



Responding to Original Victims in Wrongful Conviction Cases
OVC Grant Award #2017-VF-GX-K032

Summary of Information Gathered from Original Victims and the Field

This summary report presents information collected from three key sources during the course of the project: (i) crime victims and survivors, (ii) victim service providers and allied professionals, and (iii) relevant research. The information collected informed the creation of new resources under the project, which will enable victim service providers and allied professionals to provide trauma-informed and victim-centered information, services, and support to crime victims and survivors affected by post-conviction claims of innocence and exonerations.¹

Definitions

Key terms that are used throughout this report are defined below. These definitions were developed through research and in conversation with key stakeholders.

- **Wrongful Conviction**: [A] case in which a government entity determines that the originally convicted individual factually did not commit the crime (Irazola, Williamson, Stricker, & Niedzwiecki, 2013).
- **Exoneration**: The legal mechanism by which a government entity, by way of a pardon or judicial order, declares that the originally convicted individual is indeed factually innocent (Irazola et al., 2013).²
- **Exoneration Process**: The process by which a post-conviction claim of factual innocence is investigated and litigated. This process can be initiated by the prisoner or by a state agency and will vary depending on the jurisdiction in which the conviction occurred.
- **Original Victim**: A crime victim, survivor, or murder victim family member in a criminal case that results in a wrongful conviction or exoneration.
- **Notification**: Any moment of communication with or delivery of information to an original victim.

¹ It is important to note that this award was not provided to conduct research but to create resources.

² All of the cases discussed below involve actual exonerations as opposed to cases in which a prisoner claiming innocence is released by other means (e.g., direct appeal, habeas corpus, parole). It is important to note, however, that the principles and recommendations presented apply to all cases in which a prisoner is or may be released on the grounds of innocence, as the negative impacts on the original victim are the same.

- Practitioners: Professional staff who work in the post-conviction setting including victim service providers and allied professionals.
- Victim Service Provider (VSP): Victim service advocate or another professional who works in either community-based or systems-based agencies. Systems-based VSPs are those affiliated with a government or state-agency inclusive of prosecution, law enforcement, and corrections. Community-based VSPs are generally associated with a non-governmental advocacy organization or non-profit agency; they operate independently from law enforcement and prosecution agencies and tend to specialize in a particular type of victimization (National Institute of Corrections, 2016).
- Allied Professionals: Prosecutors, police investigators, and other criminal justice practitioners who have contact with original victims during the post-conviction process in cases involving either a suspected or confirmed wrongful conviction.
- Trauma-informed: A system of care that starts with understanding the sources of trauma crime victims, survivors, and their families experience including trauma from the original crime; trauma from previous experiences of abuse or violence; secondary trauma caused by the system or public; and historical trauma. This understanding can help programs support healing; acknowledge victims, survivors, and family members as whole people; and reduce re-traumatization. Trauma-informed care evaluates all components of the program from the perspective of trauma survivors (Office for Victims of Crime [OVC], 2016).
- Victim-centered Approach: Placing the priorities, needs, and interests of victims at the center of an agency's work, including: providing nonjudgmental assistance with an emphasis on self-determination; assisting them in making informed choices; restoring feelings of safety and security; safeguarding against policies and practices that may re-traumatize; and ensuring that their rights, voices, and perspectives are incorporated when developing and implementing efforts that impact victims (OVC, 2016).

**What We Learned from Original Victims:
Listening Session with Original Victims in Wrongful Conviction Cases
May 21, 2018
Office for Victims of Crime, Washington, D.C.**

Process

On May 21, 2018, this project hosted a historic day-long listening session for crime victims and survivors at OVC's offices in Washington, DC. It was vital that the project started by listening to the firsthand accounts of original victims who had experience with a post-conviction claim of innocence and exoneration. Healing Justice collaborated with project partners, the National Center for Victims of Crime (NCVC) and Video/Action, to create the framework for the listening session. The goal of this session was to better understand the experiences and needs of original victims and to collect specific recommendations for improving the delivery of information, services, and support in exoneration cases. Healing Justice worked with advisory committee members to identify original victims who represented a diverse group of rape survivors and murder victim family members from across the country. The format of the session was finalized by Healing Justice with input from OVC and was facilitated by Healing Justice's Executive Director. Staff from Healing Justice and its project partners, officials from the US Department of Justice, and members from the project's advisory committee attended the session and heard firsthand accounts of original victims' experiences with exonerations. The following is a summary of the listening session.

Summary of Listening Session with Original Victims

Welcome

Susan Williams, Deputy Director, Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice

Ms. Williams of the Office for Victims of Crime (OVC) welcomed attendees to the listening session, thanking Ms. Jennifer Thompson and Ms. Katie Monroe, from Healing Justice. Ms. Williams also thanked survivors and murder victim family members for their courage and strength. She explained OVC's mission and the history of their work with original victims. She introduced Jasmine D'Addario-Fobian, also from OVC, and other federal colleagues who were in attendance. She turned it over to Jennifer Thompson for opening remarks.

Opening Remarks

Jennifer Thompson, Founder, Healing Justice

Ms. Thompson thanked OVC and shared about her experience participating in previous discussions. She explained that through the work of OVC, they have come to recognize the importance of listening to those who have been directly impacted. Ms. Thompson described Healing Justice's work and introduced the original victims who participated in the listening session. She concluded by highlighting art projects completed by them the previous day as a creative way to share their experiences.

Katie Monroe, Facilitator, Executive Director, Healing Justice

Ms. Monroe expressed thanks to OVC and other attendees for their leadership and support in the groundbreaking and important work of the project. She shared that she felt honored to be sitting with and listening to the stories of the original victims and thanked them for being present. Next, Ms. Monroe introduced the members of the advisory committee and project partners who were in attendance. The logistics and timeline for the day were explained. Ms. Monroe noted the availability of a quiet room and an emotional support person for original victims to access as needed throughout the session.

Goals for the Listening Session

Katie Monroe, Facilitator, Healing Justice

Ms. Monroe introduced the goals for the listening session and the project:

- Understand original victims' experiences before, during, and after the exoneration that took place in the case that affected them.
- Understand how to provide services and support in these types of cases.
- Inform the creation of resources for practitioners who come in contact with original victims in these cases.
- Inform the development of public awareness materials to change the way the media talks about the experiences of original victims.

Ms. Monroe explained the format for the listening session. She would lead the original victims through a series of questions related to key topics that would inform the resources and everyone would have an opportunity to respond. She explained that only those with lived experience would be sharing and no one else present in the room would be allowed to speak. She also stated that there would be no questions from the observers. Ms. Monroe encouraged the original victims to share as they felt comfortable and told them they had the power to choose to respond or not to the questions that were posed. She explained that there would be an audio recording that would remain confidential.

Notification About Exoneration

Ms. Monroe began the session by asking the original victims to describe how they first learned about the post-conviction claim of innocence, including when they first learned there would be an exoneration, how they found out, and who delivered the information.

The sister of a murder victim explained that two years before the exoneration she unexpectedly received a phone call from the lawyer representing the person who would be exonerated. Before being contacted, she had never spoken to anyone about her sister's murder and was not involved in the original trial. She described the conversation as "not good" and shared how she was not given much information and felt poorly treated by the lawyer. She requested that this lawyer not contact her again. Later in the process, she was contacted by the post-conviction review team in her state and described the experience as welcoming. They invited her to be as involved in the process as she wanted and stated that their primary goal was justice for her sister. They also provided her with information on what she could expect. She shared that "they held my hand and walked me through the process" which was a stark contrast to the initial call she received.

One rape survivor explained that 24 years after the original crime some detectives came to her house unannounced and informed her that the person who was convicted in her case was getting out due to an exoneration.

Another rape survivor was registered in the VINE System and received a letter stating that the person in prison was proclaiming his innocence and having DNA from the case retested. She was in disbelief and thought he was guilty. She got in touch with the office that sent the letter for more information. She described being very confused about the news and worried about her children who did not know about the original crime. After explaining what would happen next, they came to her job to get a DNA sample. After a few weeks, the detective she had spoken with and her mother arrived at her work to tell her the DNA did not match the man who had been convicted. She was devastated and did not understand how this could be possible. When she asked how long she had to prepare for his release, the detective informed her that she had 48 hours. She was scared about the publicity that would happen and had little time to prepare her family. As she described, "This was a story that had been at the bottom of the ocean for a long time and nobody was allowed to take it out, but now everyone was talking about it. Nobody asked my permission." She described the exoneration as the start of a "horrible journey" and shared that in her experience "going through an exoneration is almost as bad if not worse than the original crime."

Another rape survivor learned about an impending exoneration in her case after her mother who received a visit from city police detectives. Though she was registered on VINE, she didn't receive any notifications through the system. She immediately thought of her young adult children who did not know about the original crime. She said that the detectives came to her house 27 years after the original crime and shared that they "had no earthly idea what to do with [her]." They provided information about DNA and told her that the DNA from the crime did not match the person who had been convicted saying, "We got the wrong guy." After this statement, she didn't hear anything else they told her. They communicated that the person who was convicted was a bad guy who had other convictions with no DNA evidence so he would remain in jail. They told her she should go on with her life and there was no need to worry. She was also told that she should tell her loved ones since the media would likely report on the case and may identify her. It took two years for the person to be released and during this time, all of the information she received came from a local journalist.

One rape survivor received a call from her spouse who said that a victim-witness coordinator from the district

attorney's office had called saying that the person in prison was pursuing innocence and that an innocence organization had taken his case. She dissociated when she received this info. The exoneration process took two and a half years and she requested to be notified of every hearing so she could attend. She stopped receiving notifications when a different prosecutor was put on the case, so she reached out to the innocence organization and said they were very kind and open with her which was helpful. She had befriended a retired state supreme court justice who became her advocate. After the exoneration was final, the justice visited her home and told her the news in person. She was devastated and worried about the media blitz she knew would happen.

One rape survivor was at work when police officers arrived unannounced and requested to speak to her. When they used her maiden name, she knew it involved the original crime that happened when she was twelve years old. They asked her to provide a DNA swab and shared that there was a person in prison who claimed that someone else was doing time for a crime he committed. She described feeling like she was a child again, just as at the time of the original crime. She explained that the detectives did not share the results of the DNA test with her because they did not want to influence her as a potential witness, but they did check in on her and make sure she was okay. Three weeks after providing a DNA sample, she received a phone call from the mayor who explained the individual was being exonerated and would be released the next day. She requested to speak to the innocence organization that helped the exonerated individual, but they were not helpful to her.

Another rape survivor stated that she had stayed in contact with the original detective on the case who had been promoted to police chief. Eleven years after the original crime, she received a call from the chief asking if he could visit her. He and the local ADA came to her house and shared that the person who was convicted had been claiming innocence, and explained how DNA testing works. She agreed to their request for a DNA sample and was sure she knew what the test results would show. A few months later they got in touch with her again to meet with her in person. They told her that the DNA test results excluded the individual who was originally convicted and had been a hit on someone else who was incarcerated. She described feeling like "the earth opened up and [she] got swallowed in a black hole" but credited the chief and ADA as being supportive and notifying her with updates throughout the process. She shared that the exoneration in her case was one of the first in the country and it garnered a lot of media attention that failed to acknowledge her harm.

The spouse of a murder victim explained that no official informed him of the exoneration that happened 19 years after the murder, even though he lived in the same town where the person was released. He shared that he learned more from the news than any official. His daughter learned about the exoneration from another family member who had been contacted by the original detective after an innocence organization took on the case. She expressed her desire for ongoing communication with the prosecutors, who promised to stay in touch. She did not receive the information she wanted and was only updated about court dates.

The brother of a murder victim found out that an innocence organization had taken the case from a friend who worked for the local newspaper. He shared that his family had some doubts about the original conviction. Later, a lieutenant from the local police department met with him and his brothers and shared that there was the possibility that new DNA evidence would prove the individual's innocence. They got in touch with their father to make sure that he did not learn anything from the media first. Following the exoneration, the family members did not receive any support or guidance.

Ms. Monroe thanked everyone for sharing their experiences with first learning about the exoneration and acknowledged the courage it takes to share their stories. She introduced the next topic that would be covered following a break.

Emotional Impact and Primary Supports

Ms. Monroe asked the original victims to describe the emotional impact of the exoneration. She posed the following questions:

- What was the emotional impact on you and your family before, during, and after the exoneration?
- How did the post-conviction case trigger or retraumatize you from the original crime and criminal justice process?
- Who was your primary support system during the post-conviction process? How did they do that well? How might they have done it better?
- Who else would you have liked to be part of your support system?

The father of a murder victim explained that his family members were no longer happy following the crime and exoneration. His family received no support following the exoneration. Someone from victim services was present at the trial, but there was no specific help from them. He expressed sorrow in the fact that he will never know who is responsible for killing his daughter.

The brother of a murder victim said his neighbors and immediate family supported him as best they could. He described abusing alcohol, making dumb mistakes, and being angry in the wake of the exoneration. He explained that he gained “the ability to shut [himself] off emotionally from anybody”. He said that he didn’t receive anything from officials who should have helped him. He wanted more interaction from district attorneys and requested numerous times to view case files, but his requests were never granted.

The daughter of a murder victim explained feeling intense anger and fear of retaliation from the exonerated individual. She described being confused about the DNA testing and what it meant for her mother’s case. She experienced depression and feelings of helplessness; she did not have a voice and did not understand what was going on. She needed therapy to help with her anxiety. She also wanted more empathy and understanding, and to not be dismissed as not having been impacted because she was a child when her mother was murdered. She shared that the focus was on the exoneree, and her family did not receive the consideration they deserved throughout the process. They needed more honesty and to be told the truth by those involved in the case, no matter how difficult. She also expressed needing follow-up from those who said they would be in contact with her about developments in her mother’s case following the exoneration. She felt resentment towards those who should have served her family with compassion and honesty.

A rape survivor described experiencing deep depression and being afraid that the exoneree would harm her or her young children. She shared how this anxiety resulted in mental health problems, and how she stopped functioning. She described it as being similar to when she was a victim of the original crime and feeling like she could not move forward. She received support from a local detective who was involved in the original case. Her family was not always supportive and she shared that no one in her life wanted to talk about what was going on or ask if she was doing okay. She described wearing a mask and pretending like everything was okay. She did not receive any victim services following the original crime through the exoneration and she was never aware that they were available to her. She navigated everything alone and saw the negative impact it had on her children. More than anything, she wished that there was someone who checked in on her and asked if she was doing okay. She said that everyone wanted to know how the exoneree was doing, but for years nobody asked her.

Another rape survivor shared that she did not have any support following her rape that happened when she was a girl. She described going from an innocent girl to a woman through the crime, and the promiscuous

lifestyle that was a result of the trauma. She shared that no one was there to support her or ask her how she was doing when the case was being retried and the exoneration happened. She described being afraid and keeping a tight watch on her teenage kids during the new trial. She wished that someone would have checked in on her, but nobody did. The district attorney connected her with Jennifer Thompson, who was the one person who helped her get through the exoneration. When the trial for the real perpetrator was happening, her husband and the exoneree were her supporters in the court.

Another rape survivor felt blessed to have the support she did from the victim advocacy program in her state. She, too, feared the exoneree wanted to kill her. The depression she experienced following the assault resurfaced and she shut down emotionally. She shared that the media coverage of the exoneration, including details of the original crime, was traumatizing for her daughter who was a child when the crime occurred. She felt like she had lost her voice and like she “was no longer a victim” after the exoneration. She received support from her husband, her therapist, and Jennifer Thompson. She credited her involvement with restorative justice initiatives after her assault with giving her empathy towards the exoneree. She did not receive victim-witness support and wished that professionals were better trained to handle these situations. She credited the innocence organization with checking in on her following the exoneration and said that it would be helpful for other professionals to display empathy in this way. She also shared that the statute of limitations had run out by the time of the exoneration, so the real assailant cannot be prosecuted; she wants a change in statute of limitations laws to allow prosecution in exoneration cases.

One rape survivor shared that when the exoneration happened 27 years after the original crime, she was at a confident place in life and felt like she had moved on and found healing. When the exoneration happened, her “world was shattered again”. She described the guilt, shame, embarrassment, and anxiety she felt during the exoneration process as being “unbearable at times”. The director of the innocence organization who aided the exoneree was an ally who showed empathy and explained the process to her. Following the exoneration, she found the exoneree to be a huge support who keeps in touch with her. She described the impact the exoneration had on her family and how her young adult children took care of her during this time. She described her family as being supportive, but not wanting to confront everything that happened. She shared about her experience with therapy and feeling like the therapist didn’t believe her story. She expressed the need for detectives to be trained on how to handle these cases and recommended that the person delivering the news is accompanied by a victim advocate. She also said it would be helpful to have a list of resources available for the victim to help them know how to deal with an exoneration process.

Another rape survivor described the exoneration that happened 23 years after the original crime as having the wind knocked out of her. She described feeling panicked and confused when she only had 48 hours’ notice about the exoneration and release. She worried about telling her teenage sons who did not know about the original crime. She described having hallucinations at night, was depressed, terrified, and suicidal. She couldn’t go to work and couldn’t function during this time. She experienced numerous health problems, including heart issues following the exoneration. She felt guilt and shame because she picked the exoneree during the original lineup, and shared that the real perpetrator went on to rape another woman. A few months after the exoneration, she learned that the DNA identified her assailant, but that the statute of limitations had run out so he cannot be convicted. She shared that a detective from the original crime displayed a tremendous amount of sensitivity in communicating with her and delivering the initial notification. She described the detective and victim-witness advocates involved as “compassionate advocates” who acknowledged that they had not experienced anything like that before, but recognized the negative impact the exoneration would have on her.

One rape survivor explained that when the exoneration happened she flashed back to being victimized as a

teenager. She felt alone and without support during this time, and experienced intense depression and suicidality. She also experienced guilt and has been publicly blamed for causing the wrongful conviction. She commented on the negative impact this had on her young children and shared that the exoneration destroyed her family relationships. The survivor expressed a need for counseling for herself and her family.

The sister of a murder victim described the initial phone call about the exoneration as “the opening of the wound” that sent her into a frenzy. She was in disbelief and could not understand how the wrong person had been convicted. She attended one trial and was sickened when she learned details of the original case; she wanted the man to be released because it was obvious to her that he did not murder her sister. She had a friend who attended the trial with her and made sure to protect her from graphic pictures and details that were shared. She requested that the victim advocates call her when the verdict was made, so she did not have to learn through the media. She was present at the second hearing, and after the verdict was read and the person was exonerated she described breaking down because she realized that the real murderer had not been caught. As she watched the media coverage of the exoneree and his new life, she never received updates about her sister’s case and if it was going to be investigated further. Following the exoneration, her body broke down and she had health issues, as she shared, “I know exactly what it was, my body said enough. I finally had had enough.” She said she needed someone to sit with her, listen as she processed, and answer her questions. The greatest support she had during the time came from her church.

Ms. Monroe thanked everyone for their courage in sharing their stories. She reflected that the need for support is ongoing and by sharing their experiences they are learning how to better support original victims.

Writing Exercise: Services Needed and Sources of Support

Brittany Shefter, Co-Facilitator, Healing Justice

Ms. Monroe explained that Ms. Shefter was going to lead a writing exercise to allow the original victims the opportunity to provide details that would help outline what robust services and support should look like. Ms. Shefter explained that the goal of this exercise was to know how best to support original victims from the time an innocence claim is made, through the exoneration, and in their lives after. They were asked to identify specific needs and sources of support by writing down their responses to two questions: What did you need? Who did you need it from? This exercise was conducted in three rounds to cover key time periods surrounding the exoneration:

- When they first learned about the exoneration.
- Immediately following the exoneration and release.
- Present-day.

After spending some time writing down their thoughts, the original victims shared their responses.

What did you need when you learned about the exoneration?

- Information, more support, and counseling.
- Counseling, time to prepare, and protection for me and my family.
- Time, a head’s up, hand-holding, someone to listen and answer questions, and assurance of my safety.
- Emotional support, information about how to handle the media, answers to: What happens next? Am I safe? Is my family safe? Can I be prosecuted?
- An explanation of what was going to happen, more time to prepare, and someone to advocate for me.
- For the prosecution to let me know upfront: What can I expect going forward? Will they keep the case going? Will they close the case?
- Full disclosure about the potential outcomes, support of entire family, empathy, and compassion around the re-victimization and relived trauma.

- Better communication and notification from law enforcement, and counseling.

What did you need the most immediately following the exoneration and release?

- To even out the scale of justice.
- The unrestricted ability to express my views and concerns to the DA, media, and local police department; inclusion in any new investigation; a full explanation regarding the events leading up to the exoneration.
- Justice for my family members, direction, and grief counseling for family members.
- Counseling for myself and my family, silence from the media, and to not be blamed for the wrongful conviction.
- Emotional support.
- Time to process the exoneration.
- Therapy and counseling.
- Support from family, counseling, and information about next steps to finding the real perpetrator.
- Counseling for myself and my family, more information, and justice for my loved one.

What do you need now?

- Justice for my sister and confidence that others going through this process will have support.
- Love, support, guidance, and answers.
- To be heard and to know that real perpetrator will not sexually assault anyone else.
- A place for my voice, resources for victims, and continued victim family member support.
- For accountability and immunity for prosecutors to be addressed.
- Closure.
- Accountability for law enforcement and prosecutors to follow-up and follow-through, closure, and to release the blame.
- A clear account of the record, a way forward, and closure.
- Advocacy and awareness of what happens to victims of violent crimes and justice for victims and their families.
- The restoration of my loved one's name, restorative justice, and healing.

Ms. Shefter thanked the original victims for their candor and contributions in identifying their specific needs and sharing how these might change over time. She shared that one goal of the project is to develop resources for prosecutors, law enforcement and victim advocates that will be directly informed by the experiences shared.

Role of the Media

Katie Monroe, Facilitator, Healing Justice

Ms. Monroe turned the discussion to the role of the media in exonerations and emphasized the need for support and protection for original victims around navigating the media. She explained that part of the reason that original victims feel a sense of misplaced responsibility is because the public makes them feel that way. Ms. Monroe shared that part of the project will involve developing public awareness materials that will improve the media's sensitivity for original victims and help shift the narrative around exonerations.

Ms. Monroe asked the original victims to describe the role of the media during the exoneration, asking, "Was the role the media played helpful or harmful to you?"

The father of a murder victim shared about his disappointment with the media, specifically around how after interviewing family members the piece was edited so whatever the person interviewed was not portrayed in the

same way.

The brother of a murder victim described the lack of sensitivity the media had in the death of his sister from the very beginning. He shared how the local news media was at the crime scene when his parents arrived, and how they tried to force the camera on the family to get their reactions. He described how graphic pictures of his sister's murder recirculated in newspapers when the exoneration happened. In his family's experience, the media has helped sometimes, but most often their approach has caused further harm. He shared his experience with being misrepresented after doing an interview and feeling like his words were twisted in the editing process.

The daughter of a murder victim described how the primary role of the media is to sensationalize events, to sell the news to people. She commented on how the media seeks to evoke emotions and uses emotional statements from victims and family members to feed their narrative. She shared some examples of newspaper clippings she saved from the original murder trial that used graphic language in the headlines and were not sensitive to the crime victim or her family. She followed it up with examples of the headlines that were published when the exoneration happened, describing how the focus was always on the exoneree while the articles failed to acknowledge her mother's life. She described her experience with being interviewed for a national radio program, and how the focus of the interviewer was on the exoneree. She had a positive experience with someone who wanted to share her family's lived experience and described how this was handled sensitively. In her experience, there are good and bad journalists, some who just want to sell a story and others who want to do right by the victims.

One rape survivor shared that she has always had a hard time with the media, from the way the original crime was sensationalized to how she continues to be blamed for the wrongful conviction. She described how she felt responsible for the wrongful conviction and felt like it was her burden to carry, so she decided to go public with her story. She shared how interviewers always wanted to know how she "got it wrong", describing how she became "the whipping boy" for everyone who was fascinated by the exoneration. She describes how this mistreatment and lack of sensitivity destroyed her in ways that she hasn't been able to recover from. In her experience, every time someone has asked her to share her story, the focus has always turned to the exoneree and the blame placed on her. She also described how strangers commenting online have threatened to kill her and rape her for what she did to the exoneree. In the past she has taken the blame for what her rapist did to her and the exoneree, but emphatically stated that the narrative has to change and that she is no longer taking the blame.

Another rape survivor shared how she has also taken the blame in her case. She shared that when the original trial happened she was a minor so her name was protected, but that changed when the exoneration happened because she was over 18. In media articles, the focus was always on the exoneree and how she sent the wrong man to prison. She said that for her, she doesn't look at the news because she no longer has faith in them.

One rape survivor discussed having a love/hate relationship with the media. She recognized the role the media plays in changing the narrative and stated that it's important to work with reporters who can be trusted. However, she also recognized that some reporters sell particular stories and continue to perpetuate the problem. She described a positive experience when she had the opportunity to review part of a script and the way an interview was edited for a national program. She also discussed how a documentary based on her rape was traumatic for her family, specifically in the sharing of graphic content and details around the original crime. She shared a story about the emotional toll her daughter felt after watching a tv show where the host used

graphic photographs from the crime in his national broadcast.

Another rape survivor described herself as having been lucky when it comes to the media and gave credit to befriending a local newspaper reporter who provided her the opportunity to share her side of the story. She shared about a role she had in a documentary about the exoneree in her case, and credited the way she was portrayed but also commented on how the dramatic portrayal of the crime was unnecessary. She shared that she has received death threats in online comments, but that she is to the point where she can push those aside.

One rape survivor empathized with everyone and shared how such experiences are the motivation behind why she uses a pseudonym to protect herself from unwanted media attention. She described the experience of having her story shared through a local publication, and expressed how it was well done. She described reading the online comments that threatened to rape and kill her. Such comments have made her decide not to allow other people to share her story.

One rape survivor shared that she was a minor when the crime first happened, so the media did not share her name. After the exoneration, she went on a tv show to share her story. She described how the focus was on the exoneree and she wishes she would have been left out of the news altogether.

A sister of a murder victim shared that she was displeased with how her sister was portrayed in newspaper stories from the very beginning. During the exoneration, the exoneree was named while her sister was referred to as a local prostitute. She described receiving calls from her sister's kids, wanting to know why the murder of their mom was reported in this way. She confronted the local news media for slandering her sister's name and requested that they apologize for how they portrayed the victim. She also shared how the media was always the first to know about developments in the case and how she learned her sister's case was being reopened from a news reporter calling for an interview. In her experience, the media reports from one perspective without being open to sharing other sides of the story.

Ms. Monroe summarized what was shared on the topic of the media, and acknowledged how in many instances original victims felt additionally traumatized and victimized by the media.

Recommendations for the Media

Ms. Monroe asked the original victims for specific recommendations for what would help victims navigate the media.

- Have someone present at public hearings to advocate and protect the original victim and family members from media attention including any photographs, video footage, or requests for comments.
- Original victims should have the opportunity to control when and how their stories are shared. All agencies involved in the case can and should offer protection from the media by fielding interview requests.
- Original victims need recommendations and guidelines on how to work with the media in instances where they do decide to share their stories publicly
- Provide access to a lawyer to translate release forms and other legal documents they are asked to sign as part of an interview.
- A trained and qualified mediator should be available who can act as a bridge between the original victim and the media.
- The development of a media toolkit with guidelines on best practices when reporting about these cases,

including how original victims are portrayed and the importance of using victim-friendly language.

- Recommendations about media should be provided to police, prosecutors, and victim service providers so that they understand how the media plays a role in these cases. This resource would be part of the larger picture in changing the narrative by having multiple parties informed.
- Journalists should have access to sensitivity training so they know how to deal with original victims in these cases.
- They should respect original victims' wishes when it comes to media coverage.
- Reporting should be honest and transparent.

Closing Remarks

Katie Monroe, Facilitator, Healing Justice

Ms. Monroe thanked the original victims and explained that this is the beginning of the conversation. She reminded them of ways they will be involved as resources are developed for media, practitioners, and other victims and survivors. She expressed her hope that they feel like they are being supported by Healing Justice through future conversations and peer support opportunities.

Jennifer Thompson, Founder, Healing Justice

Ms. Thompson thanked the original victims for trusting those in attendance with their stories and promised that their voices will be heard. She reiterated that this is not the end, but the beginning and asked that they continue to trust Healing Justice as this project moves forward. She then led them in an exercise to end on a positive note; each took a turn speaking to the others and briefly shared about the impact of their time together.

Susan Williams, Deputy Director, Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice

Ms. Williams thanked everyone for being present and sharing their stories during the listening session. She acknowledged the pain that they have endured and described how their stories and voices will be carried forward in the work that is done. Ms. Williams introduced the Director for the Office for Victims of Crime, Darlene Hutchinson.

Darlene Hutchinson, Director, Office for Victims of Crime, Office of Justice Programs, U.S. Department of Justice

Ms. Hutchinson offered her gratitude for how the original victims shared a piece of their hearts and life during the session. She provided some personal background that led to her work in the victim services field and described her work as the Director for OVC. She expressed excitement for where the project is going and described the role of OVC in responding to these challenges and continuing the dialogue.

Ms. Monroe thanked Ms. Hutchinson, Ms. Williams, and OVC for making the listening session possible.

What We Learned from the Field: Report on Review of Existing Practices and Evidence-based Models

In conjunction with learning from the experiences of original victims through the listening session, this project sought to learn from the field about how original victims are currently notified and supported. The mixed-methods approach to learning from the field included three phases: (i) a questionnaire that was distributed to victim service providers and allied professionals (hereinafter "practitioners") nationwide; (ii) in-depth interviews with practitioners who have worked with original victims; and (iii) a thorough literature review to better understand the unique needs of original victims and to identify evidence-based practices and

policies. The information gathered from the field helped identify high-need areas for resource development. A description of the process and summary analysis of the findings from this review follows.

Practitioner Questionnaire

Process

This project sought to learn from practitioners through a questionnaire that was distributed nationwide. The goal of the questionnaire was twofold: (i) to identify and learn from practitioners who had first-hand experience working with original victims specifically regarding existing practices and encountered barriers; and (ii) to learn about post-conviction victim services more broadly. The advisory committee reviewed an initial draft of the questionnaire during their first meeting in May 2018. Based on input from project partners, advisory committee members, and other key stakeholders who have overseen similar projects, the questionnaire was edited, approved by OVC, adapted for an online format, and uploaded to Formstack in June 2018 before distribution. The final version was tailored to specific practitioner types and included closed- and open-ended questions that were filtered based on practitioner experiences.

The advisory committee also provided insight and expertise to aid in the creation of a robust, national distribution and marketing strategy for the questionnaire. Based on the committee's recommendations, the final strategy included five key phases: (i) introduction to the project and questionnaire nationwide via professional listservs with the assistance of committee members who have key connections in the field; (ii) distribution of the questionnaire and supporting documents to these same listservs; (iii) direct outreach agencies in priority jurisdictions; (iv) distribution of the questionnaire to key contacts in these agencies; and (v) select individual phone conversations with individual practitioners and key agencies. Project partners and advisory committee members contributed to the final distribution list by identifying professional listservs and target agencies in priority jurisdictions. Sixty-one counties that have had a substantial number ($n = >5$) of post-conviction exonerations made up the priority jurisdiction list. The contact list for key agencies in these priority jurisdictions was broken down categorically including victim service agencies, law enforcement, prosecutor offices, conviction integrity units, and departments of corrections. After developing this comprehensive distribution strategy, the questionnaire was disseminated nationally following the multi-tiered approach.

Analysis

Responses to the questionnaire were collected on a rolling basis, from July through the end of December 2018. After all the responses were collected ($n=148$), the data was analyzed using a mixed-methods approach. Practitioners from 32 states responded to the questionnaire representing six agency types: community-based victim services ($n=56$), prosecution-based victim services ($n=43$), department of corrections ($n=30$), law enforcement ($n=12$), and legal organizations ($n=7$). Quantitative data collected from the closed-ended questions provided insight into the landscape of post-conviction victim services. Those who marked "yes" as having worked with original victims responded to open-ended questions regarding their experience. The qualitative analysis outlined below involved open-coding of these responses to identify key themes and patterns. The salient themes below provide insights into the practitioner experience that will inform the development of professional resources to better support original victims.

Practitioner Experience Working with Original Victims.

Forty-five practitioners stated they have worked with original victims during a post-conviction claim of innocence or exoneration. These included eighteen community-based VSPs, fifteen prosecution-based VSPs, nine correctional VSPs, two VSPs from law enforcement agencies, and one representative from a legal organization. During the analysis, it was unclear whether the 18 community-based VSPs worked with original

victims as defined by this project, based on the high count of original victims they claimed to have worked with; therefore their responses are not included in the analysis below.

These practitioners came to work with original victims in myriad ways. It was standard for prosecution-based VSPs to work with victims throughout the case until a verdict is reached. Half of the correctional VSPs had a standard intake process for all post-conviction cases and others were referred to the case by a prosecution office or other victim advocate. Four VSPs in departments of corrections shared that initially, the original victim sought them out for information and support. These original victims heard information about their case from an outside source, and there was no clear avenue for them to get the support and answers they needed and deserved. They specifically wanted to understand what was happening, why it was happening, and what was going to happen next with the case. One VSP described her experience: “[The original victim] attempted to contact others throughout the criminal justice system until they came to the DOC victim services office where we began researching and investigating to determine what was going on in the case.”

VSPs in prosecution offices were most likely to be involved at some point during the post-conviction process immediately following the original trial until the end of an exoneration. No one practitioner provided support to an original victim through every phase of a single exoneration case. Seventy-one percent of corrections and prosecution-based VSPs specifically stated that they provided services to victims during and immediately following an exoneration process.

Challenges.

Practitioners were asked to detail the biggest obstacles they faced when working with original victims. The two most common challenges identified were access to information and communication issues. The primary barrier to information was having reliable contact information for victims, particularly due to the typical time span from the original crime and conviction to the exoneration and release. One prosecution-based VSP described the challenge of accessing information as: “Not getting the information soon enough, not having accurate and current victim contact information, and not having enough information to really be able to explain what’s happening, timeframes, and what’s next.” Corrections-based VSPs, in particular, struggled with limited access to case information as one practitioner shared: “We need access to supporting documents (such as court calendars, police reports, etc.) that allow a fuller understanding of the case without the victim having to retell their story.”

When it came to communication challenges, most practitioners described inconsistencies in how notifying original victims and keeping them informed happens in these cases, especially when it came to media reporting first. A few practitioners shared challenges when it came to interacting with the original victim. For example, a prosecution-based VSP found it difficult to build rapport and gain the trust of the original victim since she did not work with them during the original trial. There were also challenges with keeping in constant communication and a victim’s desire to be or not be contacted. A correctional VSP described one original victim’s frustration due to a lack of support. As they shared, “the victim felt like it was exactly like their pre-conviction experience in the court system, and they felt they were invisible.” One prosecution-based VSP described the challenge they faced with rationalizing an exoneration to their client: “It is challenging to try to comfort and explain how a jury or judge could find a defendant not guilty when it appears that the evidence clearly shows guilt.” These challenges of communication suggest the need for training, recommendations, and guidelines on policy development so VSPs and other professionals are adequately prepared to respond to original victims.

Practitioners listed the resources they had access to and resources they wished were available to them while supporting original victims.

Resources practitioners used:

- State network of victim assistance organizations.
- Collaboration between community-based and systems-based VSPs.
- Victim advocates in prosecution offices.
- Community resources, specifically for trauma services.
- Advocacy and crisis agencies.
- Court accompaniment by a trained victim advocate.
- Victim compensation.

Resources practitioners needed:

- Increased collaboration between service providers.
- Victim service database.
- Access to case information.
- Attorneys to provide legal information and help.
- Direct assistance for immediate needs.

Notification.

All systems-based VSP practitioners provided post-conviction notification and information to original victims. Most often prosecution-based VSPs provided information about appeals or other court actions filed by the prisoner; petitions for writ of habeas corpus, parole, and/or clemency; and information regarding a pending exoneration and release. Departments of corrections staff most often provided information around an impending release once the court reached a final decision; often this communication only involved general information surrounding the release and statutory notification rights. VSPs and victim advocates were the most common source of initial victim notification (84% collectively). Other sources included: automated notification, media, law enforcement, court-appointed personnel, prosecution attorneys, and departments of correction personnel. Across the board, there was no standardized process for notifying original victims. For one VSP, this is problematic because not only does it harm the victim, but it also hinders advocates from being proactive in engaging victims. Another practitioner explained, “This needs to be addressed as victims seem to be the last in line to hearing information when they should be the first.”

Practitioners who were involved in the original notification described that victims were often sad, upset, and devastated by the news. Emotional reactions included anger, disbelief, fear, and disappointment. One VSP shared that one original victim was “re-traumatized” by the news and “re-lived all the hopelessness and helplessness that originally existed” after the original crime. In another VSP’s experience, some victims want to know every single thing that is happening while others do not want any further notification. When original victims received information and support in these cases, the implications were powerful as one practitioner shared: the victim was “glad we were here to provide them with the court decision and glad this office afforded (them) the opportunity to process their reaction to the news.” Based on their experiences working in the post-conviction setting, systems-based VSPs outlined specific protocols their agencies use to support victims of crime, specifically with regards to notification.

Timing and Process for Notification.

- One practitioner shared that an original victim learned of an exoneration through the news and called her office with a lot of questions that she was not prepared to answer.

- Two practitioners shared they do not notify original victims soon enough and there is no standardized process.
- All prosecution-based VSPs who responded notify victims immediately upon an application or filing by the petitioner.
- One corrections-based VSP shared they notify original victims only after a final court decision is made resulting in an exoneration.
- One corrections-based VSP shared that victims are only notified if they have previously registered with the state department of corrections and/or community supervision office and requested specific notification.
- All but one practitioner shared that after initial notification they provide ongoing information, with many reporting that they will provide information as long as the victim desires or for the duration of a hearing or case.
- These individuals most often communicated via phone, in person, or through email. Only three practitioners communicated by letter or text.

Notification Protocols Developed by Agencies.

- Explain the process to victims, let them know what their options are, and refer them to community-based advocates for extra support.
- Notify the victim when a claim of innocence is made and update them on the status of motions filed and the judicial outcome. Notify the victim when judicial hearings are held and invite them to attend.
- Provide the victim with information about the process, dates, and times. Answer any questions they have.
- Upon receiving a notice of post-conviction filing, victim advocate staff treat the case as a “new” case and mobilize all correspondence, resource, and referral information as is typical with every new case.
- Provide notification and information describing exactly what the post-conviction claim entails and all of the possible outcomes. Appear at court hearings with or for the victims. Seek legal resources specifically for the victim.
- Notify the victim of a court decision, provide a written copy, and refer the victim to a prosecutor for additional information regarding whether the case will be reopened for an additional investigation that could lead to another arrest.

Services and Support.

Seventy-nine percent of VSPs who have experience working with original victims provided support services and/or referrals including crisis intervention, peer support, safety planning, and mental-health support. Most often system-based VSPs provided crisis intervention and safety planning. Eighty-seven percent of these VSPs referred original victims to community-based victim service agencies to provide services and support in addition to what they offered. While only 34% of practitioners provided legal aid and advocacy to original victims, 59% referred original victims to local legal advocates to get information and support around victims’ rights, compensation, victim impact statements, civil justice remedies, and media mediation.

In-depth Interviews

Process

In addition to the questionnaire, we conducted a series of interviews with individual practitioners and key practitioners in targeted agencies to further understand the experience of practitioners who have worked with one or more original victims. An interview guide was developed based on questionnaire responses and important themes identified from the listening session with original victims. Eight semi-structured interviews were conducted over the phone and data was process-recorded during and immediately following each

interview. Along with the questionnaire, these interviews have shaped the framework for the resources created under this project.

Analysis

Practitioners provided detail about their personal experience notifying and communicating with original victims, the challenges they faced, and the resources needed to provide better support to original victims. They also offered specific recommendations for practitioners who might work with original victims in the future. In every instance, the practitioner described that their or their agency's response to original victims was ad hoc in nature, that they were making things up as they went along, and all stressed the need for uniform protocols and specialized resources and training for serving original victims.

Victim-Centered Support.

In describing their experiences, it was clear that many of these practitioners were victim-centered in their care, support, and communication with original victims. For example, one corrections-based VSP had experience working with a prosecution office and understood that victims of crime often feel forgotten and afraid in the post-conviction setting. When it came time to notify the victim of an upcoming release based on the grounds of innocence, she reached out to the victim coordinator from the original trial. It was vital to this practitioner that the original victim had a continuity of care between the two advocates. In another case, a VSP working with a conviction review unit shared that in her experience, the denial of justice can be more difficult for the victim around the exoneration than around the original crime. She was victim-centered in her conversations with the original victim by taking the blame away, explaining how processes changed, and emphatically stating that it was not the victim's fault. This sensitivity was displayed by other practitioners, as well. For example, a law enforcement officer displayed a tremendous level of sensitivity in how he supported an original victim during an exoneration case. He recognized how traumatic this event would be and came to realize that the exoneration caused her to relive the original assault all over again. He knew that she feared that the exonerated individual might pursue her and was worried about her safety, so he made sure to support her as best as he could.

Collaboration Between Agencies.

Through these conversations, we learned that collaboration between community and system-based agencies is paramount to supporting original victims. Practitioners valued opportunities for networking and viewed it as necessary to their work. In one instance, a community-based VSP working with a conviction review unit found it helpful to have access to the victim advocate from the prosecutor's office. As a community-based practitioner, she was not bound by systemic constraints while her systems-based counterpart had access to key information through her agency. By working together, they were able to provide better support to the original victim. One VSP described that her agency did not have anything in place ahead of the exoneration, so she reached out to the original victim to find out what would be most helpful to them. In response to the original victim's needs, she collaborated with a victim advocate from the local DA's office, law enforcement personnel from the original investigation, and other professionals in the community to help develop a course of action to provide support to the original victim. Similarly, a law enforcement officer did not have access to a VSP in his agency, so he collaborated with the county DA's office because they had a VSP on staff who was able to work with the original victim during the exoneration process.

Challenges.

Many practitioners described their experiences with original victims as completely new and different from what they typically encountered in their roles. Agencies were generally unprepared and did not have a systematic approach for responding to exoneration cases. Even for trained victim assistance professionals, there continues to be a gap in victim services around these cases because they are not a typical component of

existing programs. While these practitioners did their best using existing resources, the lack of experience and awareness of the unique needs of original victims led to some challenges along the way.

- A prosecution-based VSP shared that one of her biggest challenges was the inconsistency in original victim support both in her agency and statewide. She felt unprepared to assist the original victim because there was no clear avenue for offering support in these unique cases.
- A practitioner working with a conviction review unit shared that it was quickly apparent that there are not any protocols in place for exoneration cases and a thorough understanding of best practices for working with original victims was not readily available to her.
- A VSP working with a department of corrections expressed the need for trauma-informed guidance when it comes to notifying victims. She shared that they do not have protocols for contacting or notifying victims, even though they do so around every other type of release, which makes notifying victims in special cases such as exonerations even more challenging.
- A prosecutor from a conviction review unit described how a lack of communication across agencies in a murder case created a situation where some family members were informed about the exoneration while others were left in the dark. Her office was in touch with one set of family members while the staff at the department of corrections was in touch with others. Because the two agencies did not communicate during the exoneration process, some of the victim's family members were not provided any notification before the exoneration occurred and were devastated to learn the news through the media.
- One practitioner working with a conviction review unit shared that she struggled with knowing how to respond to the original victim's questions, specifically regarding their disbelief of what was taking place.
- For practitioners, the post-conviction setting is further complicated when decades have passed since the time of the original crime and conviction. Practitioners described the challenge with having access to information, specifically victim contact information and case information.

Notification.

Much of the interviews with these practitioners centered around their communication with original victims, including the timing of notification and the content of information shared. They noted challenges, provided insight into how communication happens in exoneration cases, and recommendations for how notification can be improved. Practitioners overwhelmingly supported original victims having access to information early and often. One community-based VSP stressed this point: “[Original victims] need information. They often get lost in all of this and sometimes they are made aware of changes much later than maybe they could be. They need to have access to information as soon as possible.”

Victim-centered Notification.

Many practitioners provided victim-centered care and sensitivity when notifying and communicating with original victims. For a retired police officer it was important that he notify the original victim as soon as he learned that there was DNA testing being done in the case. He said that when he heard the news from the innocence organization trying the case, he set up a meeting with the original victim because he knew that it was going to be traumatic for her and he wanted to speak to her in person. Once he learned from the DA's office that the DNA testing confirmed the innocence of the person who had been convicted, he went to speak with the victim as fast as he could because he knew that it would be reported as soon as the media found out. He also made sure the victim's mother accompanied him to provide extra support. Similarly, an investigator at a conviction review unit viewed it as a matter of basic victims' rights that she spoke with the victim before the media reported about the case. She decided to call the victim to give her advanced notice rather than show up

at her house unannounced. This investigator described one case where she shared information with an original victim and sensed that they were in denial of the exoneration. In her communication with the victim, she stressed that the wrongful conviction was in no way the victim's fault. She also asked the victim what type of further communication she wanted and she respected her wishes to not be contacted again.

Victim-centered notification goes beyond initial contact and should be consistent throughout the entire process. An individual from a conviction review unit said that she always uses a victim advocate when contacting victims because she always wants the communication to be trauma-informed. Her office developed a policy that includes standards for how they contact and communicate with victims. They also held a trauma-informed training for the entire office. A prosecution-based VSP stressed the importance of providing victims ongoing notification and information throughout the case. Based on her experience, all victims should receive a comprehensive letter at the time of sentencing so that all crime victims can know what to expect in the post-conviction setting, including the possibility of innocence claims and exonerations. At this time, a VSP should be available to meet with victims and they should stress that just because the case has closed at this juncture, the door to victim services is not closed. A police investigator emphasized that original victims deserve a continuing level of care and services, the same as they received around the original crime. For another prosecution-based VSP, this means emphasizing to the individual, "We are forever here, whatever you need, any questions you have." These practitioners provided information regarding agency protocols for notifying original victims early and often during the exoneration process.

Notification Protocols.

- A practitioner at a conviction review unit shared that it is standard in her jurisdiction for victims registered through VINE to receive notification about any kind of status change (e.g. prison transfer or petition for parole); reopening cases based on claims of factual innocence and actions taken toward possible exoneration should be considered a status change.
- A prosecutor at a conviction review unit shared that her agency notifies victims in the early stages of reviewing a case before they seek any information from outside sources (e.g., police files). The goal of this early notification is to prevent the victims from learning about the review from third parties. This agency has created a checklist to follow when communicating with a victim which includes: information about what is going on and what will happen including a timeline, and letting the victim know who they can call with any questions or concerns.
- One practitioner noted that notification in exoneration cases should be addressed just like the backlog of testing sexual assault kits because the same issues come up. As jurisdictions develop systems of testing sexual assault kits, they should consider how that might align with notification about innocence claims and exoneration processes.
- In one jurisdiction, when individuals are up for parole, the system is required to notify victims and ask how they feel about the potential parole and if they need any assistance. There are set protocols for the parole process but not for a review by the conviction integrity unit. There are some ways the parole notification process can be applied in exoneration cases, but the timing for notification is not as cut and dry due to the way these reviews happen.
- An investigator at a conviction review unit shared that her agency contacts an original victim once they determine that the prisoner's claim of innocence is credible, after which they collaborate with a trained victim advocate in notifying the victim. She explained that the victim advocate reaches out to victims via phone and asks if they would be willing to meet in person to learn what is happening in the case. They also try to ensure that notification occurs several months before an exoneration and they provide information on exactly when the exoneration may happen.

- Many agencies do not have a standard of procedure or policy when it comes to notifying and communicating with original victims. One VSP we interviewed is the only victim coordinator in her state department of corrections office. Currently, her agency does not have protocols for contacting original victims, even though they are responsible for notification around a release. She is developing standards for how her office interacts with victims and wants to ensure that victims' rights are upheld throughout the process.

Literature Review

Process

Following the advisory committee meeting in May 2018, we identified potential victim service models and other relevant resources to conduct a literature review. The goal of this review was to develop a comprehensive knowledge of existing post-conviction victim services that could extend support to original victims and identify specific programs and policies that could serve as a model for the project deliverables. NCVV took the lead in the collection and analysis of existing literature.

Initial collection efforts were focused on three key areas identified in conjunction with the advisory committee: (i) victim support and services in other unique criminal cases; (ii) legislation, statutes, and practices relating to post-conviction victims' rights and services; and (iii) strategies for providing support to individuals who have experienced complex trauma. The materials were reviewed for information that seeks to answer the following questions:

- How do the needs of original victims differ from other types of victims? What are the long-term negative effects experienced by these victims?
- How do post-conviction victim support and notification happen, specifically in other cases with similar circumstances (e.g., backlogged sexual assault kits and cold-case homicides)?
- What are the evidence-based practices for victim notification and support?

Documents for review were primarily obtained by performing keyword searches that included one or a combination of the following terms: victim, survivor, wrongful conviction, exoneration, post-conviction, trauma, negative effects, sexual assault kit, cold-case, notification, victim rights, information, media, services, and policy. All source documents were obtained through Boolean phrase searches in Google, LexisNexis, the Center for Victim Research, Proquest, EBSCO, Athens, and the American Psychological Association publications. Searches of state and federal government websites, media sources, and advocacy centers were also conducted to ensure a wide range of sources were obtained. In the primary phase of searching, result titles were scanned for relevance and saved to a hard drive. In the secondary phase, documents were read and then chosen for tertiary review based on three criteria: (i) relevance to victim population; (ii) relevance to exoneration, wrongful conviction, or other special cases; and (iii) inclusion of evidence-based practice or research. During this final review phase, the article was analyzed in detail for key findings relevant to original victims, processes that directly impact these victims, and remaining questions or suggestions for future inquiry. A total of 107 documents received a tertiary review for this project.

In December 2018, project team members conducted a series of discussions to synthesize the information collected from the field so we could reach a consensus on what resources and needs are most essential for supporting original victims. In addition, we conducted outreach to other organizations and professionals from the field (specifically VSPs and social science researchers) who could offer expertise on this project. Introductions were facilitated through the established network of contacts available through Healing Justice

and NCV. The analysis below summarizes the information gleaned from the tertiary review of source documents and synthesis meetings.

Analysis

Emotional Impact of Exonerations on Original Victims.

Victims involved in post-conviction processes such as claims of innocence and exonerations suffer consequences that extend beyond those experienced by primary victims (Levey, 2004). In a 2013 study of victim experiences in these cases, original victims were found to have high rates of negative symptomatology and many described the impact of the exoneration as being comparable to, or worse than, their original victimization (Irazola et al.). In the years following the exoneration, 78% of victims experienced negative emotional impacts; 56% experienced hardship in their social lives; 44% experienced physical health symptoms; 44% experienced financial hardship; and 22% experienced spiritual hardships. Most victims in the study reported the exoneration had a significant and devastating impact on their lives.

In exoneration cases, original victims face a second emotionally draining justice process, which can cause re-traumatization and secondary victimization. Re-traumatization is characterized as a conscious or unconscious reminder of past trauma that results in a re-experiencing of the initial traumatic event (Campbell et al., 2001). This frequently happens as a result of re-investigation, notification, and court hearings to determine the validity of an innocence claim. Secondary victimization stems from contact with the justice system or similar organizations; this is often caused by a lack of awareness or training about trauma, as well as by organizational practices and protocols that fail to consider the impact of trauma on a victim (Kolts & Kolnik, 2018). Practices that can cause secondary victimization in this setting include: failing to provide notification about the case early in the process, before notification happens through a third party such as an investigator or the media; failing to provide the original victim with choice about notification preferences; law enforcement attempting to collect new evidence from the original victim without prior notification; notification that occurs in a setting with limited privacy, like a workplace or in front of others; providing information to the original victim in a biased way (ex. assuring the victim that the prisoner is guilty); media reporting on the case in an insensitive and blaming way; and limiting original victim access to information or support.

Recognizance of Error.

The fact that exonerations involve a legal recognition of error presents a traumatic and potentially shameful event for original victims who are often committed to the convictions prosecutors have obtained in their cases. Almost all original victims reported that they believed the convicted person was guilty at the time of the conviction, assuming that justice was served and the real perpetrator was incarcerated (Irazola et al., 2013). During the exoneration process, original victims are forced to confront multiple alarming realities: (i) an innocent person paid the price for a crime they did not commit; (ii) the true perpetrator was never apprehended and brought to justice (in some cases); and (iii) additional crimes may have been committed by the true perpetrator during this period of “wrongful liberty” (Irazola et al., 2013; Bishop & Osler, 2016). Original victims frequently report feelings of guilt and shame associated with their involvement in the case, especially when mistaken identification is a contributing factor to the exoneration (Irazola et al., 2013). Original victims may also feel they are responsible for additional crimes committed by the true perpetrator. Media also plays a role in the original victim’s experience of shame or guilt; news stories often describe the exoneree as the “victim” and publicly shame the original victim and the justice system for their mistake in the case.

Effects of Trauma on Original Victims.

Individuals who are exposed to trauma, such as crime victims and their families, can experience negative outcomes as a result of traumatic stress. Traumatic stress reactions often impact an individual’s behavioral

health, physical health, and day to day functioning (American Psychiatric Association, 2013; Irazola et al., 2013; Kolis & Kolnik, 2018). Many people who experience trauma overcome it, particularly with support; however, others may experience a significant disruption in their lives and/or a long-term impact on their physical, social, emotional, and spiritual well-being (OVC, 2016).

In exoneration cases, the average amount of time between the original conviction and formal exoneration is 14 years (Irazola et al., 2013). This prolonged period between proceedings increases the likelihood that an original victim will experience negative effects. For rape survivors, time since the assault is associated with a negative reaction to the case and willingness to have continued contact with the justice system (Campbell, Shaw, & Fehler-Cabral, 2017). Further, the potential for long-lasting negative effects increases with the length and severity of the experience, when the trauma is left untreated, and when there is repeated exposure to trauma (Black, Woolworth, Tremblay, & Carpenter, 2012). Failure to recognize trauma can lead to worsened symptoms and impair rehabilitation efforts.

Services and Support.

The exoneration process is often traumatic for original victims, and they have the right to information, support, and services that can help reduce trauma. Original victims indicated that they did not receive adequate information or support from the system or the community, and in many cases, they did not know that the case was ongoing or that support and services existed (Irazola et al., 2013). Research suggests that crime victims, specifically rape survivors, are often denied help by their communities and what help they do receive often leaves them feeling blamed, doubted, and re-victimized (Campbell, Sefl, Wasco & Ahrens, 2004). It is important to ensure that original victims not only have access to information but also to counseling and other resources that are evidence-based and incorporate aspects of trauma-informed care (Saraiya & Lopez-Castro, 2016).

Victim Notification.

A 2013 study of original victim's experiences found that about 36% of victims were notified about the exoneration through third parties such as the media, 9% of victims received notification only after the exoneration had already occurred, and 9% received no notification at all (Irazola et al.). Even in cases where the original victim was contacted, they often felt isolated from the process and powerless in their recovery.

Far too many original victims initially hear about an exoneration at, or close to, the time of release. Often there is little or no prior contact from authorities during the process and case investigation leading up to an exoneration. This practice is harmful to original victims. First, lack of communication creates feelings of powerlessness, disengagement, and loss of confidence in the justice process, and sometimes can be perceived as a malicious attempt to bar the original victim from participating in the process (Irazola et al., 2013). This insensitive lack of communication can be a source of secondary trauma and revictimization for the victim. Second, many original victims fear for their own safety and that of their families. With little time between learning of the exoneration and the exoneree's release, there is also little time for the original victim to develop a safety plan and to acclimate to the new circumstances. Despite some reluctance expressed by system actors, almost all original victims expressed a clear preference for receiving complete information as soon as possible (Irazola et al., 2013). Providing early and regular notification in these cases can make a huge difference in the original victim's recovery.

Victims' Rights and Notification.

Notification is often called the "threshold right" because all other victims' rights flow from it. Most states have implemented formal policies that dictate when, for what event, and how to contact victims as their criminal case

progresses through the justice system, including post-conviction. Generally, victims have the opportunity to opt-in to receive notification about these events and it is their responsibility to keep their contact information up to date with law enforcement overtime. All states and the federal government notify victims about major events during the investigation, prosecution, and confinement phases. All states recognize that the case is not “over” after a conviction occurs and require that victims continue to receive notifications about the offender’s status during confinement. In the post-conviction phase, victims are notified of parole hearings; escape attempts; reductions in sentencing; and prisoner-relocation. In many instances, victims also have an express or implied right to be notified about a post-conviction DNA test. However, few jurisdictions require that victims be notified in the event a prisoner raises a post-conviction claim of innocence (Bureau of Prisons, 2002). As of 2016, only 11 states had laws prescribing victim notification in cases involving post-conviction release, commutation, and exoneration, and there is no formal exoneration notification policy at the federal level (National Crime Victim Law Institute, 2016).

Overall, it is well documented and understood that victims have the right to “prompt notification” of case information. The majority of notification policies reviewed for this project specify that a victim must be notified a minimum of 30 days before any proceedings, and if the event is unexpected, the victim must be notified by phone call as soon as possible (American Probation and Parole Association, n.d.; BOP, 2002). Currently, these same protective time limits do not apply to exoneration cases.

Notification Practices in Similar Special Cases.

Victims and providers alike encounter similar issues in cold cases and cases with backlogged sexual assault kits (SAKs). Similar to claims of innocence and exonerations, there are often large time gaps between proceedings, and similar needs for specialized case information and more sensitive and informed policies surrounding victim notification. In general, the notification in these special cases is planned and personal. Multiple teams participate in decision making and emphasize the importance of the victim’s voice and choice throughout the process. Automated notification from systems such as VINE is not considered adequate for these special cases due to the amount of time that has passed since the last contact and the complexity of the information being conveyed. The research and best practices that exist for these cases can and should be used to help inform recommendations for original victims.

Sexual Assault Kit Testing.

The issue of untested SAKs has received much attention in the last few years as many states realize the extent of their backlogged and untested DNA. Organizations have been implementing new policies to respect victims in the process of testing previously untested kits. In a growing number of states, survivors have a legally established right to be notified about the status of their untested SAK, and many jurisdictions are increasing resources to ensure that every backlogged SAK is tested (Joyful Heart Foundation, n.d.). In these cases, it is possible that many years have passed since the crime, and that the victim does not know that their SAK was never tested. Therefore, notification of this information must be trauma-informed and sensitive to prevent re-traumatization.

Many states with progressive policies in this area, such as Colorado and Texas, recommend developing a multi-step plan for notification. These plans typically include extensive planning, phone or in-person notification, and substantial follow-up with the survivor to ensure their needs are being met. Researchers recommend that specialized information should be shared, including information about DNA testing, how it has changed, and why their SAK was not tested in the first place (Joyful Heart, n.d.). Further, research recommends the use of victim-centered and trauma-informed policies as well as extensive training surrounding privacy/confidentiality, sensitivity, and helpful communication techniques. Some counties, such as Denver,

Colorado and Dallas, Texas, hired independent trauma specialists to support notification or created a new position/department that is responsible for notifying victims in these special cases.

Jurisdictions varied on when notification should occur (e.g., before DNA testing or only after testing resulted in a match in the Combined DNA Index System (CODIS)). For example, the Houston Police Department only contacts victims if there is a CODIS hit and the statute of limitations has not expired. This practice contradicts the crime survivors' desire for information on whether or not a CODIS match was found (Campbell, Shaw, & Fehler-Cabral, 2017). Victims in these cases have expressed a clear preference to be notified in real-time, each time a decision is made in their case, regardless of the outcome or whether a case moves forward or not (Joyful Heart Foundation, n.d.) Many victims in these cases were grateful just to know that the testing was going to occur and the eventual results, even if nothing came of the testing. Limiting notification to only select survivors whose cases could be prosecuted was viewed by practitioners and victims as an unacceptable and misguided response (Ahrens, Swavola & Dahlgren, 2016).

Further, limiting the timing of the notification to after DNA testing has already occurred restricts the original victim's ability to prepare for the possibility of release. Progressive policies in this area have already been developed and implemented in some jurisdictions. For example, in Dallas County notification occurs when the offender first requests testing, when the state agrees to testing, when a testing date has been set, and after the results of the testing are obtained. In Portland, victims were notified pre-testing on a case by case basis; investigators took into account the age of the case, age of the survivor at the time of the crime and now, mental health of the survivor, relationship to the alleged offender, and other things that could affect how the survivor would handle the news. Most survivors agreed they prefer to have information sooner in the process, and that they could have used more information about the case, DNA testing, and support services (Joyful Heart Foundation, n.d.). Research evidence also supports ongoing services and supports provided by community-based advocates during this process (Office on Violence Against Women, 2010). Some jurisdictions took follow-up further by convening support groups for survivors whose kits had been backlogged (Ahrens, Swavola & Dahlgren, 2016).

Cold Case Homicide Notifications.

In cold-case homicide notifications, time gaps without contact are a huge concern and practitioners need to strategize the best method of contact for notifying survivors in each case. Like with backlogged SAK cases, notifiers typically receive specialized training and plan extensively before embarking on victim notification. The FBI Cold-Case Homicide Notification Training programs suggests using a four-step notification process: plan, prepare, deliver, and follow-up. Some jurisdictions have implemented new notification programs or hired specialized employees that support victims in these special cases. In Denver County, law enforcement hired a cold case program coordinator that specializes in communicating cold-case information; this practitioner serves as the liaison between the victim, the family, and the cold case unit detective. Research in this area emphasizes the importance of the language used to communicate information to victims, as well as the overall need for regular information. Not only should the information be sensitive and trauma-informed, but notifiers are also trained in helpful and hurtful delivery statements that can support cold-case victims. Many training programs are interactive and require notifiers to practice in simulations before conducting notification.

Victim-centered and Trauma-informed Practices

Victim-centered and trauma-informed practices help avoid re-traumatizing victims while delivering information and services. These approaches result in increased rates of successful investigations and prosecutions as well as decreased stress, burnout, and vicarious trauma for criminal justice practitioners (OVC, 2016). Adopting a victim-centered and trauma-informed approach to notification incorporates the principles of empowerment,

understanding, and support which minimize re-traumatization. It actively involves the victim in determining the best course of action, giving them back control that was lost during the crime.

“Victim-centered” practices:

- Place the victim at the center of all decisions regarding recovery and any involvement with the justice system;
- Emphasize victim’s choice, safety, and well-being;
- Decrease stress, anxiety, and self-blame;
- Increase a sense of safety, security, and empowerment;
- Increase engagement in investigation and prosecution processes; and
- Implement a collective effort in meeting needs victim needs(Campbell, Shaw, & Fehler-Cabral, 2017).

“Trauma-informed” practices:

- Seek to attend to the victim’s emotional and physical safety;
- Strengthen their capacity to recover from trauma by providing information, resources, services, and support;
- Educate victims, providers, and the community at large about the impact of trauma on survivors’ health and well-being (Campbell, Shaw, & Fehler-Cabral, 2017; National Institute of Justice [NIJ], 2016); and
- Provide information, support, and validation of the victim’s experience throughout the process (Campbell, Sefl, Wasco & Ahrens, 2004).

Trauma-informed and victim-centered notification should incorporate the following best practices:

Plan ahead of time.

- Incorporate a multistage approach to victim notification in these special cases. Reviewing old case information and planning for the notification is a crucial first step. In all cases, the method should reflect the goal of restoring power to the victim (Ahrens, Swavola & Dahlgren, 2016).
- Practitioners participating in the notification should be briefed beforehand to be aware of any key issues that may come up during the notification (NIJ, 2016).

Use a multidisciplinary team.

- Teams should aim to include law enforcement, prosecutors, victim advocates, sexual assault nurse examiners, forensic scientists, and advocacy organizations, as well as any other actors that may work with the original victim (NIJ, 2016).
- Set clear expectations regarding what information should and should not be divulged within the multidisciplinary team; other jurisdictions have invited an advocate that was not involved in the case to mediate team discussions and to provide an objective opinion (NIJ, 2016).

Collaborate with community and system-based VSPs.

- System-based VSPs have increased access to case information and a better understanding of the internal decision-making surrounding the case, but they may not be able to disclose complete case information and often cannot offer complete confidentiality (National Institute of Corrections [NIC], 2016).
- Community-based advocates are typically specialized in type of victimization; these advocates are able to provide complete confidentiality, longer-term assistance, and a wider range of community supports, but these advocates may be limited by the type of victim their program serves, length of assistance offered, and their access to information about a case (NIC, 2016).

Provide original victims with the opportunity to control notification.

- Many victims and researchers support an approach that offers survivors the choice of whether and when to receive information about their cases (Ahrens, Swavola & Dahlgren, 2016; Levey, 2004).

Provide in-person contact.

- Original victims have expressed a preference for more personal approaches to notification (such as in-person visits and phone calls), though other victim-centered techniques should also be considered on a case-by-case basis (Irazola et al., 2013).
- For notifications in cases of wrongful conviction, emails and letters via U.S. post are not recommended because you cannot be sure who has access to the messages (APPA, n.d.). Limit the sharing of personal or case information in this type of communication. If either of these methods is used, best practice is to use intentionally vague language and to use the email or letter as a means to schedule an in-person conversation.
- During initial notification it is important to confirm their identity before releasing any sensitive information; if identity is verified and it is feasible, find a safe place for the victim to talk and receive the notification (Campbell, Shaw, & Fehler-Cabral, 2017).

Provide ongoing communication.

- Ensure that there are enough resources to keep the victim informed of ongoing case information and try to avoid a delay after notification so that the victim does not need to be re-notified (NIJ, 2016).
- Offer continued assistance, contact, and involvement throughout the entire process (Campbell, Shaw, & Fehler-Cabral, 2017).

Media.

Exoneration cases are more likely than primary victimization to receive attention from local and national media sources. Currently, media reporting on wrongful convictions disproportionately focuses on the exoneree and only certain contributing factors to wrongful convictions that have a public interest such as official misconduct (Zakirova, 2018). Most of the time, media sympathizes with the exonerated and depicts law enforcement, court and corrections in a negative way (Yaroshefsky, 2016). Disproportionately highlighting certain issues in these cases leads to reporting that is skewed and misrepresentative of actual practice, and thereby leads the public to have an inaccurate perception of the issue. Inaccurate framing leads to an inaccurate perception of the primary causes of wrongful convictions and an overall shifted perception of the justice system, making it look less reliable than before (Zakirova, 2018).

While most original victims do not participate in the exoneration process, victim identity was revealed in 23% of cases that received media attention (Irazola et al., 2013). Positive or negative attention towards the victim can affect their reception by the public. In one study (Huge & Glynn, 2015), when media content provided a negative overview of the victim, public perceptions decreased and third-parties were less likely to follow the story or provide any help. Conversely, when media content sympathized and with the victim, third parties would closely follow the story and even try to offer their assistance. To address this issue, victims need to have a voice in this process; they must “have the ability, the means, and the right to express oneself, one’s mind and one’s will” (Ahrens, 2006). When an original victim is not afforded this right, they are considered “silenced” through a range of negative reactions including blaming, ineffective, insensitive and inappropriate responses from the public.

Recommendations from the Field

Specific recommendations gathered from practitioners and through research are presented here under key categories.

Victim-centered Care

- Victim-centered and trauma-informed approaches must be implemented when delivering services to avoid re-traumatizing original victims.

- All agencies should be victim-centered and have at least one provider trained in trauma-informed care.
- VSPs must be sensitive to the trauma and emotions that original victims experience.
- Validate the original victim's experience and reassure them so they know that their experience has not been voided in any way because of the exoneration.
- Let original victims take the lead on determining how they are supported and what information they want to receive.
- There needs to be continuity of care from the very beginning so that when the case status changes or is reopened, victims are supported. Providers should make themselves available to original victims on an ongoing and consistent basis. When a crime occurs, it is the responsibility of VSPs and advocates to support victims regardless of a conviction status.
- A retired police officer stressed that police departments owe a continuing level of "care and customer service" to original victims: "The support system should be the same after an exoneration as immediately after the crime because the trauma is the same."
- Recognize that each original victim has a unique story, different levels of previous involvement with the case, and distinct physical and psychological needs. All communication with original victims should reflect and respect the cultural diversity and unique needs of populations within a specific jurisdiction.

Notification

Timing

- Original victims need information early and often. Create a system or process where original victims are the first to know what is about to happen.
- Consider exoneration processes as a "change of status" that require prompt notification.
- The more time between notification and release/exoneration that can be afforded to the original victim, the better so they have time to prepare.

Victim Choice

- Original victims should have the opportunity to choose what information they receive, how often they are contacted and should be notified via their preferred communication method. They should be able to opt-in or out of receiving notification at any given time.
- Before notification occurs, practitioners should determine whether or not the original victim had previously opted in to receive notifications; if they were never given that option, it should be provided to them at the time of post-conviction notification.
- Notifiers should allow the original victim an opportunity to select a person to receive case information for them (such as a VSP or close loved-one); this intermediary can help decide when and how to communicate information to the victim.

Delivery of Information

- Practitioners should intentionally plan for notification in these cases. They need to be proactive and not reactive when it comes to notifying original victims.
- It is ideal to have practitioners who were involved in the original case and who have a relationship with the original victim participate in the initial notification.
- For all notification activities, avoid notification by media, by an automated message, or by legal representation for the wrongfully convicted.
- Notification should start with initial contact that provides as much privacy as possible and then builds to a more personal and detailed interaction at the time and place of the original victim's choosing.
- At the time of initial notification, establish one person as a primary contact that the original victim can call or email for additional information or clarification.

- Original victims should be kept up to date on any upcoming hearings, court decisions, or actions being taken related to the claim of innocence.

Content

- Communication needs to be sensitive, direct, and easy for the survivor to understand.
- Lawyers or investigators who participate in victim notification must ensure that case information is shared in an honest, correct, and unbiased manner.
- Share information about the case to help an original victim begin to rationalize how a conviction could be overturned. They deserve to know why wrongful convictions happen, which can reduce the blame or guilt.
- Notification should include a detailed summary of what to expect and what might happen during the post-conviction process.

Standardization

- With an increased amount of exonerations occurring in the last two decades, the justice system must take steps to implement formal notification policies for exonerations.
- Since contact with the system is the primary way a victim learns about supports available to them, and it has been shown that victims' in these cases are particularly vulnerable, standardized notification policies related to post-conviction claims of innocence are vital to supporting original victims.
- Those working with original victims should review protocols to ensure they adequately protect the confidentiality of the victims and victim information sharing should be limited to those directly involved with victims.

Collaboration

- Best-practices recommend using a multidisciplinary team in making decisions that could impact the original victim. An ideal collaborative response includes a jurisdictional task force with various practitioners from law enforcement, prosecutor offices, and victim service agencies who meet frequently to discuss the case and evaluate how the original victim is being supported and informed.
- Victim support resources should be shared across agencies involved in the case including the prosecutor's office, law enforcement, corrections, and community-based organizations.
- Community and system-based VSPs should be included in decision-making around notification. Due to the differing benefits of each type of advocate's involvement, both should work together to determine a systematic way of sharing information and providing assistance to original victims.
- Practitioners should collaborate with trauma counselors trained in trauma-informed care who can aid original victims by addressing the root cause of their trauma.

Resources for Original Victims

- Law enforcement agencies and prosecution offices need informational and educational brochures they can hand to original victims. These resources should consider the victim's need for support and should include contact information for local victim advocates.
- Community and system-based VSPs can help with safety assessment and planning during the initial notification. All victims have the right to adequate protection, including protection of their personal information and feeling safe and secure in their own homes.
- Original victims should have access to advocates who can provide support and crisis intervention, and who can refer victims to additional services that can help address trauma as early as possible.
- If possible, have the same support system available that was available at the time of the crime. If the same practitioners are no longer with the agency, make sure original victims have access to the same type of resources and support, including a victim advocate and law enforcement official.
- Connectedness to others who have been through similar situations is vital, and support groups for original victims would be helpful. These should involve a small group of people, whether local or virtual.

Training for Practitioners

- There should be a baseline training for practitioners that describes the exoneration process and outlines expected timelines. This training should include information on the emotional and psychological responses original victims are likely to have in the wake of an exoneration.
- Victim advocates should be trained on how notifications in exonerations are different than parole and other release notifications. They need to anticipate and prepare for how original victims from wrongful conviction cases might respond to the news.
- Trauma-informed training should be conducted via webinars to make it readily accessible to different agencies.

Information for Practitioners

- Victim advocates to have access to information as soon as possible so that they can make a course of action for supporting the original victim. VSPs need to be notified at the start of any post-conviction court filing and hearing, including court dates, well in advance.
- Practitioners should familiarize themselves with the case before contacting the original victim. Knowing information about the original case can ensure that the practitioner is not asking the original victim to relive the trauma by having to describe the case in great detail. Further, the more a practitioner knows about the original case and its impact on the original victim, the better they can assist.

- Recommendations and resources should be tailored to jurisdictions, specifically at the state level. It would be helpful to have a website that provides information about case law for each state and outlines the agencies and practitioners responsible for supporting and notifying original victims.

Agency Protocols

- Practitioners must take seriously the value of having clear protocols and procedures for interacting with original victims that can greatly increase the effectiveness of services and support.
- All protocols and policies related to original victims should be trauma-informed and victim-centered.
- Agencies should develop protocols that inform crime victims of what to expect following a conviction that includes: information on every potential outcome following the conviction including different types of release, an explanation of victim rights, an opportunity for victims to opt-in or out of notifications, and registration for VINE. Specific for original victims, this should include information on how wrongful convictions and exonerations can happen.
- Jurisdictions and agencies need to develop a better system for maintaining victim contact information.

Media

- Agencies should have protocols in place regarding media requests. Agencies should be intentional about their communications with the media and protect original victims from being publicly blamed.
- Original victims need guidance about how to interact with the media and how to field media requests. This should include information on what will happen (e.g., A news story could be written, so how do they respond? Who will be their source of support during media attention? etc.).
- Accurate representation of the original victim's perspective and protection of their identity is vital. Victims need a media spokesperson who can serve as a mediator between the victim and the media to ensure that they are being represented fairly.

References

- Ahrens, C. (2006). Being silenced: The impact of negative social reactions on the disclosure of rape. *American Journal of Community Psychology*, 38, 263–274. Doi: 10.1007/s10464-006-9069-9
- Ahrens, C. E., Swavola, L., & Dahlgren, S. (2016). *Comprehensive technical report of the joyful heart foundation victim notification project*. Joyful Heart Foundation. Retrieved from http://web.csulb.edu/~cahrens/JHF_Technical_Report_FINAL.pdf
- American Probation and Parole Association. (n.d.). *Victim Information and Notification* [fact sheet]. Office for Victim of Crime: Washington, DC. Retrieved from www.ovc.gov
- American Psychiatric Association. (2013). *Diagnostic and Statistical Manual of Mental Disorders* (5th ed.). Arlington, VA: American Psychiatric Publishing.
- Bishop, J. & Osler, M. (2016). Prosecutors and victims: Why wrongful convictions matter. *The Journal of Criminal Law & Criminology*, 105 (4), 1031–1047. Retrieved from ebscohost.org
- Black, P.J., Woolworth, M., Tremblay, M., & Carpenter, T. (2012). A review of trauma-informed treatment for adolescents. *Canadian Psychology*, 53 (3), 192–203. DOI: 10.1037/a0028441
- Bureau of Prisons (BOP). (May 2002). *Bureau of Prisons Victim and Witness Notification Program Statement* (DOJ Publication no. CPD 1490.06). Washington, DC: U.S. Government Printing Office. Retrieved from https://www.bop.gov/policy/progstat/1490_006.pdf
- Campbell, R., Shaw, J., & Fehler-Cabral, G. (2017). Evaluation of a victim-centered, trauma-informed victim notification protocol for untested sexual assault kits (SAKs). *Violence Against Women*, 24 (4), 379–400. Doi: 10.1177/1077801217699090
- Campbell, R., Sefl, T., Wasco, S.M., & Ahrens, C.E. (2004). Doing community research without a community: Creating safe space for rape survivors. *American Journal of Community Psychology*, 33 (3/4), 253–261. Doi: 0091-0562/04/0600-0253/0
- Campbell, R., Wasco, S. M., Ahrens, C. E., Sefl, T., & Barnes, H. E. (2001). Preventing the "second rape": Rape survivors' experiences with community service providers. *Journal of Interpersonal Violence*, 16 (12), 1239–1259. Retrieved from www.victimresearch.org
- Huge, M. & Glynn, C. J. (2014). *Perceiving Penn State: The formative role of interpersonal discussion in third-person perceptions in the wake of a sexual abuse scandal*. *Communication Research*, 42 (7), 922–938. Doi: 10.1177/0093650214534970
- Irazola, S., Williamson, E., Stricker, J. & Niedzwiecki, E. (2013). *Study of victim experiences of wrongful conviction*. Fairfax, VA: ICF International. Retrieved from www.nij.gov
- Kolis, K. & Kolnik, J. H. (2018). Trauma types and promising approaches to assist survivors. *Illinois Criminal Justice Information Authority*, 1–20. Retrieved from <http://www.icjia.org/articles/trauma-types-and-promising-approaches-to-assist-survivors>
- Joyful Heart Foundation. (n.d.). *Navigating Notification: A Guide to Re-engaging Sexual Assault Survivors Affected by the Untested Rape Kit Backlog*.
- Levey, D. S. (2004). Wrongfully convicted: A no-win situation for the victim. *Drake Law Review*, 52, 695–701. Retrieved from www.victimresearch.org
- National Crime Victim Law Institute (NCVLI). (2016). *Survey of key laws in the fifty states and District of Columbia specifically regarding victims' right to notice in connection with offenders' post-conviction release*. Portland, OR: National Crime Victim Law Institute.
- National Institute of Corrections (NIC). (December 2016). *Evidence-Based Decision Making: A Guide for Victim Service Providers*. Center for Effective Public Policy; Washington, DC.
- National Institute of Justice (NIJ). (January 2016). *Notifying Sexual Assault Victims After Testing Evidence* (NCJ 249153). US Department of Justice, Office of Justice Programs: Washington, DC.

- Office for Victims of Crime (OVC). (August 2016). *Achieving excellence: standards for serving victims & survivors of crime* (OVC Publication No. NCJ 25-0080). Washington, DC: U.S. Government Printing Office. Retrieved from www.ovc.gov/model-standards/pfv.html
- Office on Violence Against Women (OVW). (May 2010). *Eliminating the Rape Kit backlog: A Roundtable to Explore a Victim-centered Approach* [Summary of Proceedings]. US Department of Justice: Washington, DC.
- Saraiya, T. & Lopez-Castro, T. (2016). Ashamed and afraid: A scoping review of the role of shame in post-traumatic stress disorder (PTSD). *Journal of Clinical Medicine*, 5 (94), 1–21. doi: 10.3390/jcm5110094
- Yaroshefsky, E. C. (2016). Duty of outrage: The defense lawyer's obligation to speak truth to power to the prosecutor and the court when the criminal justice system is unjust. *Hofstra Law Review*, 44, 1207–1226.
- Zakirova, E. B. (2018). *Media Framing of Wrongful Convictions*. CUNY Academic Works: New York, NY. Retrieved from https://academicworks.cuny.edu/jj_etds/68