Crisp produced a video tape for child witnesses, "Taking the Stand," which is now used in forty-five states, and she is also credited with the "Housewise, Streetwise Program," one of the first comprehensive and nationally recognized child safety education curriculums.

Ms. Crisp helped coordinate South Carolina's first Volunteer Crisis Response Team, established a free counseling program for crime victims, and co-authored a survival guide for victims and their families. She was a board member of the National Organization for Victim Assistance, for 6 years; member, Governor's Criminal Justice Crime and Delinquency Commission, for 5 years; trainer and consultant, the Crime Victims Research Treatment Center, Medical University of South Carolina, and the National Victim Center.

Ms. Crisp continues to influence victims' rights legislation on federal, state and local levels, and is recognized for her training seminars directed at developing an insightful awareness of victims' rights and issues.

John W. Gillis

Parole Commissioner, California Board of Prison Terms  
1721 Cabrillo Avenue  
Alhambra, California 91803

John Gillis's commitment to crime victims is grounded in personal tragedy. His 21 year old daughter was murdered in 1979 by a gang which targeted her because she was the daughter of a law enforcement officer. Mr. Gillis was a member of the Los Angeles Police Department from 1962 until his retirement in 1988. In his capacity as Detective Lieutenant, he supervised detectives responsible for investigating all types of crimes, including over 100 homicide investigations.

After the murder of his daughter, Mr. Gillis became active in Parents of Murdered Children, a support group for homicide survivors, and founded Justice for Homicide Victims--a legislative action arm of the California Center for Family Survivors of Homicide. This advocacy group articulates the unique interests and works to further the rights of homicide survivors. Mr. Gillis is also the founder of Coalition of Victims, Equal Rights (COVER), a statewide umbrella organization that works to maximize the impact of all victims organizations within the State of California. In so doing, COVER advocates on behalf of victims at both the state and federal levels and monitors judicial decisions that affect victims' rights.

As a result of Mr. Gillis' legislative advocacy, the State of California recently passed Proposition 115, the Judicial Reform Act. This new law streamlines and simplifies court procedures for the benefit of crime victims as they interact with the court system during the prosecution of alleged perpetrators.

In 1990, Mr. Gillis was appointed a Commissioner of the Board of Prison Terms, the California parole board, by former Governor Deukmejian. His appointment was strongly supported by former Senator and present Governor, Pete Wilson. In his work as a Commissioner, he is a strong advocate for consideration of the effects of crime on victims and their families.

*legis. reform  
former cop*

Nancy Stoner-Lampy

LECC/VW Coordinator

Office of U.S. Attorney

135 Federal Building, U.S. Courthouse

400 South Phillips Avenue

Sioux Falls, South Dakota 57101

Nancy Stoner-Lampy is the Law Enforcement Coordinating Committee/-Victim-Witness Coordinator for the District of South Dakota. In this capacity, she has developed an excellent rapport with Indian communities in a state which encompasses nine Indian reservations. Her ability to extend herself and involve Native American law enforcement officers and social service providers has resulted in a more effective, better coordinated law enforcement response in South Dakota. She also worked to establish a victim/witness subcommittee for the Law Enforcement Coordinating Committee.

Ms. Stoner-Lampy has been an outstanding advocate for Native American victims of violent crime, often personally seeking and arranging for much needed services for victims. She worked diligently with the Office for Victims of Crime to provide therapy to 20-30 victims of child sexual abuse at the Rocky Ford School on the Pine Ridge Indian Reservation. She sought funding to finance mental health services for two children who were victims of sexual molestation by a minister on the Lower Brule Indian Reservation. She also sought out post-conviction mental health treatment services for two Native American child sexual abuse victims who were raped by their father on the Rosebud Indian Reservation. Whether it be counselling for sexually abused children, shelter for a battered woman and her infant child, or support for a family who has lost a loved one to homicide, Nancy Stoner-Lampy has been there to give of herself to those who need her.

Ms. Stoner-Lampy has been a leader in developing the model for how victim/witness services can be provided in remote areas where transportation is often difficult and telephones are not a common convenience.

At every opportunity, Ms. Stoner-Lampy presents seminars and workshops concerning unique victim issues on Indian reservations. Since 1988, she has worked with the Crow Creek Reservation Child Protection Team in developing a reservation child abuse plan. These efforts have built a cooperative and trusting relationship between agencies and have served to benefit the children of Crow Creek.

Barbara Reed

Coordinator for Remove Intoxicated Drivers (RID)  
205 Louisiana Avenue  
Oak Ridge, Tennessee 37830

Barbara Reed, moved by the death of a close friend and her friend's children--victims of an intoxicated driver--co-founded Remove Intoxicated Drivers (RID) in Anderson County, Tennessee. She then proceeded to establish more chapters throughout the state and, ultimately, became Coordinator for RID/Tennessee. Recognizing another need--that of explaining court system procedures to victims and their families--she undertook the task of learning about the complexities of court and parole procedures. As a result of this self-education, she has become an effective liaison between victims and their families, and law enforcement. In this capacity, she encourages the victims to describe their victimization experiences to law enforcement officers, and other criminal justice system professionals, through the drafting and submission of victim impact statements.

Mrs. Reed worked for the passage of the Tennessee Victims' Rights Law and is a member of the Steering Committee and the Legislative Committee of the East Tennessee Victims' Rights Task Force. She has also organized a Court-Watch system for drunk driving cases statewide to ensure that applicable laws are applied as intended by the state legislature. She has also helped other groups to establish similar systems for victims of child abuse and spouse abuse.

Mrs. Reed has given presentations regarding victim impact statements, the Court-Watch program, and victims support groups at Tennessee Highway Safety Conferences, Tennessee Law Enforcement Conferences, and Drunk Driving Conferences.

*Handwritten signature in yellow ink, possibly reading "Barbara Reed" or similar.*

*Apr. 25 / Administration of George Bush, 1990*

By Senate Joint Resolution 242, the Congress has designated the week of April 22 through April 28, 1990, as "National Crime Victims' Rights Week" and has authorized and requested the President to issue a proclamation in observance of this week.

Now, Therefore, I, George Bush, President of the United States of America, do hereby proclaim the week of April 22 through April 28, 1990, as National Crime Victims' Rights Week. I call upon all Americans—government officials, law enforcement officers, health care professionals, religious and business leaders, and private citizens—to renew their determination to respond with speed and sensitivity to the needs of innocent crime victims and their families. I also urge every American to learn about ways to minimize the risk of victimization and to demonstrate his or her appreciation for those who work for justice.

In Witness Whereof, I have hereunto set my hand this 25th day of April, in the year of our Lord nineteen hundred and ninety, and of the Independence of the United States of America the two hundred and fourteenth.

George Bush

*[Filed with the Office of the Federal Register, 12:52 p.m., April 25, 1990]*

**Remarks at a White House Ceremony  
for the Observance of National Crime  
Victims' Rights Week**

*April 25, 1990*

Welcome to the White House. And may I say I'm very pleased to see so many members of the House and the Senate here today to pay their respects to these honorees. I want to thank them for their outstanding support—Republicans, Democrats alike—on this whole concept of National Crime Victims' Week. It's always a pleasure to see our able Attorney General, who will do the honors in a minute, and in my view, he's doing an outstanding job for our country.

I'm delighted that I just signed the Presidential proclamation declaring this to be National Crime Victims' Rights Week. And

I want to thank you, all of you out there who work so diligently in public service and the private sector on behalf of the victims of crime.

I'm glad to see so many of you could come—some from far away—come here to Washington. It's good to see Howard and Connie Clery again, and some of the others who have worked with the White House over the past year. Howard and Connie embody the power of voluntarism, the power of the physically challenged, and the power of a just cause—the campaign to build an America where every victim of every crime is treated with the dignity and the compassion that they deserve.

Shortly after I took office, the Attorney General came to the Oval Office and introduced me to the seven recipients of last year's awards. And today it's an honor for me to stand with you again as we commemorate the great strides that we've made toward preserving the rights of our victimized citizens.

In the not-so-distant past, crime victims often became the forgotten people, subjected to continued victimization by the criminal justice system. The victims' rights movement really emerged in the seventies, when concerned Americans like one of today's honorees, South Carolina's Dr. Dean Kilpatrick, took part in a grassroots effort to assist victims of rape and family violence.

And the past 8 years have seen a new emphasis placed on crime victims issues: landmark Federal legislation, task forces led by the President and the Attorney General, 45 States where a victims bill of rights is now in force, and a nationwide expansion of victim assistance and compensation programs. My administration has continued to build on this foundation. We've backed the Attorney General's call for full implementation of the Victim-Witness Protection Act. We've obtained reauthorization for the 1984 Victims of Crime Act, extending the innovative fund that turns the tables on the bad guys by taking the criminal's money and using it to assist and compensate the criminal's victims. Last year, for the first time, deposits into the fund exceeded the legislative cap. And for 1990, \$125 million will be available for vital services to victims of crime, \$30 million over the 1989 level.

Another example of how we're protecting victims is the fact that in securities fraud and similar financial crimes we're regularly seeking to recover funds to compensate the victims of those offenses.

Through the Office for Victims of Crime, we've also recently established new victim assistance programs serving Native Americans in 17 States, because when violence strikes, every American should have a place to turn for help. Some of the best successes have come about as a result of partnership—cooperation between Federal, State, and local authorities; teamwork between public and private efforts. One of today's heroes is Mimi Olson, who has devoted 23 years to channeling victim assistance and other services for Native American children on the Crow Creek Sioux Reservation.

And you have Federal partners, like the victim-witness coordinators in the U.S. Attorneys offices who not only arrange emergency services for Federal victims' assistance but also educate prosecutors about the needs of these people—Federal victims' needs.

And all of these efforts are important, but we also know that the best defense is a good offense. We're determined to stop crime at its source, and that means tougher laws, like the stringent drunk-driving law Sandra Heverly helped enact in Nevada. And it means fighting back—community patrols, like the one pioneered in Boston by Milton Cole.

Milton, in recent months, I visited your neighborhood counterparts in Houston, Kansas City, Santa Anna, and right across the river over here in Virginia. And like you, they got angry, and they got organized, and they got results.

Community results have also been magnified by the power of television and the work of yet another crime victim who refused to be further victimized: John Walsh, of "America's Most Wanted." John says, "Look, I was victimized once. My heart has been broken. And I believe you take a stand and fight back not as a vigilante but through the system. You figure out a way to do it with some dignity and some integrity, and you fight back." Those are his words. John's video version of the old post office wanted posters have received national exposure, and the results speak for them-

selves: over 100 criminals nabbed in under 2 years—7 of the FBI's "10 Most Wanted." And just this month, John's program helped earn the conviction of a coldblooded killer who had eluded authorities for 18 years.

The message and the popularity and effectiveness of this broadcast is simple: The people of this country are prepared to do whatever it takes for as long as it takes to take back the streets, to take back what's theirs.

And it's here where we'd like to ask your help. I mentioned tougher laws. Congress has approved our request for more agents, more prosecutors, and more prisons to catch, convict, and contain this country's most dangerous offenders. But Congress also must act on our full range of tough new anticrime proposals. Our package is in danger of being weakened in the Senate, and it's been left gathering dust in the House. And it's time to act. The American people want it done right, and they want it done responsibly, and they want it done now.

Many challenges remain. But thanks to you and your government partners, the future holds the promise for crime victims of both continued support and a continued voice.

From a community activist in Boston's public housing to one of America's most unlikely new television stars, your courageous seven personify the selfless acts of thousands of concerned Americans who strive every single day to take back the streets. And you're living proof of Father George Clements' rallying cry in Chicago: "There are more of us than there are of them."

Congratulations, and God bless you all. Thank you.

*Note: The President spoke at 11:31 a.m. in the Rose Garden at the White House. At the conclusion of his remarks, the following individuals were presented Department of Justice awards for outstanding public service on behalf of victims of crime: Howard and Constance Clery, Milton Cole, Sandra Heverly, Dean G. Kilpatrick, Emilia "Mimi" Olson, and John Walsh.*



## U.S. Department of Justice

Office of Justice Programs

Office for Victims of Crime

## SUMMARY OF PAST CRIME VICTIMS WEEK ACTIVITIES

1990

- o 1989 President Bush signed the Crime Victims Week Proclamation in the Oval Office in the presence of seven individuals who were honored for their contributions to assist victims, Attorney General Dick Thornburgh, and Jane Burnley, Director of the Office for Victims of Crime. Later, the Attorney General presented awards to the seven individuals in the Attorney General's Conference Room at the Department of Justice.
- o 1988 Six individuals were honored for their outstanding contributions to the victims rights movement. They received awards from former Attorney General Meese in the Roosevelt Room at the White House, and had a photo opportunity with President Reagan in the Oval Office. Former President Reagan signed a Proclamation.
- o 1987 Ten individuals were honored by former Attorney General Meese with a ceremony in the Attorney General's Conference Room. Former President Reagan signed the Proclamation in a small Oval office ceremony.
- o 1986 There was no event in April of 1986 because of the U.S. bombing of Libya. No Proclamation was issued.
- o 1985 Six victims of crime who had focused their energies on helping others were honored in a Rose Garden ceremony by former President Reagan; a Proclamation was signed.
- o 1984 Five individuals were honored in a Rose Garden ceremony which included a Proclamation signing.
- o 1983 Five individuals were honored in a Rose Garden ceremony which included a Proclamation signing.
- o 1982 In December, a Rose Garden ceremony was held for presentation of the final report of the President's Task Force on Victims of Crime. Earlier that year, the first Crime Victims Week Proclamation was signed by former President Reagan.

**SOBHUZA II** (1899–1982), *king of Swaziland* (1921–82).

1 King Sobhuza called a meeting of his ministers and advisers to discuss recent missions to other African states. Suddenly, for no apparent reason, he asked all his officials, with the exception of Dr. Samuel Hynd, the minister of health, to leave. Turning to the doctor, Sobhuza said, "I am going." Hynd, a little surprised, asked the obvious question, "Where are you going?" By way of reply, the king simply smiled, raised his hand in a farewell gesture, and died.



**SOCRATES** (c. 469–399 BC), *Greek philosopher. Although he wrote nothing himself, his ideas survive in the writings of Plato and Xenophon. Socrates broke with earlier philosophical traditions and laid the foundations for the development of both ethics and logic. Refusing to bow to tyranny, whether exercised by the mob or by oligarchs, Socrates was tried on the charge of corrupting the young people of Athens and sentenced to death by drinking hemlock.*

1 Knowing the frugality of Socrates' way of life, a friend was surprised to discover the philosopher studying with rapt attention some flashy wares on display in the marketplace. He inquired why Socrates came to the market, since he never bought anything. "I am always amazed to see just how many things there are that I don't need," replied Socrates.

2 Socrates' wife, Xantippe, visited him in prison and bewailed the jury's condemnation. "They are by their nature also condemned," Socrates said. "But the condemnation is unjust!" persisted Xantippe. "Would you prefer it to be just?" asked Socrates.



**SOLOMON** (c. 973–c.933 BC), *king of Israel. He is renowned for having built the first temple at Jerusalem and for his great wisdom, which became proverbial.*

1 Two prostitutes living alone in the same house had babies within three days of each other. One baby died, and its mother stole the other while the mother slept, substituting the corpse of her own baby. Although the other

woman noticed the deception, the first woman refused to relinquish the baby. So they came before King Solomon, each claiming that the living child was hers. The king commanded his officers to bring a sword and when it was brought ordered that the baby be cut in two; one half would then be given to one woman and the other half to the other. The rightful mother, stirred with love and pity for her child, said, "O my lord, give her the living child, and in no wise slay it." But the other woman said, "Let it be neither mine or thine, but divide it." The king, perceiving that the compassion of the first woman had identified her as the true mother, ordered that the baby should be given to her.

{Among the most famous judgments in Western history.}



**SOLON** (c. 639–c. 559 BC), *Greek legislator and statesman. Coming to power in Athens in 594 BC, he remodeled the constitution, introduced new laws, reformed weights and measures and the coinage, encouraged industry, and prohibited loans on the security of the borrower's person.*

1 Solon's sweeping changes naturally came in for a good deal of criticism. Solon himself acknowledged that there were imperfections in his legal code. Challenged to say whether he had given the Athenians the best laws, he replied mildly, "No, but the best that they could receive."

2 Asked what measures could be taken to eliminate law-breaking and crime within a state, Solon replied, "Wrongdoing can only be avoided if those who are not wronged feel the same indignation [at it] as those who are."



**SOMERSET**, Charles Seymour, 6th Duke of (1662–1748), *British courtier, known as "the Proud Duke."*

1 The duke's first wife was Elizabeth, heiress to the great name and fortune of the Percys, dukes of Northumberland. When she died in 1722, he married again; his second wife was Charlotte Finch, third daughter of the Earl of Nottingham. Charlotte once made the mistake of tapping playfully on her husband's arm with

her fan to attract her and said icily, Percy, and she ne

**SOPHOCLES** (4 He wrote about 1. and popularity an seven tragedies st Rex and Antigone

1 At the age of brought before a suspecting that th him out of his will as suffering from ply, "If I am Sop mind; if I am out c cles." He then pro passages from the he had lately writ judges dismissed t

**SOUTHEY**, Rob and prose writer; prose works inclu many letters, essa

1 Southey enjoy regularity of his lif his habits. Inten Quaker lady, he to day; rising at 5:00 6:00 to 8:00, readi writing poetry fo ditto, and so on th heard his recital pray, Friend, wher

**SPAACK**, Paul H. statesman; socialis 1947–50) and fo (1936–38, 1939–4 was president of ti the United Nation 1961 was secretary

1 Presiding over meeting, Spaack cl "Our agenda is no general is exhaustec

McNally/Simon  
April 16, 1991  
Draft One (B:VICTIMS.'91)

PRESIDENTIAL REMARKS: NATIONAL CRIME VICTIMS WEEK  
THE ROSE GARDEN  
MONDAY, APRIL 22, 1991, 2:00 P.M.

Welcome to the Rose Garden. I'm very pleased to see so many Members of the House and Senate here. And it's always good to see Dick Thornburgh, here to do the honors in just a few moments.

Over the past two years, we've traveled across the country, praising those involved in service to others. And our crime victims effort is a very special part of that tradition. Shortly after I took office, the A.G. invited 1989's honorees to meet me in the Oval Office. A year ago this week, we gathered here in the Rose Garden to salute 1990's winners. And today, it is again a privilege to stand with a new group of honorees and salute you not only as "points of light" -- but also as "points of courage."

Ladies and gentlemen: Standing before you today are seven good Americans who refused to give up. Seven good Americans who won against the odds. Representing seven good reasons why our efforts for crime victims will continue to triumph, and to grow.

Far too often, for far too many years, victims of crime became the "forgotten people," subjected to continued victimization by the system itself. Then people like Virginia's Frank Carrington -- rightly regarded as one of the "founding fathers" of the movement -- stepped up into the breach. They fought back. They got involved. And they proved to America that one man or one woman can make a difference. \\\

Maybe you heard about this 11-year old girl up in Alaska.

She tried to help when her mom was attacked at home just after Christmas. The guy got away, but not without the kid showing the police where he left his fingerprints. Four months went by without a lead. Then the girl spotted the accused at a convenience store. She didn't hide. She didn't run away. She had dad call the police, and then, unbelievably, this 11-year-old kid grabbed a neighbor and chased the man down the street. When police made the arrest she was holding onto his hair for all she was worth.

Like a real-life version of the gutsy little kid in Home Alone, Diana Bowles stood up for family, stood up against crime, and stood up to be counted when the chips were down. And like the seven All-American heroes we honor today, she symbolizes a new America where people are refusing to be victimized any more.

I think of pioneers like California's Gail Abarbanel, and Jayne Crisp of South Carolina. A generation ago, a continent apart, each of these two women helped cultivate the grassroots effort to assist victims of rape. And out of efforts like these, America came to understand a simple truth: **That every victim, of every crime, deserves to be treated with dignity and compassion.**

Over the past decade, community efforts like those represented here have been backed up by a new partnership with the White House and America's cities and states. The crime bill I signed last fall created the first-ever Federal Crime Victims Bill of Rights. It gave the Justice Department enhanced authority to ensure the system treats crime victims fairly. And it contains new measures to protect child victims and witnesses.

Working with Congress, we not only reauthorized the 1984 Victims of Crime Act, but also boosted its annual victims' compensation fund to \$150 million. We stepped up efforts to fully implement the Victim-Witness Protection Act and the new Victims' Rights and Restitution Act. And there's probably no better model of their success than one of today's honorees -- Nancy Stoner-Lampy, our Victim/Witness Coordinator in South Dakota -- and an outstanding advocate for Native American crime victims.

We've made real gains. But many challenges remain. Two of today's honorees can help point the way: California's John Gillis, and Barbara Reed, of Tennessee, have both made their mark fighting for tougher laws. **They know the real way to help the crime victims of tomorrow is to prevent them from ever being hurt -- by taking dangerous criminals off the streets today.**

Almost exactly a year ago, on this same occasion, I stood here and called on Congress to act on our full range of tough new anti-crime proposals. Regrettably, most of them never made it back to my desk. We've got to do better. **Each day that passes is one too many. Each victim lost is more than we can afford.**

Our Crime Control Act of 1991 contains a wealth of new proposals that support the growing, national concern for innocent victims of all crimes. It includes new protections for witnesses and abused kids; new rules to enhance Federal prosecutions of sexual violence involving children; mandatory HIV testing of accused sex offenders; and it guarantees a victim's right to address the court at sentencing.

Just as important, our Crime Bill proposes bold new reforms of habeas corpus appeals, the exclusionary rule, and the death penalty. These reforms are based on some simple and fundamental truths: First, that victims have a right to finality. Second, that victims have an interest in knowing that courts will consider all relevant evidence when deciding the guilt or innocence of the accused. And third, that victims and their survivors have a significant interest in knowing that the punishment imposed will be commensurate with the brutality of the crime.

Six weeks ago I put a challenge to Congress. I said: If our forces could win the ground war in 100 hours -- then surely the Congress can pass this legislation in 100 days. \\\

The clock is running. America wants it done right. America wants it done responsibly. And America wants it done now. \\\

I've saved one honoree for last. She's Josephine Bass, who founded a shelter in Chicago for victims of domestic violence. It's called the Neopolitan Lighthouse. And I like the symbolism. Like each of you, a lighthouse shines through the storm and gives hope in the night. Like each of you, it is a beacon to hundreds of others, an immovable light by which to chart one's course to safety. And like each of you, it is proof that each point of light matters. Each time your message gets through can mean one life changed -- and another life saved. \\\

Together, let's "take back the streets." Congratulations and thanks to you all. And God bless the United States.

# # #

NAME OF SPEECH & DATE OF SPEECH National Crime Victims Week

4/27/91

NAME OF WRITER :

McNally

NAME OF RESEARCHER:

Simon

SPEECH SYNOPSIS:

Potus' remarks pay tribute to the award recipients, highlight Administration action on behalf of crime victims, and appeal to Congress to pass your anticrime proposals.

The recipients are people who helped stop crimes or convicted with the help others in solving a crime.

NAME OF SPEECH & DATE OF SPEECH Kennedy Center Musical

4/22/91

NAME OF WRITER : Hinchliffe

NAME OF RESEARCHER: Blymire

SPEECH SYNOPSIS:

*[Faint handwritten notes, possibly describing a musical performance or event.]*



## Law Enforcement Coordinating Committee / Victim-Witness

# NETWORK NEWS

VOL. 7, NO. 5

MAY 1991

### COORDINATORS HONORED AT DIRECTOR'S AWARDS CEREMONY

Three LECC and Victim-Witness Coordinators were among those receiving awards at the Director's Awards ceremony held on April 19 in the Department of Justice's Great Hall. Deputy Attorney General William P. Barr and EOUSA Director Larry McWhorter presented awards to all the recipients.

Anita Boles received the Director's Award for Outstanding Performance in Assistance and Management of Witnesses for her work as the Victim-Witness Coordinator in the District of Columbia. In heading the Victim-Witness Assistance Unit in the United States Attorney's office, Anita handled a large number of victims and witnesses, many of whom were violent crime victims. She also demonstrated her leadership in victim-witness assistance and management issues by pioneering the GTS witness travel management program and initiating the development of a pilot short-term witness security program.

Helene Tenette, Victim-Witness Coordinator in the Eastern District of California, received the Director's Award for Outstanding Performance in Assistance to Victims of Crime. Dedicated to ensuring that federal crime victims receive justice, services, and compensation, she has particularly distinguished herself through assisting former and present military personnel and their families who were victimized while residing on military installations. In one case, a year-long effort resulted in a victim compensation award for a former military family whose young son had been sexually abused.

The Director's Award for Outstanding Performance in Law Enforcement Coordination was presented to Didi Nelson, LECC/Victim-Witness Coordinator in the Northern District of Georgia. Didi established a successful drug intelligence computer system known as MANIX that has greatly increased law enforcement coordination and prevented duplication of efforts in drug investigations. In addition, her contributions to

the asset forfeiture and equitable sharing program have improved and enhanced its effectiveness as a means of promoting cooperation among federal, state, and local law enforcement.

The LECC/Victim-Witness Staff is proud of these three Coordinators and their accomplishments in furthering law enforcement cooperation and victim-witness assistance.



EOUSA Director Larry McWhorter poses with award recipients Helene Tenette, left, and Didi Nelson. Not pictured: Anita Boles.

## helping hands

*The LECC/Victim-Witness Staff invites you to send stories highlighting those in your district who have contributed significantly to LECC efforts or victim-witness assistance. The following "Helping Hand" was submitted by Dennis Vacco, United States Attorney in the Western District of New York.*

**T**he LECC in the Western District of New York has operated a successful Environmental Subcommittee for the last five years. Contributing significantly to the subcommittee's success have been two criminal investigators with the New York State Department of Environmental Conservation, Walter Cain and Otto Tertinek.

Walter Cain has been with the New York State Department of Environmental Conservation for over seven years. In the last four years, he has participated in numerous investigations conducted by LECC members, both as the lead investigator and as part of the investigative team. Most recently, he has been the lead investigator in an ongoing investigation involving hazardous waste disposal.

In 1989, Cain learned that a major facility which previously had been permitted to receive hazardous wastes as a TSD (Treatment-Storage-Disposal) facility had been indiscriminately disposing of hazardous wastes on and near its facility in Tonawanda, N.Y. Beyond the acts of illegal disposal, this criminal activity was greatly compounded by the proximity of the facility to the Niagara River. Through the LECC, Cain immediately began the extraordinarily complex task of coordinating a team of EPA, FBI, IRS, and New York State environmental investigators to investigate this criminal activity and to assist in its urgent cleanup.

Cain was responsible for coordinating the simultaneous execution of three separate search warrants involving this TSD facility. The warrants ranged from the taking of core samples for laboratory analysis to the seizing of literally hundreds of thousands of documents. He organized, indexed, and cross-referenced all of the documentation seized, resulting in almost 400 additional subpoenas to be issued in order to track and detail the amount of hazardous waste that was disposed of at the site. At biweekly meetings for over 17 months, Cain has always provided critical information to assist the IRS and FBI agents who are conducting collateral but related investigations of the subjects, and he has distilled the overwhelming wealth of information from this case into clear and precise briefings and written reports for his fellow investigators.

Otto Tertinek, too, has been an outstanding example of federal, state, and local cooperation in the relatively new field of environmental crime investigations. He has participated in practically all of the over 40 investigations overseen by the LECC Environmental Subcommittee, and he possesses a remarkable ability to locate witnesses and properly debrief them.

In addition to his investigative skills, Tertinek has dramatically assisted the LECC in its training function. He was responsible for putting together the single most successful portion of the LECC's National Environmental Crimes Conference, held in Buffalo, N.Y., in October 1989. Along with a panel of seven other members, he coordinated a presentation which clearly illustrated the complexities of an environmental investigation, while instructing the attendees how to overcome those problems utilizing hard work and coordination. Tertinek's panel presentation was rated by the over 300 attendees as the highlight of the conference.

Tertinek has also been responsible for preparing the curriculum and being the overall lead instructor for a series of one-day conferences being held in the district this spring. These seminars are directed to local law enforcement officials who do not normally investigate environmental crimes but who need to be made aware of possible symptoms of environmental crimes. Tertinek organized the seminars so that they would familiarize police, housing inspectors, and health inspectors with the environmental laws as well as sensitize them to the physical indicia of potential environmental crimes.

The efforts of Otto Tertinek and Walter Cain through the LECC Environmental Subcommittee are a sterling example of the cooperation needed to make effective criminal environmental prosecutions. Their professionalism, dedication, and hard work have contributed greatly to the success of the LECC in the Western District of New York.

**"Environmental crime is, in fact, dirty white-collar crime—as insidious in its own way as the financial fraud we have lately uncovered in our financial communities. It involves a similar betrayal of the public trust—often through a like evasion of regulations and accountability—and it is always a rip-off. Only here, the white collar criminal is not ripping off our life savings. He is ripping off life itself."**

*Dick Thornburgh  
Attorney General*

## PRESIDENT HONORS COORDINATOR, SIX OTHERS

In a White House ceremony on April 22, 1991, President George Bush and Attorney General Dick Thornburgh honored seven individuals who have made outstanding contributions in assisting victims of crime. The awards program, held annually in conjunction with National Crime Victims' Rights Week, was administered by the Office for Victims of Crime, which selected the honorees from nominations by federal, state, and local criminal justice and victim assistance officials; national victim assistance organizations; and private citizens.

One of the seven award recipients was LECC/Victim-Witness Coordinator Nancy Stoner Lampy from the District of South Dakota. Nancy was recognized for developing an excellent rapport with Native American communities in a state encompassing nine Indian reservations, for arranging mental health counseling for scores of victims of child sexual abuse on Indian reservations, and for providing support, information, and assistance to hundreds of Native American victims of violent crime. In addition, she was recognized for her leadership in developing model programs for providing victim-witness services in remote areas where transportation is often difficult and telephones are often lacking.

Another recipient was Barbara Reed of Oak Ridge, Tenn., who serves on the East Tennessee Victims' Rights Task Force, formed last year by United States Attorney John Gill's office in the Eastern District of Tennessee. She was honored for assisting victims of drunk drivers and acting as a liaison between victims and law enforcement.

The other award recipients were:

- o Gail Abarbanel of Santa Monica, Calif., for her work in bringing justice and effective care to victims of rape;
- o Josephine Bass of Chicago, Ill., for her service on behalf of women and children who are victims of domestic violence;
- o Frank Carrington of Virginia Beach, Va., a member of the 1982 Presidential Task Force on Victims of Crime, for his decades-long involvement in the victims' rights movement;
- o Jayne G. Crisp of Greenville, S.C., for creating and directing the first prosecutor-based victim-witness assistance program in South Carolina; and
- o John W. Gillis of Alhambra, Calif., a Los Angeles Police officer for 26 years and father of a murder victim, for founding the California Center for Family Survivors of Homicide.



President Bush and Attorney General Dick Thornburgh with honorees at National Crime Victims' Rights Week ceremony. LECC/Victim-Witness Coordinator Nancy Stoner Lampy (S.Dak.) is seventh from left.

### THORNBURGH ARGUES VICTIMS CASE BEFORE SUPREME COURT

During National Crime Victims' Rights Week, Attorney General Dick Thornburgh, in a 10-minute, friend-of-the-court argument, urged the U.S. Supreme Court to overturn two precedent cases disallowing testimony by the victims' survivors in murder cases in which the jury is considering the death penalty.

In asking the Court to overturn its decisions in the 1987 case *Booth v. Maryland* and the 1989 case *South Carolina v. Gathers*, Thornburgh said, "It's important for the jury to have the full picture of the harm that was caused by the act of the defendant." He said that allowing juries to listen to victim impact testimony is a rational and reasonable way to ensure that murderers are held fully accountable for the harm that they cause.

The case, *Payne v. Tennessee*, involves a man who was convicted for sexually assaulting a woman, stabbing her and her two-year-old daughter to death, and stabbing and wounding her three-year-old son. The jury, in considering whether to impose the death penalty, heard the victim's mother testify that her grandson cries because he misses his mother and sister. After he was sentenced to death, the defendant appealed on grounds that the grandmother's testimony was wrongly admitted.

Anne Seymour of the National Victim Center, in a column in the *USA Today* supporting victim impact testimony in capital murder cases, wrote, "A convicted murderer is guaranteed by law the right to parade countless witnesses before the court to explain what caused him to commit his heinous acts and to plead for leniency. A victim's family in capital murder cases is guaranteed by law only the right to remain silent."

A decision in the case is expected in July.

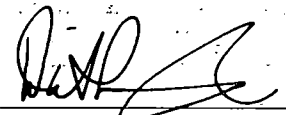
***"In the Nation's ongoing fight against crime, statistics tell only part of the story. More than a violation of the law, every crime is a violation of the rights, property, person, or trust of another human being. Thus, behind every tally of offenses ranging from misdemeanors to aggravated felonies are innocent victims—individuals and families who must be recognized in the administration of justice."***

(from the President's Proclamation of National Crime Victims' Rights Week, 1991)

## CRIME VICTIMS' BILL OF RIGHTS

A crime victim has the following rights:

- (1) The right to be treated with fairness and with respect for the victim's dignity and privacy.
- (2) The right to be reasonably protected from the accused offender.
- (3) The right to be notified of court proceedings.
- (4) The right to be present at all public court proceedings related to the offense, unless the court determines that testimony by the victim would be materially affected if the victim heard other testimony at trial.
- (5) The right to confer with attorney for the Government in the case.
- (6) The right to restitution.
- (7) The right to information about the conviction, sentencing, imprisonment, and release of the offender.



Dick Thornburgh  
Attorney General

### Victims' Rights and Restitution Act of 1990

Copies of the Crime Victims' Bill of Rights will soon be sent by the Office for Victims of Crime to all United States Attorneys' offices.

## DISTRICTS PARTICIPATE IN VICTIMS' RIGHTS WEEK ACTIVITIES

National Crime Victims' Rights Week was held April 21-27, 1991, and United States Attorneys' offices and LECCs around the country responded by participating in an array of activities designed to improve the plight of victims of crime.

The LECC in the Middle District of North Carolina sponsored its Third Annual Law Enforcement Run for Victims. Over 100 law enforcement officers from all 24 counties in the district participated in the 5K run despite the pouring rain, and over \$1,000 in proceeds from the race will be donated to the North Carolina Victim Assistance Network.

The Southern District of West Virginia's LECC also hosted a run: the 1991 Crime Victims' Fund 5K. Co-sponsored by the Fraternal Order of Police, the race attracted over 70 runners despite cold and rainy weather and raised \$552 for the West Virginia Crime Victims' Compensation Fund. LECC/Victim-Witness Coordinator Deanna Corbin appeared on a local television station's noon news to talk about the race and National Crime Victims' Rights Week. The race had an entrant who, although not a runner, wanted to walk in it in memory of her brother-in-law, a local deputy sheriff who had been killed in the line of duty. She said that her family had received assistance from the state's crime victims' fund and that they were thrilled to see the LECC sponsoring this race for such a worthy cause.

In the Western District of Texas, U.S. Senator Phil Gramm (R-Texas) and United States Attorney Ron Ederer presented to the 83rd District Attorney's office and the Fort Stockton Police Department the deed to a 10-acre ranch in Fort Stockton, Texas, valued at nearly \$100,000. The ranch, which was seized and forfeited because of its use in drug trafficking, will be used as a shelter for victims and witnesses involved in the criminal justice system.

Other districts also participated:

- o The United States Attorney's office in the Northern District of Ohio co-sponsored a conference, "Victims' Rights and the Aftermath of Victimization," in Cleveland. Program Manager Donna Enos of the LECC/Victim-Witness Staff was a guest speaker on the federal victim-witness program, and Victim-Witness Coordinator Terri Williamson received a public service award for her assistance to victims and witnesses.

- o The United States Attorney's office in the District of Utah was a co-sponsor of the Utah Crime Victims Conference, held in Salt Lake City. The conference included a panel of victims discussing their positive and negative experiences with the criminal justice system and with victims' support services.

- o The Eastern District of Louisiana conducted a program at the United States Attorney's office featuring presentations by the father of a murder victim and representatives from a local battered women's program.

- o The LECC in the Western District of Pennsylvania sponsored two ceremonies honoring individuals with outstanding records of service to victims of crime. One ceremony was held at a public meeting in Pittsburgh in conjunction with the Allegheny County Commission, and the other took place in Erie, Pa., at an Erie County Council meeting.

- o In the Western District of New York, United States Attorney Dennis Vacco presented a Commendation Award to a victim who reinstated the local chapter of Mothers Against Drunk Driving, speaks to area high schools, and serves on the county Victim Impact Panel.

- o The Southern District of California held its second annual Crime Victims Week Awards Ceremony, honoring law enforcement officers and Assistant United States Attorneys who have provided invaluable assistance to victims and witnesses. In addition, Victim-Witness Coordinator Brenda Mason was a speaker at a Candlelight Vigil for victims of crime.

- o LECC/Victim-Witness Coordinator Jan Emmerich (Ariz.) served as co-chair for Arizona's statewide Candlelight Vigil commemorating National Crime Victims' Rights Week. Joining victim service agencies as co-sponsors of the vigil were representative agencies from every component of the criminal justice system--law enforcement, prosecution, courts, probation, and corrections.

- o A Candlelight Vigil was also held in the Southern District of New York, in remembrance of the countless New York City citizens who have been killed or injured by violence. A "Victims Information Fair" was held as well, with 20 co-sponsoring agencies, including the United States Attorney's office, providing literature on criminal justice and crime victims' services in the New York City area. LECC/Victim-Witness Coordinator Clara Palumbo represented the United States Attorney's office.

**"The victim is no longer just a potential witness for the prosecution, but a person who should and will receive assistance from law enforcement agencies after the crime has occurred."**

*United States Attorney Harry Rosenberg  
(ED/Louisiana)*

## *asset forfeiture/equitable sharing*

- \$140,853** At the Northern District of Oklahoma's monthly LECC business luncheon in March, United States Attorney Tony Graham presented six equitable sharing checks totaling \$140,853.68 to the Tulsa County Sheriff's office, Oklahoma Bureau of Narcotics, Oklahoma Department of Public Safety, and the Creek County District Attorney's office. The sharing presentations resulted from three narcotics investigations, one involving a drug operation based at a small Oklahoma airport, another involving a methamphetamine distribution conspiracy, and the third involving a traffic stop in which the presence of marijuana residue in the vehicle was detected by a police dog.
- \$153,126** LECC Coordinator William Key, representing United States Attorney William T. McGivern, Jr. (ND/Calif.), participated in two equitable sharing presentations totaling \$153,126. In one, \$112,806 was presented to the Mendocino County Narcotics Task Force, resulting from the discovery of a pound of heroin and \$125,000 in currency during execution of a search warrant. In the other presentation, \$40,320 was presented to the Oakland Police Department, resulting from \$60,000 seized from a man at Oakland Airport after a drug-sniffing dog alerted police to the presence of narcotics in his luggage.
- \$851,558** Checks totaling \$851,558.11 were distributed in three recent equitable sharing presentations in the District of New Mexico. In the largest presentation, United States Attorney William Lutz distributed over \$500,000 to the New Mexico State Police, the First and Eighth Judicial District Attorneys' offices, and the Santa Fe and Raton Police Departments. In 1990, state police officers stopped a vehicle near Raton, N.M., and discovered approximately 12 pounds of marijuana. The owner of the car agreed to cooperate and took police to the house where he had purchased the marijuana. There, the police seized 51 pounds of marijuana and almost \$630,000 in U.S. currency.
- \$731,876** United States Attorney Linda Akers (Ariz.) and LECC/Victim-Witness Coordinator Jan Emmerich presented a check for \$190,800 to Peter Ronstadt, chief of the Tucson Police Department (and brother of singer Linda Ronstadt). The check represents a portion of over \$200,000 confiscated during a drug arrest. The defendant had negotiated for the purchase of approximately 350 pounds of marijuana, stating that he had cash hidden inside the spare tire of his vehicle. The tire was found to contain \$212,000. Akers also presented over half a million dollars during an LECC Executive Committee Meeting; nine state and local agencies shared a total of \$541,076.56.
- \$227,956** United States Attorney Lincoln Almond (R.I.) presented checks totaling \$227,956.54 to nine state and local law enforcement agencies. The sharings are the result of three separate drug seizures, one from a marijuana dealer, another from a heroin dealer, and the third from a cocaine and marijuana dealer. Receiving checks were the Rhode Island National Guard, the state Attorney General's office, and the Pawtucket, Warwick, Woonsocket, Providence, Little Compton, Cranston, and Narragansett Police Departments. The distribution of funds brings to \$4.68 million the total amount shared thus far in the District of Rhode Island.
- \$570,051** United States Attorney William Braniff (SD/Calif.) announced the distribution of \$570,051.68 to the Santa Barbara County Sheriff's Department for its participation in the investigation of a marijuana smuggling case. The shared money represents proceeds from the sale of property in Hawaii that was purchased with profits from marijuana sales. In 1986, 8,000 pounds of marijuana were brought from Thailand to Hawaii in a yacht, loaded onto a tugboat and transported to Long Beach, Calif., then transferred to trucks and taken to a remote ranch in Victorville, Calif., from where it was distributed.

- \$862,844 United States Attorney Fred Foreman (ND/Ill.) disbursed equitable sharing checks totaling \$262,844.40 to the following local agencies, all located in Indiana along the Indiana-Illinois state line: the Lake County Police Department and Hammond Police Department, which each received \$100,131.20; the East Chicago Police Department, which received \$37,549.20; and the Gary Police Department, which received \$25,032.80. The sharing resulted from a case in which over \$312,000 was seized. In another sharing presentation, Foreman presented \$600,000 to the Chicago Police Department at the conclusion of a news conference on Project Triggerlock.
- \$2,063,797 United States Attorney Marvin Collins (ND/Texas), along with officials from the FBI, DEA, IRS, and U.S. Marshals Service, announced the presentation of over \$2 million. A total of 28 law enforcement agencies from Texas, Louisiana, Tennessee, Arkansas, Michigan, Oklahoma, New York, and Arizona shared in the seized funds.
- \$217,600 United States Attorney Montgomery Tucker (WD/Va.) presented an equitable sharing check for \$13,466.25 to the Roanoke Police Department. The money represents the police department's share of assets seized in combined efforts by federal, state, and local law enforcement agencies to combat the crack cocaine trade in Roanoke.
- \$834,827 U.S. Senator Phil Gramm (R-Texas), United States Attorney Ronald Woods (SD/Texas), and Houston Mayor Kathryn Whitmire presented \$806,377 to the Texas Department of Public Safety, Houston Police Department, and Harris County Sheriff's Department. The presentation was made while Senator Gramm was in town for the official ribbon-cutting ceremony for the HIDTA (High Intensity Drug Trafficking Area) office. In a separate presentation, Woods released checks totaling \$28,450.68 to the Victoria County Sheriff's office, Victoria Police Department, Webb County Sheriff's office, and Laredo Police Department.



U.S. Senator Thad Cochran (R-Miss.), left, and United States Attorney George Phillips (SD/Miss.), center, present an equitable sharing check for \$21,751.50 to Jackson County Sheriff Donald "Pete" Pope, on May 3 in Jackson, Miss. A total of \$222,648.12 was presented at the ceremony to eight state and local law enforcement agencies. Senator Cochran, a strong supporter of the asset forfeiture/equitable sharing program, said, "This is a tangible way for the federal government to support state and local efforts against crimes, particularly drug crimes, and we are able to do this with money taken from those attempting to benefit from criminal activity. I can't imagine a more appropriate use of these funds than using them to increase law enforcement efforts."

## COUNTERFEITING MANUAL TO BE AVAILABLE AT ANNUAL CONFERENCE

The International Anti-Counterfeiting Coalition (IACC) is an organization of over one hundred corporations, associations, and professional firms working to promote the protection of copyrights, patents, trademarks, and trade secrets--known collectively as intellectual property rights.

The IACC was formed in 1978 to combat the problem of counterfeiting around the world. Towards this end, it has drafted and supported legislation designed to deter the manufacture, importation, and sale of counterfeit merchandise. Now that most of the legislation necessary to inhibit counterfeiting is in place, the IACC has turned its attention to ensuring effective enforcement of existing laws, directing its efforts primarily toward law enforcement agencies and the United States Attorneys' offices.

The IACC has created a Counterfeit Product Identification Manual, which will be available at the Sixth Annual LECC/Victim-Witness Coordinators' Training Conference in Atlanta in June. The manual contains counterfeiting identification materials from different companies, details the characteristics of genuine and fake products through pictures and descriptions, and provides contacts from companies who can verify the counterfeit or genuine nature of a product. The manual also contains all the federal and state criminal statutes relevant to counterfeiting, piracy, and copyright or trademark infringement. LECC/Victim-Witness Coordinators are encouraged to pick up a copy of the manual at the conference.

This issue might be a good topic for a future LECC training seminar. For further information, contact Brian Brokate, IACC, at (212) 688-5151.

## LOWER BACK PROBLEMS IN LAW ENFORCEMENT OFFICERS

*(reprinted from the Western District of Missouri's LECC Newsletter, Winter 1991)*

As a result of a lower back injury which probably happened during his move from Springfield to Kansas City, United States Attorney Jean Paul Bradshaw II recently found himself in physical therapy several times a week. The hospital where he receives his physical therapy treats a large number of police officers for lower back pain and disorders. It has come to the attention of Mr. Bradshaw's physical therapist that an unusually high number of physical therapy patients are police officers. Their back problems are believed to originate from their work situation of sitting in a patrol car for several hours at a time in the same posture, often over a period of many years.

Commonly, the front seat in police vehicles is of the bench type design with no lower back support. An additional factor is that these vehicles often are in use 24 hours a day. Soon, the springs and padding collapse, weakening what little support these types of seats had originally. Physical therapists point out that when the body is required to be in the sitting position for prolonged periods of time, it is essential to have lower back

support which is in the same contour as the natural curve of the spine.

This type of support is best achieved by a lumbar support pillow. The pillow provides an alignment for the back, which keeps the spine in its normal position and prevents problems from developing. Some physical therapists see the tremendous expense that police departments are having to expend by way of insurance claims and absenteeism to treat back problems in police officers. These might be cut by fractions by offering a lumbar support pillow to police officers on patrol.

The pillow is small and rounded in half-circle design which fits easily in a car seat or straight office chair. The price of the lumbar pillow will vary according to its design; however, the general cost will range from \$15 to \$45. If you are interested in more information on a lumbar support pillow, you may contact LECC/Victim-Witness Coordinator Rebecca Tillman at (816) 426-3122, or call any registered physical therapist.

## CORRECTIONS CONFERENCE UPCOMING

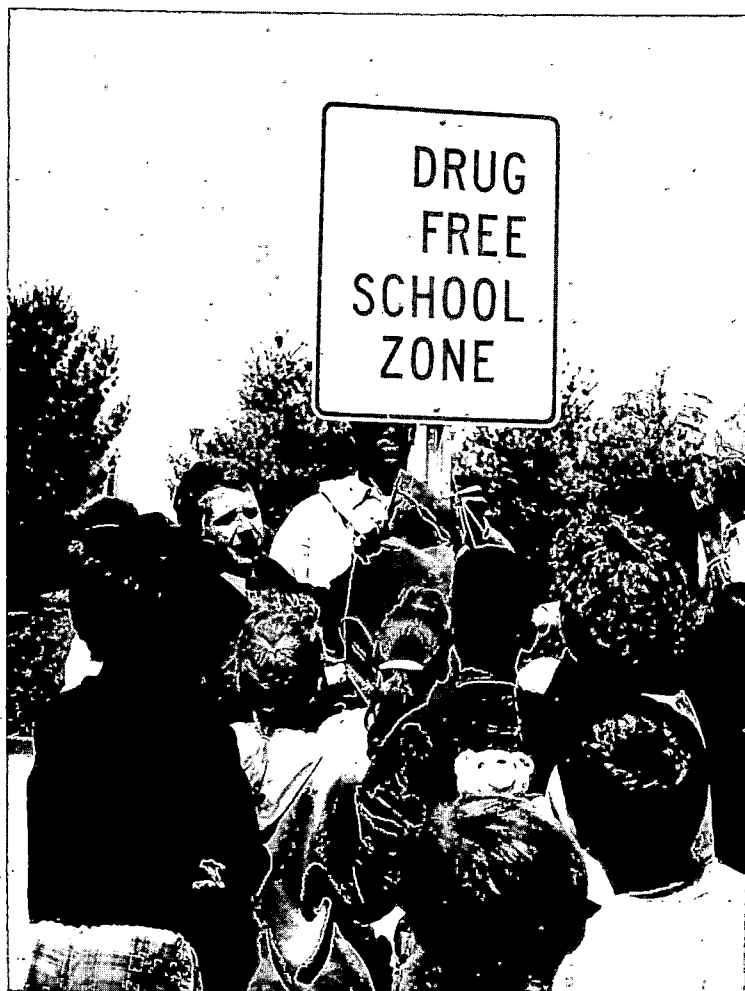
The American Correctional Association is sponsoring its 121st Congress of Corrections in Minneapolis, Minn., August 4-8, 1991. This year's conference theme is "The Evolution of Corrections: Options for the Future." The program consists of 14 sessions on topics including intermediate sanctions, special needs offenders, public image of corrections, sub-

stance abuse, juvenile justice, promoting safety and reducing violence, correctional health care, and international corrections. An informational brochure can be obtained by contacting the American Correctional Association, 8025 Laurel Lakes Court, Laurel, Md. 20707; (301) 206-5100.

## ASSET FORFEITURE FUNDS AVAILABLE

The LECC/Victim-Witness Staff has a limited amount of funding available for use by LECC/Victim-Witness Coordinators in sponsoring an LECC training session on asset forfeiture. To receive funding for training, simply write a letter detailing when and where the training will be held, how the money will be spent, and how much money is needed. Send the letter to Nancy Allen, Assistant Director, EOUSA, LECC/Victim-Witness Staff, Room 1612, Main Justice Building, 10th and Pennsylvania Avenue, N.W., Washington, D.C. 20530.

During Fiscal Year 1990, LECCs sponsored 41 training sessions on asset forfeiture, training some 3,200 federal, state, and local law enforcement representatives about asset forfeiture and equitable sharing. Through March of Fiscal Year 1991, the LECCs had sponsored 17 asset forfeiture seminars, training approximately 1,200 law enforcement personnel. For further information, contact the LECC/Victim-Witness Staff.



Students surround United States Attorney Bill Carpenter (Del.) as he unveils a Drug Free School Zone sign at their school. Carpenter served as chair of the committee that designed the signs and obtained funding for the distribution of two of the signs for every school in Delaware.

## VICTIMIZED CITY TO BENEFIT FROM TRUST FUND

In the Southern District of Illinois, a company known as Matthews and Wright, Inc., was sentenced after pleading guilty to conspiracy charges involving criminal conduct in underwriting a \$223,735,000 municipal bond for the city of East St. Louis to develop a port on the Mississippi River. The company was sentenced to one year's probation, including a condition that it perform community service by funding a \$7 million trust for the benefit of the citizens of East St. Louis. The requiring of a corporation to perform community service is unusual, and the condition that a corporation fund a trust for the benefit of the citizens of a community as a form of community service is thought to be the first sentence of its kind in the country.

This sentence was the result of the successful effort of the United States Attorney's office, under the leadership of United States Attorney Frederick Hess, to define the victims of the crime as the citizens of East St. Louis, who, while not directly losing any money, were deprived of the potential benefits of the port had it been built. The fund will go towards vocational training, health care, community improvement, and housing.

## COURT LIMITS HABEAS APPEALS

On April 16, 1991, the U.S. Supreme Court ruled 6-3 against the limitless filing of federal habeas corpus petitions, holding any submission of a second petition to far tighter restrictions. Under the Court's ruling in *McCleskey v. Zant*, good cause must now be established for not having raised an applicable constitutional argument on the first round of appeals.

"The writ [of habeas corpus] strikes at finality," the Court said. "One of the law's very objects is the finality of its judgments. Neither innocence nor just punishment can be vindicated until the final judgment is known.... Perpetual disrespect for the finality of convictions disparages the entire criminal justice system."

Habeas corpus reform was discussed at the Attorney General's Summit on Violent Crime, held in March 1991. In an address to Summit participants, Supreme Court Associate Justice Sandra Day O'Connor said, "The delay and uncertainty that federal relitigation brings frustrates the states' ability to enforce their criminal laws and to control anti-social behavior just as surely as cutting the budget for law enforcement. This uncertainty and lack of finality is felt not only by criminals and potential criminals, who are thereby less deterred, but by the victims of crime and their families, who must believe that the swift hand of justice is not so swift, and not so just."

## network news salutes



...United States Attorney **George Phillips** (SD/Miss.) received a letter from Harrison County Sheriff Joe Price that reinforces Phillips' belief that the LECC program is really working in the Southern District of Mississippi. The letter commends the United States Attorney's office for assisting the Harrison County Sheriff's Department Training Academy in legal training, and thereby fostering a healthy alliance among federal, state, and local law enforcement. Wrote Sheriff Price, "Barriers, whether real or perceived, are being replaced with respect, admiration, and communication. This spirit of cooperation can only enhance our efforts to combat criminal activities. Thank you for your ever increasing support."

...United States Attorney **Joseph M. Whittle** (WD/Ky.) was commended by the U.S. Department of Agriculture for his office's success in collecting delinquent debts owed to the Farmers Home Administration (FmHA). The letter of commendation, signed by then-Secretary of Agriculture Clayton Yeutter, pointed out that during the years 1986 to 1990, the United States Attorney's office collected more than \$7.4 million owed FmHa by delinquent debtors. United States Attorney Whittle was also praised for reducing the caseload backlog and decreasing the processing time of collection efforts, which saved the government an estimated \$950,000.

...United States Attorney **Charles Turner** (Ore.) received a letter of appreciation from Deputy Chief Chuck Karl of the Portland Police Bureau for his efforts to help curb the growing gang and drug problems in the district. According to Chief Karl, "Over the last years you have gone out of your way to open the United States Attorney's office to local law enforcement in an effort to impact both the drug problem and the gang problem. In my estimation, you have been a critical person for the improved safety and liveability of this community."

...United States Attorney **John Gill** (ED/Tenn.) received a letter of thanks from Bureau of Alcohol, Tobacco and Firearms Special Agent-in-Charge Watson C. Beaty for hosting an LECC Violent Crime Seminar on April 3-5, 1991. In particular, Special Agent Beaty said, "I wish to commend the efforts of LECC Coordinator **Steve Watson** for his tireless efforts in making the seminar function smoothly and effectively. Please extend our appreciation to him for a job well done."

## good ideas!

Asset Forfeiture Discussions with Title Companies. In the District of Oregon, the asset forfeiture attorneys from the United States Attorney's office met recently with representatives from local title and escrow companies to discuss problems being experienced in asset forfeiture, particularly with regard to the sale of real property. The meeting was a successful first step toward better communication between both parties and more efficient handling of real property in forfeiture cases. The attendees also agreed to meet for further discussions, at which time the U.S. Marshals Service will be invited to answer questions from the group. It is hoped that these meetings will lead to actual monetary savings for the government. For more information, contact LECC/Victim-Witness Coordinator Diane Peterson at (FTS) 423-2101 or (503) 221-2101.

Marijuana Cultivation Warning. In cooperation with the United States Attorneys and the LECCs for the Western, Middle, and Eastern Districts of Tennessee, letters were sent to LECC members asking that they help the United States Attorneys' offices in "getting the word to the Tennessee farmers that they could lose their farms and acreage if they allow marijuana to be cultivated on their property." The warning details penalties for growing marijuana and identifies ways that farmers can protect themselves if the land is being rented or leased. For more information, contact LECC/Victim-Witness Coordinator Dee Peterman (MD/Tenn.) at (FTS) 852-5151 or (615) 736-5151.

Federal Employee Victim-Witness Guidelines. LECC/Victim-Witness Coordinator Beverly Cox (WD/Texas) composed a set of guidelines entitled "Victim-Witness Guidelines for Federal Employees of the U.S. Attorney's Office." Included in the guidelines is information on services to victims and witnesses, victim impact statements, restitution, and obstruction of justice. Also included are the names and addresses of the Texas Workers' Compensation Commission, which administers the Crime Victims' Compensation Program under VOCA, and the victim-witness contact in the Governor's office. For more information, contact Bev at (FTS) 730-4419 or (512) 229-6500.

Victim Advocacy for College Students. LECC/Victim-Witness Coordinator Sandra Keil (MD/Ga.) was able to arrange a showing of the videotape "Because You Need to Know" to a criminal justice psychology class with 60 undergraduate and graduate students attending. The students were not familiar with the victim advocacy movement but were very interested in learning about it. Sandra plans to follow-up on this with more showings to both area colleges and Mercer Law School. For more information, contact Sandra at (FTS) 238-0454 or (912) 752-3511.

## available resources

### LAW ENFORCEMENT ISSUES

\* *Impact of FBI Investigations on Crimes of Violence: Violent Crimes and Major Offenders Section* is a 35-page document that outlines the FBI's involvement in the investigation of violent criminal acts. Vital law enforcement services that are provided to state and local law enforcement agencies by various components of the FBI--the National Center for the Analysis of Violent Crime (NCAVC), the FBI Laboratory, the Identification Division, and the National Crime Information Center (NCIC)--are summarized in this report. To obtain a copy, contact the Office of Public Affairs, FBI, J. Edgar Hoover Federal Building, Room 7222, 9th and Pennsylvania Avenue, N.W., Washington, D.C. 20535; (202) 324-3444.

\* "Attorney General's Program for Improving the Nation's Criminal History Records and Identifying Felons Who Attempt to Purchase Firearms" is an overview of a study completed by the Task Force on Felon Identification in Firearms Sales. This task force was established to develop a range of options that would comply with Section 6213 of the Anti-Drug Abuse Act of 1988, which required the Attorney General to report to Congress on a system for the immediate and accurate identification of felons attempting to buy firearms. For a copy of this booklet (NCJ-128131), contact the National Criminal Justice Reference Service at (800) 732-3277.

\* The January 1991 issue of the *FBI Law Enforcement Bulletin* contained an article titled "Domestic Violence: When Do Police Have A Constitutional Duty to Protect?", written by Special Agent Daniel L. Schofield, Chief of the Legal Instruction Unit at the FBI Academy. According to the article, "Domestic violence is a serious crime problem that presents law enforcement officers with difficult and dangerous challenges. Victims of domestic violence sometimes file lawsuits claiming that the failure of police to make arrests violated their right to police protection." The article discusses three common federal constitutional claims that are made against police by victims of domestic violence and cites various Supreme Court and U.S. Court of Appeals decisions that allow for police liability under 42 U.S.C., Sec. 1983. For a copy of this article (915-01), contact the LECC/Victim-Witness Staff.

### DRUG ISSUES

\* The Bureau of Justice Assistance (BJA) published a monograph titled *Entrapment Defense in Narcotics Cases: Guidelines for Law Enforcement*. The purpose of this monograph is to provide guidelines designed to minimize the likelihood of a successful entrapment defense, particularly in narcotics cases. This 24-page paper defines the entrapment concept, briefly reviews pertinent U.S. Supreme Court deci-

sions, outlines alternative standards that govern the entrapment defense, provides specific guidelines for dealing with each of the prevailing entrapment standards, and addresses supervisory considerations in successfully avoiding the entrapment defense. For a copy of this monograph, contact BJA, 633 Indiana Avenue, N.W., Washington, D.C. 20531; (202) 514-6638.

\* The National Institute of Justice released a Technology Assessment Program (TAP) bulletin titled "Innovations, Technologies Aid Efforts Against Impaired Driving." This TAP report discusses changes that have come about in recent years regarding drug-impaired drivers. According to a 1988 report to Congress by the National Highway Traffic Safety Administration (NHTSA), 14 to 50 percent of impaired drivers detained by police showed an incidence of drug involvement. In response, the Los Angeles Police Department (LAPD) began to find ways to recognize drug-impaired drivers and to identify the substances they were using. According to LAPD's Sgt. Thomas Page, "What evolved was a step-by-step systematic process for observing objective symptoms and identifying drug use that fits well with the methods traffic officers use in their day-to-day routines." LAPD's procedure worked so well that it became a model for a number of police departments around the nation. For a copy of this TAP bulletin, contact the TAP Information Center at (800) 248-2742.

### VICTIM-WITNESS ISSUES

\* Former Assistant United States Attorney Gary Husk (Ariz.) prepared a packet of information titled "The Federal Prosecution of Child Sexual Abuse," which provides sample indictments, briefs, and jury instructions. Also included in this packet are sample motions to dismiss, Rule 412 motions, and motions regarding communicable disease testing. Gary also provided copies of the appellee brief, the decision, and the transcript from an expert witness in the Ninth Circuit Court of Appeals case *U.S. v. Hadley*, which focused on the court's discretion in allowing evidence to be heard pertaining to prior bad acts by the defendant and to the admissibility of expert testimony by a child psychiatrist. For a copy of this packet (915-02), contact the LECC/Victim-Witness Staff.

\* "Campus Crime and Violence: A New Trend in Crime Victims' Litigation," written by Frank Carrington, an attorney in Virginia Beach, Va., who specializes in crime victims' litigation, appeared in the Winter 1991 issue of the *Virginia Bar Association Journal (VBAJ)*. Mr. Carrington was one of seven people recognized during a ceremony at the White House on April 22, 1991, for their efforts in assisting victims of crime. The *VBAJ* article details the murder of Jeanne Clery, a 19-year old college student at Lehigh University in Bethlehem, Pa., and the resulting crusade by her parents "to work toward enhancement of security on college campuses nationwide, so that Jeanne's fate might not befall others." For a copy of this article (915-03), contact the LECC/Victim-Witness Staff.

## recent and upcoming meetings

*April 16*

LECC Meeting on Hate Crimes; WD/Oklahoma;  
Oklahoma City, Oklahoma

*April 16*

LECC First Annual Indian Law Conference;  
ND/Iowa; Tama, Iowa

*April 30*

LECC Seminar on Smokable Crystal Methamphetamine: "Ice in the Marianas"; District of Guam;  
Agana, Guam

*May 2*

Cooperative Effort in Collecting Criminal Fines and  
Restitution; District of Utah; Salt Lake City, Utah

*May 7-8*

LECC-DEA Seminar on Gangs and Cocaine;  
ED/Texas; Beaumont, Texas

*May 8*

LECC Restitution Conference: "Financial Issues in  
the Sentencing and Post Sentencing Process";  
ED/Wisconsin; Milwaukee, Wisconsin

*May 14,15,23*

LECC Bank Robbery Seminar; District of  
Minnesota; Bloomington, Alexandria, and Mankato,  
Minnesota

*May 17*

LECC Quarterly Meeting: National Drug Control  
Policy and Explosives/Firearms Demonstration;  
WD/Tennessee; Memphis, Tennessee

*May 20-21*

LECC Conference on Asset Forfeiture, Surveillance,  
Firearms, and Postal Inspections; District of  
Delaware; Dover, Delaware

*May 21-22*

LECC Meeting on White Collar Crime and  
Apprehension of Violent Offenders; Western  
District of Michigan; Bellaire, Michigan

*May 22*

LECC Meeting; ND/Illinois; Chicago, Illinois

*May 23*

LECC-ATF Meeting: "Confronting the Armed  
Offender"; Middle District of Tennessee;  
Smyrna, Tennessee

*June 5-7*

Fourth Annual LECC Law Enforcement Executive  
Seminar; District of Nebraska; Kearney, Nebraska

*June 10-13*

Annual OCDETF and LECC Conference; District of  
Colorado; Vail, Colorado

*June 18-20*

Sixth Annual LECC Coordinators' Training  
Conference; Atlanta, Georgia

*June 26-28*

LECC Clandestine Laboratories Training for Patrol  
Officers; SD/Ohio; Cincinnati, Ohio

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