

UNITED STATES DEPARTMENT OF JUSTICE

- - -

REMARKS OF THE HONORABLE JANET RENO,  
ATTORNEY GENERAL OF THE UNITED STATES,  
TO THE  
NATIONAL SYMPOSIUM ON VICTIMS OF CRIME

- - -

Regency Ballroom

Omni Shoreham Hotel

2500 Calvert Street, N.W.

Washington, D.C.

Thursday, February 11, 1999

P R O C E E D I N G S

(1:00 p.m.)

GENERAL RENO: Thank you very much, Cathy, and my thanks to you all. But the applause goes to you. The work that you do is so very important. It makes all the difference, as the writer of that letter reflects. You are but little lower than the angels and you do the work of angels.

I've met so many of you now and some names I don't remember, I don't remember where I've met you. But you have given me such a fabric of feeling for this country and the care that goes into your work is reflective of the care this country has when it reflects its better nature.

I want to thank everyone who has made this conference possible. The training is so important and, from my preliminary discussions so far, it sounds like it's been a very good conference. My thanks to everyone, including the staff of the National Organization for Victim Assistance.

You all, as always, come through and are just magnificent partners.

I'm so proud of the Office for Victims of Crime. I'd like to recognize Cathy, Catherine Termin and Heather Cartwright, and indeed all the staff of the Office, for the wonderful work you do. You make me very, very proud to work with you.

I think overriding the question we must always ask is how would we want the dearest member of our family to be treated. When I meet with you, I have the sense that you always have that in mind.

I have found that victims are the best trainers of all. When I first became state attorney, I read some books and they were very revealing to me and very helpful. But then victims and survivors came to me and said: We'd like to work for you. And it was very interesting to see the reaction. People said: I don't want them there; they'll be nagging at me all the time. I said: Just you wait.

They nag, but they're the best friends of the prosecutors. They teach the prosecutor how to ask a different question of the juror, the prospective juror. They have such insight. They have such an ability to convey in an objective way what they have been through and how the system can better adjust.

So to the victims who have participated in this conference, all I can say is thank you from the bottom of my heart for sharing what you have learned to make us all better at dealing with these issues.

The theme for this symposium is "Responding to Victims of Terrorism and Mass Casualties." This is obviously an important and timely topic. It was four years ago and it will be for years to come, for in this day and age terrorism is a reality that we must live with. While we cannot and will not let terrorism infringe on our freedom, it is vitally important to be prepared and organized in every instance of a terrorist attack both at home and abroad. We must be ready to respond swiftly, sensitively, and to have a plan in place to handle both the short-term and long-term needs of the victims.

It is going to be especially vital that we understand how to react with weapons of mass destruction, a biological weapon, because the sooner we get the situation under control, the sooner we are able to deliver medical services in a sensible fashion, the more lives we are going to save and the more heartbreak we are going to prevent. This really goes to the heart of everything that we're doing.

But before we can truly address the unique needs of terrorism victims, each of us has got to know the basics. I suspect that you have been through the AG guidelines. They were developed as a result of the Victim and Witness Protection Act of 1982. They were revised in

1990 and they describe the basic responsibilities of Department of Justice personnel to ensure that victims are accorded rights and services.

The guidelines are now being re-examined and we will be revising them again this year to clarify two issues. But under the guidelines Department employees are obliged to make their best efforts to see that crime victims are accorded their rights under the law. Now, I often say we write out words and we too often don't put meaning to them.

The right to be treated with fairness and respect. A gruff prosecutor, just interested in getting the conviction, who gives: Sorry, I'm busy; I got to go, got to get prepared, got to check something else -- the victim seems like just a cog. That prosecutor has got to learn, and you can help teach him or her, that the victim who feels that they have been part of the process, who has participated in the process, is going to come out stronger and better and with a definite sense that justice was done. The victim, even if a conviction is secured, who is treated with less than full respect is not going to feel the same.

The right to be reasonably protected from the accused offender. How many times have I sat down and told a victim: I can't assure you full protection, but this is what I can do and this is how we are going to be able to do it.

At first they may take issue with you: Why can't you protect me? Well, I can't protect everybody, but this is what I can do. And as you go through it and explain in sensible terms, they begin to give suggestions as to how they can assist and what they can do.

The right to be notified of court proceedings. Now, I have to tell you that Federal court is a far cry from the Dade County Metro Justice Building, where people got notice that they were going to trial ten minutes after we got to work in the morning. We can do far better in Federal court, and it is so vital.

The right to confer with the prosecutor.

The right to receive restitution.

The right to be present at relevant court proceedings. The thing that frustrated victims that I have dealt with more than anything else was that they never, or too often never, got a chance to tell the judge how much they got owed for what had happened to them, and the judge would not listen to them even if they had the chance and it just frustrated them no end. Restitution is a marvelous tool in making a victim whole.

The right to information about conviction, sentencing, imprisonment, and then release of the offender. How many times would I hear an anguished voice say: He's out. Who's this? She would remind me who she was and we would check and indeed she had not been notified,

and she felt helpless and at risk.

By taking each one of these and putting meaning into these rights, we can truly, truly make a difference for people and give them confidence in the criminal justice system and their government.

The provision for services are held to an even higher standard. Certain services are mandatory and not merely subject to a best efforts standard. All Department employees have a mandatory responsibility for providing three very basic services to crime victims:

First, identify the crime victim. After Oklahoma City I would get letters or phone calls from a person a thousand miles away who was a survivor that we had not been able to identify yet and had not been able to locate. Sometimes it is an extraordinarily difficult task, but it is so important because people must be put in touch with the process.

Informing victims about how to obtain various forms of assistance. But go a step further. For the person whose car has been lost, who's lost everything, who has to take a bus, two buses across town, help them find transportation or help them understand the bus system. Make sure that they get to where the services are being delivered. There are so many who just give up frustrated and go home and sit in anguish.

Arranging to provide reasonable protection for victims from the offenders. I've touched on that, but it is so vital and so important.

The new guidelines are being developed to clarify the mandatory standard for services, and I know that you will do all that you can to comply with them. For those of you from other agencies, I urge you to develop similar guidelines. We will be happy to assist you and give you any information that would make these guidelines useful in your work.

But I consider these guidelines as more than just job responsibilities and more than just dry words on paper. They come back to the one overriding issue: If my mother were a victim of a crime, how would I want her to be treated? If my six year old grand-niece were a victim of a crime, how would I want her to be treated? Go beyond just the right thing. Just put yourself in that person's place and say, how would I like the system to treat me?

Now, some law enforcement officers, not too many, and some prosecutors still believe that helping victims is not part of real police work, not part of a real prosecutor's work, and that, by George, they are not going to become social workers. Ensuring the needs of victims, making sure these rights and services are afforded, is not social work. It's good law enforcement and it's good prosecution.

The victim who feels a strong bond with the law enforcement agent investigating the case or

with the prosecutor is going to be a much better witness. That victim is going to come up with more ideas if she can talk freely with the prosecutor. So if you're not interested out of kind humanity, just think about your case and you can have a good investment of your time.

Many victims say that their attitude towards the criminal justice system and their willingness to participate depend in large part on their first contact, and I want to express my appreciation to the Bureau, to the FBI, for what it has done to alert agents to how important this function is in the first contact with that bank teller, with that child on an Indian reservation, with that victim of terrorism. That first contact can make all the difference.

Moreover, law enforcement agents and prosecutors don't have to become social workers or psychologists or victims' advocates. They've got to just know some of these good people and know how to get in touch with them and how to put people in touch with them and how to work with them in a collegial way. This is particularly important when dealing with traumatized victims and victims with special needs.

As I have said before, trained victim witness advocates are just the glue to the system and they can make the most complicated crime and the most complicated prosecution bearable and more effective.

The basic rights of victims and the responsibilities of those who work with them apply equally to victims of terrorism and mass violence. The ultimate goal for a terrorist is to send a shocking message to the public and the government for a political goal. Terrorists are cowards. When you confront them, they oftentimes back down, and sometimes we can deal with the issue of terrorism just by standing up to it and telling people we will not tolerate it for those who use bombings and other features to harass people and to discriminate.

But if you follow what happened in Oklahoma City, you see how important it is to immediately come together. I have never seen a community that I was more proud of, because I saw it in the Sunday immediately following the bombing on April the 19th. I saw a community and a state that had come together. I saw people in tears, those who had lost ones or those who still had not had their lost one located. I saw people injured who had survived. And they had an indomitable spirit. They were not going to give in.

Each time I have gone back to that city, I have seen a strength of human spirit that I would match with any in the world. Part of that came about just because they were strong, great, and brave people. But as time went on and as we got better organized, we began to reach out through the efforts of so many in the Department of Justice and other agencies to help them cope and help them deal with the issues. If we had been there earlier, if we had had a better understanding of what was needed, we could have been more effective and more supportive.

We must do everything we can to prevent terrorism in the first place, but we must be

prepared to work together to be sure we know what to do when it happens.

We learned hard lessons in Oklahoma City. We learned hard lessons in the bombing of the Khobar Towers Air Force Barracks and the bombing of the two embassies in East Africa. We've learned that we're not invincible and we must do a better job in preventing these attacks and protecting ourselves, and we have learned much of what we can do to support survivors and to support those who are injured.

I am reminded on a daily basis of this, for I keep a picture at my desk of a little one year old girl, Jaycie Coyne, who was one of the 19 children murdered in Oklahoma City at the bombing. She is a reminder to me of all that we care about in terms of law enforcement's efforts against terrorism. But also I'm reminded of your grandmother, her mother, her family, and all the families and all those who were injured. Always put a personal face on it and it makes a difference. It is not names; it is people who suffered grievously.

In that connection, I presented at the National Crime Victims Rights Week special awards to eight groups who exhibited extraordinary dedication, compassion, and perseverance in the aftermath of the bombing. These groups provided mental health services, crisis intervention services, and critical incident workshops to the victims in Oklahoma City. They provided support and assistance to survivors and families of victims when the trial was going on in Denver. They ensured the accessibility of trial proceedings through closed circuit broadcasts for those victims who were not able to go to Denver. They offered support and assistance to the victims, witnesses, and rescue workers. They set a new standard for the sensitive and inclusive treatment of victims in court, and they demonstrated victim-sensitive news coverage throughout the trials.

They are just some of the examples of the remarkable people and the remarkable efforts that were present in Oklahoma City. We can learn from them.

We must work together to carefully plan an effective response. It is vitally important to me, through the National Domestic Preparedness Office which we have proposed in the FBI and through work by the FBI in the field working with state and local first responders, working with the United States Attorney, working with members of the private sector, and most of all making sure that victim advocates are included in the planning.

How we deal with a gas attack in a subway, how we deal with an attack by some strange pathogen, by some bizarre terrorist, how do we organize our community, how do we plan to deal with the hospitalization of so many people, how can we facilitate these issues? If we plan, we can be so much more effective.

I would appreciate your suggestions as to what we can do to better include victim witness advocates in the planning that is ongoing now by the Department of Justice and by agencies

across the Federal Government, and we particularly appreciate the Department of Defense's real spirit of cooperation in this whole effort.

It's not enough to address just the physical and the criminal aspects of terrorism. We must also be prepared to address the terrific emotional and psychological impact of these crimes, which can go on for years. We have a responsibility to go on for years in attempting to help people cope.

But one of the things that I have discovered, whether it be a crime of terrorism or a local crime of violence: The more immediate the response, the more sensitive the first response, the more immediate the counseling and other opportunities in those first days, the less the scar over time.

Now, one of the great difficulties will be that our plans must include international attacks as well, as we saw in the recent bombings of the embassies in East Africa. The Office for Victims of Crime has been working closely with the State Department, Defense, Labor, Health and Human Services, and many other agencies to ensure that the American victims of those attacks and their families receive services in a coordinated and comprehensive way.

But we cannot just say the American victims. We've got to always try to think how we can join forces with host countries to make sure that the victims of all -- everyone involved, is considered as we deal with the tragedy so often directed against Americans.

This has been very difficult to do and in some instances the response to victims has been slower than necessary. That's why the Office for Victims of Crime has taken the lead in convening an inter-agency working group to develop a Federal protocol for responding to victims of terrorism and mass violence against U.S. targets abroad.

The world is becoming a much smaller place, smaller, and borders mean little in terms of a terrorist attack. We must be prepared to handle disasters when they occur overseas as when they occur on our own soil. And again, it is just extraordinary to see how America galvanized into action. As I looked on CNN at the terrible rubble, the people bleeding, I thought, how can we do this halfway around the world? And again, so many people -- the Department of Defense, the FBI, the Office for Victims of Crime, so many people -- responded as the State Department took the lead in just an extraordinary effort. But we can do better.

But all the great words, all the great visions, all the great rights and services, mean absolutely nothing unless there is the resource to go with it and to make it real. The Federal Crime Victims Fund administered by OVF has provided more than \$2 billion for victim compensation and assistance since its inception in 1984. But still, there are victims who need help.

I urge you to take time to explain to the U.S. Attorneys in your area. And if you have a U.S.

Attorney who's not listening, tell me and I'll talk to him.

(Laughter and applause.)

GENERAL RENO: But from what I know of U.S. Attorneys, they are listening and they have taken this to heart.

But make sure that we all understand that the money is used to fund over 10,000 victim assistance programs across the country and to provide compensation to thousands of victims each year. We must ensure that the fund remains healthy and that we strive for additional sources of funding to make victims' rights and services more a reality for every victim.

That includes bringing in prison officials, probation officers, the flu unit. I mean, you can do so much if you learn the system in your district and remember that the payment of restitution, the payment of fines, can truly make a difference.

You are but little lower than the angels. You do so much for people who have experienced such tragedies. I thank you, and I'd like to close, and I realize it's a little bit difficult, but if you stood up and talked loud, I'd like to take five questions or five answers to this question: If you were the Attorney General of the United States, what would you do to improve services to Federal victims throughout the country and around the world?

Don't be shy. Here's your chance.

QUESTION: Madam Attorney General, what I would like to see, if this is something that you would possibly be able to do, is to work with the Secretary of the Treasury and see if you can go on the Hill jointly to get fully funded positions for victim witness specialists and coordinators.

(Applause.)

GENERAL RENO: Make sure that Catherine has your name so I can follow up with you, and I'll follow up on that.

QUESTION: She knows me.

(Laughter.)

GENERAL RENO: Anybody -- yes?

QUESTION: Madam Attorney General, Eric Vogel, U.S. Attorneys Office in Los Angeles. I had



the opportunity to go to Cuba and when I was there I did not receive any package of information which provided me information beforehand. If there is any type of package which is being prepared for those of us that go overseas before we go overseas and experience such an incident, that would be nice to have.

GENERAL RENO: That's an excellent idea. Let's make sure that the inter-agency group has the benefit of that. And you might get in touch with him to see what he might contribute to the inter-agency group on the international responses.

QUESTION: Madam Attorney General, (inaudible) I would like to see offenders forced to pay restitution, instead of (inaudible).

GENERAL RENO: I'd like to find out who's making restitution voluntary. Catherine, can we follow up and let me find out more about that?

(Laughter.)

GENERAL RENO: I will follow up on that. Now, remember that you have the situation where you do not have the present ability to pay. My argument has always been, yes, but they might become -- hit, get the lottery and become millionaires down the road. Let's get the judgment.

Let me follow up on that.

Any others? Yes.

QUESTION: I'd like to see a Federal crime compensation program separate from the states (Inaudible). So I'd like to see if we could possibly create a separate one.

GENERAL RENO: That's an interesting concept. I'd like to look at that a little bit more before I committed to it, because one of the points that I have seen is some of these Federal fines are astronomical and in a Federal system the sharing I think has produced a better result across the nation. But there might be some means that we can earmark or target moneys so that we do right by the Federal system.

QUESTION: And I don't mean to take away from them (inaudible), but to have some type of an easier access (inaudible).

GENERAL RENO: Any others?

QUESTION: I'm (inaudible) from the U.S. Attorney's Office in Los Angeles. I'd also like to address fraud victims. Right now I've got three judges in Los Angeles who refuse to allow financial crime victims the right to speak at a sentencing. So I would like to see if we could get

Rule 32 amended to include at least representative victims the right to speak, as well as a new proposed constitutional amendment for crime victims to (inaudible).

GENERAL RENO: Let me follow up on that. I feel very strongly about that.

Let me pose something to you all. People are deciding that I am sometimes a broken record because, in addition to enforcement, in addition to corrections efforts and punishment, I talk a lot about prevention. In violence, I talk about prevention by raising strong constructive children who have a chance from the very beginning to have the building blocks that provide for children a positive future.

But I think we can do a tremendous amount in fraud prevention. I have asked our White Collar Crime Council, whether it be in telemarketing, in home repair scams, in other issues, to see what we can do to prevent the problem in the first place, through public service announcements, through word of mouth, through exchanges.

I think we can do so much more, and now to see what groups such as AARP are doing with telemarketing fraud, in calling potential victims to warn them to be careful and to take caution. I think we can do a lot.

I would appreciate those who deal with fraud cases if you would let us know any suggestions you have as to what we could do to prevent the crime in the first place, because there is something just searingly sad about that elderly person who has lost their life's savings to a will of the wisp who has gone off to some foreign country and we can't find them.

What we need to consider is how are we going to deal with victims of cybercrime, if someone is sitting halfway around the world in a kitchen stalking your child. We have got to consider new ways to approach it. Now, people become concerned about how we use this remarkable Internet and this remarkable Web. I am not computer-literate, but I understand the concept, and it presents us such wonderful opportunities.

But whether it be in terrorism, through attacks on our critical infrastructure, our information infrastructure, a stalker in the living room during the afternoon while you're at work and your child is at home, somebody that gets your Mastercard number and extorts something out of you, or somebody that steals from your bank account through cybertools, we're going to have to deal with a matter, a process that we've never dealt with before.

I think it will be a challenge, but, knowing the work that you do, I have no doubts but that we will be able to meet it.

God bless you all for the wonderful work that you do.

(Applause and, at 1:31 p.m., end of remarks.)