



DEPARTMENT OF JUSTICE

SPEECH OF ATTORNEY GENERAL JANET RENO

NATIONAL ORGANIZATION FOR VICTIM ASSISTANCE

APRIL 7, 2000

RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC

P R O C E E D I N G S

Attorney General Reno: Thank you, Norm. He was pretty wonderful that day that I called him back. I knew it wouldn't be the end of the world because he was so kind and so thoughtful. So many people in this room have made such a difference in my life, but I'd like you to meet the person that has been one of the people that has educated me most, taught me most of what I know about victims' issues, fought with me, disagreed with me, said no to me, been obstinate, been dedicated. Where did she go? Denise Moon, head of my victims unit.

And I suspect that there are other people in this room who had the same experience that Denise and I have. When we first started out, legislatures didn't think about funding victim assistance efforts. Legislatures didn't think about programs that could enhance what victim programs were doing around the state. Judges didn't want to listen to us when we wanted the victim to be heard. Judges didn't care about issues of restitution and making the victim whole.

Sometimes I think that Denise and I felt both we were

taking three steps forward and four steps back, and I know everybody in this room has felt the same way. But she never stopped, she never gave up, and I am just so glad and delighted to see you here today.

Although I have my back to them, I feel like I know each one behind me because they have touched my life. And only one have I really not known and I met him on the plane last night. Good to see you again. Ms. Kight, the people of Oklahoma City have given me a strength and spirit that will last with me for ages to come. Since that Sunday after the bombing, each time I go back, the strength of the people are just incredible examples of humanity.

Mrs. Chestnut, your smile every time I see you even in the darkest times is one of the kindest smiles in the whole world and one of the strongest, bravest smiles. And Kevin, Mrs. Starkey, the strength of a school setting coming together in a chapel after or in meetings after, the young people of Columbine are some of my heros and heroines, and the parents who helped them through this tragedy deserve the salute of the whole nation. Thank you. Thank you.

I want to thank each person in this room who has contributed to victims' rights in America. We've come a long way. We saw a constitutional amendment passed in Florida that has made a difference, but it won't make the difference it can make unless victims' programs are funded. In all our efforts to ensure victims' rights we've got to make sure that we never give up ensuring the proper funding of the great laws, the great amendments that are passed.

With your help, with congressional support, we've compiled a record that we can be proud of, but we cannot be proud and complacent. We cannot be proud and say we did it; we can think about something else.

We have a special time in our history right now. We've seen crime go down seven years in a row. We've seen Republican DAs and Democratic U.S. Attorneys and attorneys general standing in communities across America in a bipartisan, thoughtful, commonsense way saying what can we do about

crime, how can we avoid some of these senseless tragedies, can we keep it coming down.

Ladies and gentlemen, with the spirit that is in this room with the dedication of the commitment, we can do so much to reduce violence so that once and for all, we end the culture of violence in this country and we return to levels of violence that are matched only in the really peaceful places.

But it's going to require all of us continuing to work together. It's going to require that we continue to strive to secure funding. During the past few years we've reached unprecedented levels of funding for victims' services. The Crime Victims' Fund, Attorneys' Antitrust Division and other U.S. employees have increased efforts and won cases that have brought many dollars into the fund as an example. In fact, since 1993 we've received over \$2.2 billion in the Crime Victims' Fund, over 90 percent of which has been distributed to the states and victims' compensation and assistance funds. Now, those are funds being distributed to the states. We've all got to work together to make sure those funds are used as wisely as possible. And just because more money is coming in, it's easier to spend. We must analyze what we're doing, use good tools of evaluation, figure out what works and what doesn't work. Don't be afraid to get rid of a program that doesn't work and then put the resources and the commitment and the drive to a victims' program that does work and has proven successful.

The Violence Against Women's Act, which was in 1994 part of the crime law, has been instrumental in changing the way that the criminal justice system responds to violence. It's also infused new dollars into victim services. Since 1995 we have funded nearly \$1 billion in new domestic violence programs for states, communities, and tribes under the Violence Against Women Act. In addition, the full faith and credit provisions have given abused women greater safeties which have begun to be enforced and recognized across state lines.

But we can't just see that money go to the states and not

know how it's spent. I used to sit down in Miami and think, should I apply for that federal grant? Then I'd say, well, it's only going to last one year and they might continue it two years and you can't get anything started and really working and get evaluated before it's all gone. They say, sorry, go someplace else.

Let's make sure we use these monies wisely. Let's just make sure we look at the budget and say look at every dollar. Let's be proud of the way we spent every dollar for victim services in this country.

We've worked to pass other key legislation, particularly the Antiterrorist and Death Penalties of 1996 that protects victims' rights. President Clinton appointed Eileen Adams and has followed that appointment with the appointment of Catherine Turman. Both have been in service for victim services, and Catherine has taken us around the world and to The Hague and focused on East Africa and done a wonderful job, and I thank you.

Catherine and Denise are of greatly different temperament. It's so nice to have a change of pace of both kinds because Catherine can get steely and soft-voiced and you don't know what's going to come next after somebody has done something terrible to the victim services, whereas Denise would storm in in an absolute rage. So keep providing the exchange, and you'll set them on their way.

The administration has supported the work still underway to establish a victim rights amendment in the Constitution. Ladies and gentlemen, an amendment can make a difference even if there is not a drop of funding, but don't let that happen. An amendment can make a difference. It can let people know, yes, the Constitution is there to protect the rights of the accused, but it can be there to protect the rights of the victims and it doesn't have to be one or the other.

This Constitution is built on balancing. You can have freedom of speech, but you can't yell fire in a crowded theater. You can have freedom of speech, but it doesn't say

with a gun in hand I'm going to kill you. We have got to make sure that we work together. For nearly four years President Clinton has announced his support for the amendment. He recognized it would take a lot of time and hard work, but he directed me to in the meantime.

I said, You know, I kept saying to myself, we've got all these rights now, what do we need a victim rights amendment for? Hmm.

(Laughter.)

Since then we've undertaken a system-wide review of the criminal justice process with the goal of providing full victims' participation. Our goal is to hold the federal system to a higher standard than ever before. Deputy Eric Holder is overseeing this in which every component of the department is participating. This review has shown a clear need for increased awareness and a fuller, more consistent constitution of our obligations to victims of federal crime.

And let me tell you about a new area that shows you how you've got to think sometimes just about the implication. Yesterday, day before yesterday, I was in Stanford Law School for a conference with the information technology industry on how the industry and law enforcement could start working together in the spirit of trust that would permit the prosecution of cybercrime without causing the companies to worry about losing trade secrets and the like.

I discovered something amazing. The major problem was we'd done an absolutely lousy job of the industry of victim outreach, of explaining to them what to expect in the trial, what to expect with respect to their information that they provided us, how long it would take, who would do what, where they should call, how they should learn about it, how could they work with law enforcement. And I thought, You still haven't learned yet. You've got to constantly think of people looking at the criminal justice system as if it was a strange beast that doesn't speak their language and convert it into something that serves the people while protecting the rights of all concerned. It

was one of the best reminders I've had in a long time.

Now let us expand it for citizens to learn what happens when they find that their name has been picked out by a stalker who lives on the other side of town, their social security number, credit card number, and other identifiers that have been taken and are being distorted by someone they've never seen before. Let us make sure that we think about victimization on the Internet and do everything we can to build a response because, ladies and gentlemen, that Net is such a marvelous tool. It's giving us opportunities at communication we never dreamed of. It's giving us the opportunity for education around the world. It's bringing a victim in a rural area to the immediate attention of a physician in an urban area who can give her support and assistance that she would never get living 50 and 75 miles away from the nearest urban area.

But in this area we're taking two major steps. The general area: First, since victim services are no longer simply desirable but mandatory and require our best effort, the Department, as it focuses on the overall standard of victim services, is conducting a self-audit by every component that has any victims' responsibilities or contacts and asks for each of these components to staff these responsibilities. We've established a working group, changed promising practices and troubleshooting problems and challenges.

Second, we have revised and updated the Attorney General's guidelines for victim assistance. The guidelines are needed. I'm pleased to report that after two years of hard work, the 2000 edition of the guidelines went into effect on January 31 of this year. Guidelines mandate that each Department of Justice employee who's into contact with crime victims receives at a minimum an hour of training to victim rights laws as well as guidelines themselves.

We've developed a training video, and we are sending trainers to many locations in person. We're training every employee who is responsible for victims at every level, and even at this early stage we have gotten feedback from the field that tells us that offices are already updating

procedures and policies and following up on victims' cases based on the new training and requirements.

You better than any other group know what a difference following guidelines can make for a victim. Several vignettes from the training video can give a clear example of the guidelines as they're meant to operate.

Enclosed circuit telecasts of the trials in the Oklahoma City bombing case are the most well-known examples of procuring federal victims' access to legal proceedings that affect them. If we think how we can do it, it is so wonderful because I look out across this room and I see people who readily are thinking what can we do better, how can we get information on the Web to make a difference.

Today I'd like to focus on four areas: funding, training, technology, and counterterrorism where we can work together better on behalf of crime victims. First we need to secure a stable financial future for crime victims programs. Now, that's easier said than done. You've got to secure a stable footing for all of government, and that is very difficult.

I still must admit that the federal appropriations process is certainly a mystery at times. I can't quite figure it out, but it requires great vigilance. We need to work to ensure that victims have access to services and places like hospitals, police stations, social service agencies, as well as on the job. We need to make sure that services are available in every place in America, in the inner city, in the rural areas, wherever there is a victim so that no victim, no victim, suffers alone.

(Applause.)

And sometimes that is right at the crime itself. A thoughtful caring police officer who understands victimization, who knows how to talk to a victim, old or young, rich or poor, can make all the difference in the world. That moment can avoid the need for long-term counseling and permanent scarring. That moment can open a door by which the victim walks out whole or walks out

crushed and downtrodden.

Let us do everything we can to make sure that at that scene with police officers who are there, we can truly make a difference. And particularly when we see children who are the witnesses to crime, to see a child at the police station whose father has just killed her mother and see that child lost and alone and not understanding, we've got to do better and we've got to make sure that police, F.B.I. agents, border patrol agents all across the country are prepared with knowledge and education as to how to deal with these issues.

There is a need to increase and improve educational opportunities for victim service providers. We must ensure that providers have the latest information on the best practices in the field coupled with the mechanism to ensure their competency. We must continue to develop specialized management training for community-based victim services providers and develop easily accessible information and training over the Internet.

I got a letter the other day, not about victim services, but about reentry programs. And he said, "I saw you on CSPAN," and I thought, poor man; that means he suffered at 4:30 in the morning.

(Laughter.)

And he said, "You're well meaning and I know you want to do the right thing, but you don't quite understand the situation." And he sent me a tape which I haven't seen yet, but I understand is excellent. I, just in reading the letter, began to have an insight that I have not had before on how to deal with the young man aged 21 coming back from prison and what I can do to help get him off on the right foot. Think of what we can do in teaching ourselves and others how to talk to victims the right way.

(Applause.)

OVC, through its victim assistance academy and through its

training and educational assistance program, is providing tremendous support in this area. We need suggestions as to how we can do better.

Third, we also need to access the most current technology to help us in the work we do with crime victims. We are using crime mapping, crime victimizations, simple assault where to give victim service providers about where and what types of crime are happening. This information request helps us make informed decisions about where and what types of services are needed.

If you have a census track as I once saw in Miami where a significant percentage of the people under 16 had been sexually abused, and most of these were under 11, you would think, let's get our services together if we have limited services. Let's use the technology again in the wisest way possible. You're aware of the possible possibilities in the Internet such as the web site that OVC has now set up for the victims of the PanAm 103 crash.

That web site will allow families to follow all aspects of the upcoming trial, help them to understand the complexities of the Scottish law and provide a way to stay in touch with other families, even though they may be separated by thousands of miles and several time zones. Now, if you can understand all the complexities of the Scottish law, then try to understand the complexities of the federal law and the state law when both the federal and the state decide to prosecute. How do you do it? What do you do?

And my hope is that you will also provide one additional service. Make the law more real for all Americans by helping them to understand it better than lawyers explain it to them.

(Laughter and Applause.)

But the net provides some challenges. As we fight child pornography through the F.B.I. images program and try to protect children through the juvenile justice Internet

crime task forces, we need to reach out, as I indicated, to those computer-aged victims. We're currently working to create a federal automated victim information system similar to those in some states that will provide timely notices of victims and their offender status within the federal criminal justice system, but we have to make it good and certainly we ought to be able to make it better than some of these canned voices.

We can make them kinder, more understanding. We've been removed from acts of terrorism until the past 10 years. Now with the World Trade Center, the Murrah Building, U.S. embassies in Africa, we've been issued a real wake-up call.

OVC has been working with Justice with other agencies to establish new protocols, policies, and procedures. It can be implemented when these tragedies occur either here or around the world, but we also need to help states and communities and really integrate victims' rights and victims' issues into crisis response plans whether or not the crisis is as a result of an act of terrorism or otherwise.

I urge you to check and see if your state has an emergency preparedness plan. Work with Catherine to see what state has the model preparedness plan that we can incorporate and others can use for best practices. Let us plan before the tragedy occurs so that we can respond to the staff as sensitively and as effectively as possible.

I began by saying that I draw strength from victims. This is probably going to be the last time I talk to you as Attorney General, but I have had such an extraordinary opportunity in these last seven years, it will be eight perhaps when I leave, to visit people around the country. People have said, But there are so many tragedies that you have responded to. I would give all that I had not to have those tragedies, but I will never ever lose the strength, the courage, the heart, the spirit that victims have given me.

The human spirit is indomitable. It keeps on forcing us to

recognize things that we never dreamed were possible in human kind. And comes out larger, stronger, wiser, better, and in parts all of us something that we would not otherwise have. I cannot thank you enough for leading the way and showing what we can when we care and when we will not be defeated. Thank you.

(Applause.)

Voice: I don't know if you recall, but in '93, I had the opportunity to come up to Washington. (Inaudible) I just want to say thank you before you leave.

Attorney General Reno: Thank you. Helen Thomas asked me in the Rose Garden the day I was nominated: "What do you know about the federal government? You've just been a state prosecutor." And I had a feeling that 15 years at state prosecutor in Dade County, Florida, and in Florida would prepare you for everything.

Mr. Twist: Madam Attorney General, my name is Steve Twist with National Victims National Constitutional Network. Surely you know when you walked in the room the affection that was shown to you that was genuine because of your advocacy for crime victims. The constitutional amendment movement have genuine affection because of your support and strong testimony on that issue. As you know, the amendment is scheduled for a vote on the floor of the Senate likely April 25, 26, and 27. We would earnestly and dearly love the opportunity to work out with you the final issues that might remain so that we might be in a position, the Department might be in a position to endorse Joint Resolution 3.

Attorney General Reno: Senator Feinstein has called me and said the same thing. I've got the papers right on my desk, and I'm looking at it. We will try to do everything we can to work with you.

(Applause.)

Don't get carried away until you see what I can do.

(Laughter.)

This is something I care deeply about in terms of the language of the Constitution, in terms of a document that I hold dear, and in terms of victims' rights where I have seen people in Florida benefit from a victims' rights amendment.

Ms. Lupson: Madam Attorney General, my name is Pat Lupson, and I'm referred to as the surviving victim of a homicide. My daughter and two grandchildren were murdered by my son-in-law in 1993 as a result of domestic violence. We are living in Maryland. The crime happened in Pennsylvania, and we happened to be very lucky that we were surrounded by wonderful police officers, wonderful DAs, and wonderful victim advocates.

What we weren't allowed was to have pictures of our children in the courtroom, and we weren't allowed to give a victim impact statement as to how this crime has changed our family forever and left our surviving child an only child. And I can only say as a surviving victim that this amendment must be passed. Thank you.

Attorney General Reno: Thank you. As Denise will tell you, I have a cousin whose stepson and daughter were murdered in another county in another jurisdiction, and I watched her since she had been my best friend as a child try to cope and help her husband cope with it. She finally came in one day. "I want to come in and work for you to get that system working right."

And she had been frustrated with a system that wouldn't listen, wouldn't hear, wouldn't understand the hurt. To avoid nepotism and everything, we told everybody exactly what I was doing. I was a state agency. We got a county agency to hire her working in my office so everybody understood what we were doing. It was so important for her to come in and say, "You gotta go down and make that judge listen." And listening to her has been so important to me.

Just make sure that you let other people understand and let

us try to do everything we can to make sure that the judges of America listen.

(Applause.)

Our paths have crossed a few times. The last time was in Columbine. I wanted to say that I watched you there when you came in. No press was allowed. You didn't want to speak first, you didn't want to be the last speaker. You listened, took notes, and then you remembered those who had been through hell privately and quietly. I don't know your other moments, but that may be your finest

(Applause.)

Thank you. Thank you all so very much. You are a little bit lower than the angels.

(Applause.)