



CRIME VICTIMS INFORMATIONAL HANDBOOK

YOU ARE NOT ALONE.

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Welcome Message

On October 3, 2020, our family's lives were forever changed. Our 19 yr old daughter, Marissa, was hit head-on by a 4 time repeat DUI offender. We had no idea all the immense struggles that awaited us, including navigating a complicated legal system while seeking justice for her 100% preventable death. We were just trying to breathe. We were like so many others when faced by an indescribable tragedy like the one you are facing. We had no idea what to do or even how to begin finding the help or answers to the questions we had.



We wish more than anything that you did not need this handbook - because we know what this means for you. More than anything, we want you to know YOU DON'T HAVE TO TRAVEL THIS JOURNEY ALONE.

This handbook was initially created by Ronnie Hampton, Commander of the OHP (Oklahoma Highway Patrol) Traffic Homicide Unit. He has graciously allowed us to take it and add anything we feel, as victims of this crime, would be beneficial to others facing the aftermath of a collision that results in a death or great bodily injury due to the choices of an impaired driver who could be held criminally accountable.

It is our sincere hope that through our efforts and in partnership with other organizations who have a common mission, we can put an end to DUI fatalities and when the unthinkable does happen, to have strong, expedient, and consistent enforcement of our state's laws in response.

About VOID



As we worked through our devastating grief, we sought the help of our state legislators to address concerns about a "system" that fails to keep impaired drivers off the road. We believe victims' families are uniquely positioned to lead a movement focused on CHANGE & prevention. Through our efforts to find other families experiencing this loss, VOID was created.

We know that your focus now is on grieving the loss of your loved one and all the difficulty that entails. And in addition to that you may be dealing with the legal system which has difficulties of its own. VOID is a community of victims families who can offer care and support while you work through your grief and the necessary court proceedings.

VOID's mission is three-fold:

- to support families and honor their loved one(s)
- to raise awareness of the severity of the problem in Oklahoma
- to develop and support legislation to stop repeat offenders and reduce the great bodily injuries and fatalities that are happening.

We're here FOR YOU! You are supported by families that really DO know what you are going through and stand ready to help you however we can.

When you are ready, you can find more information about VOID on our website by scanning the QR code or going to www.voidok.org.







We hope you will join our private Facebook group at www.facebook.com/groups/voidok.

We also have a public FB page @voidoklahoma for news and information sharing.

The "Process" What to Expect...





Investigation

Law Enforcement & OSBI evidence processing



Assistant DA

Most likely handling your legal case & seeking justice for your loved one.



Court System

District Attorney
Judges



Victim Advocate

Your connection to the ADA and things related to your case.

They are there for YOU;

be nice to them.

The Process

Starts with the Investigation



Investigation

Law Enforcement & OSBI evidence processing

The Oklahoma Highway Patrol (OHP) has designated the Traffic Homicide Unit (THU) to lead the investigation into the collision. The OHP Traffic Homicide Investigator assigned to your case has the responsibility to conduct interviews with parties that may have information about the case, collect evidence and provide the facts to the District Attorney's Office in the county where the collision occurred.

The results of this investigation may lead to a person being charged with a crime by the District Attorney. If that occurs, the

information contained in this handbook may help you navigate that process. During the course of their investigations, family members often ask similar questions and this handbook hopes to address some of the most frequently asked questions.

If you have concerns about the case under investigation, feel free to contact the OHP Traffic Homicide Unit by calling (405) 425-2137 and request to speak with the investigator handling your case or the Traffic Homicide Unit Commander.

Another resource available to family members is the Victims Support Program through the Oklahoma State Bureau of Investigation (OSBI). This program has Victim Service Coordinators that are available to assist crime victims and their families throughout the state of Oklahoma and can be accessed even if your case is not handled by the OSBI. Please call the OSBI Headquarter at (405) 848-6724 and ask for a Victim Service Coordinator.

Investigation FAQs

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•	•	٠	٠	٠	٠	•



How long does it take to conduct the investigation?

Each case is different; the length of time an investigation takes will depend on the number of interviews that need to be completed, the types of evidence that must be analyzed and a review of the technical aspects of the collision.

2

How long does it take to analyze evidence?

Forensic examinations of blood tests are submitted to the OSBI Forensic Laboratory where trained criminologists perform analysis. Your case may involve testing of a variety of evidence, in addition to blood tests, to determine if a driver was impaired by drugs or alcohol. The laboratory system handles several thousand cases each year from nearly every police agency in Oklahoma. If your case will involve in-depth extended testing, either the assigned Case Trooper (call the THU, (405) 425-2137) or OSBI Victim Services Coordinators will explain this process. **Please note:** It is not uncommon for some evidentiary items to be held indefinitely, especially if the investigation is still ongoing. At times, evidence is even held until after a case has gone completely through the criminal justice process.

3

What happens once OHP completes the investigation?

Upon Completion, the case will be put into a prosecutorial format and delivered to the District Attorney in the county where the collision happened. Once the DA reviews the file, they may confer with the assigned Case Trooper and may request additional investigative activity. The DA can make a decision to file a charge against the person or they may decline to file charges.

Investigation FAQs





Who else may be involved in the investigation?

The Office of the Chief Medical Examiner The mission of the **OCME** is to protect the public health and safety of Oklahomans through the scientific investigation of deaths as defined by state statutes. This process involves scene investigation and medicolegal autopsy (including radiology, toxicology, histology, and microbiology) complementing the activities of law enforcement agencies, district attorneys and public health officials. They work with integrity, diligence and compassion to best assist and provide answers to families, law enforcement and taxpayers of this state.



How do I contact the Chief Medical Examiner's Office?

Central Office 921 NE 23rd Street Oklahoma City, OK 73105

(405)239-7141



Eastern Office 1627 Southwest Blvd. Tulsa, OK 74107

(918)585-1549



Who do we contact about our loved ones' autopsy?

The OCME's Family Assistance Coordinators Their mission is to establish and maintain lines of communication with the families of victims whose homicide or suspicious death is being investigated by this office. The primary purpose of this program is to assist families regarding the status of the medical examiner's investigation, as well as to assist other families, as needed, in understanding the role of the ME in the investigation of their loved one's death. They also provide information about the Victims' Compensation Program.

The Process

Continues with the Court Case

Once law enforcement provides the facts of the collision to the District Attorney's Office in the county where the collision occurred, the results of this investigation may lead to a person being charged with a crime by the District Attorney. They will consider all the facts related to the collision, the degree of injury or death and the criminal history of the accused offender. Charges brought will vary case by case based on multiple factors, but the DA's office will be able to explain why they decided on any particular charge. Do not be afraid to ASK QUESTIONS.

Once charges are brought against an alleged offender, the case is assigned to an Assistant District Attorney for prosecution. Do not be afraid to ask to meet with them or call to let them know you would like to be kept informed of all things related to the case.

You will be advised that the court system moves slowly and feels like it favors the defendant in most ways leading up a jury decision. (Speaking from a victims' perspective, it absolutely feels that way and is frustrating to say the least!) But, try to remember that this team is ON YOUR SIDE. Their job is to fight hard and seek justice for your loved one. Also, try to remember that every case is different and that results in a lot of variance of outcomes.

On the following pages is a description of the various hearings and conferences that take place leading up to a trial.



District Attorney



Assistant DA

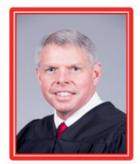


Victim Advocate

THE JUDICIAL PROCESS FOR FELONY CASES

Special Judges













INITIAL ARRAIGNMENT

The defendant is formally told by the Judge what he is being charged with.

Bond is set.

The defendant is informed of his rights.

Plea of **NOT GUILTY** is entered by the court.

PRELIMINARY HEARING CONFERENCE

The prosecutor and defense attorney meet to discuss the case. If there is no apparent resolution, a date is set for the **PRELIMINARY HEARING.**

The defense attorney is given most of the case materials.

PRELIMINARY HEARING

To move forward to trial, we must introduce the evidence to prove the following:

- A crime was probably committed.
- The defendant probably committed the crime.
- The crime was probably committed in Canadian County.

There is no jury. The Judge makes the decision whether or not to move forward to trial.

THE JUDICIAL PROCESS FOR FELONY CASES

District Judges





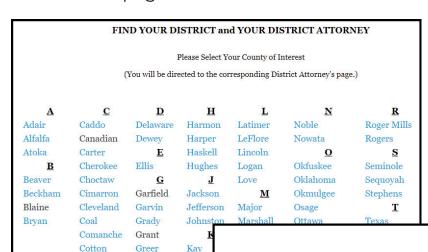


DISTRICT COURT ARRAIGNMENT	MOTION HEARINGS	CALL DOCKET	JURY TRIAL OR BENCH TRIAL	SENTENCING
The Judge takes the	Hearings in which the	The parties announce	JURY TRIAL	The Judge formally
formal plea from the	trial Judge is called	whether the case is	All members of the	sentences the
defendant.	upon to resolve	ready for trial.	jury must find the	defendant. It is
	various pre-trial		defendant guilty	usually set 4-6 weeks
The defendant is given	legal issues.		beyond a reasonable	after the trial.
dates for:			doubt in order for a	
1. Motions Docket			finding of guilt.	
2. Call Docket				
3. Trial			BENCH TRIAL	
			Can only occur if both	
Generally, nothing			both parties waive the	
substantive happens.			right to a jury trial	
			trial. The Judge must	
			find the defendant	
			guilty beyond a	
			<i>reasonable doubt</i> in	
			order for a finding of	
			guilt.	



How do I find which DA is handling the case?

Oklahoma has 27 elected District Attorneys. The DA responsible for the county where the collision happened can be found at www.ok.gov/dac/District_Attorneys/index.html. You will be directed to a page like this:



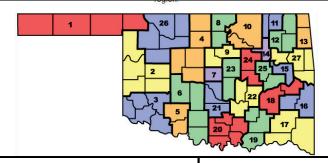
Click on the county where the collision occurred and it will show you information for the DA and all the county and courthouse locations in his/her district.

You may also see a map like the one below & can find your DA from this as well.

CHRIS BORING

DISTRICT 26

Alfalfa, Dewey, Major, Woods,





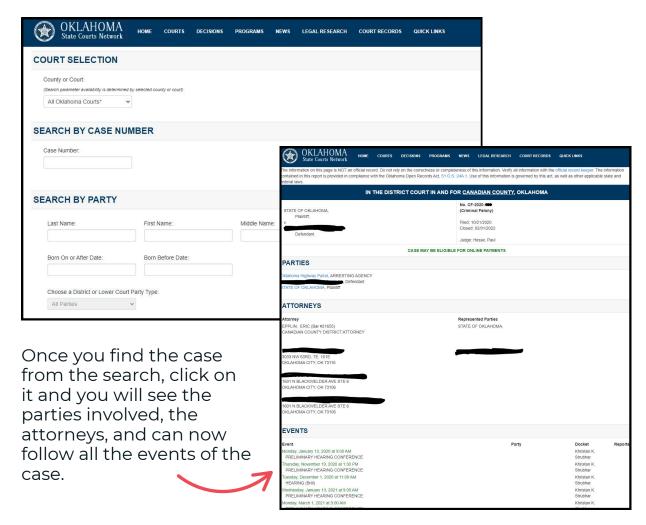
VARD COUNTY COURTHOUSE

1600 Main Street, Suite 5

2

Once charges are filed, how do I track the case?

Go to www.oscn.net/applications/oscn/casesearch.asp. You will see this webpage. Simply select the County at the top under Court Selection. Then enter the suspect's name in the "Search By Party" section and hit enter. There may be multiple entries. Look for one that begins with "CF", followed by the year the offender was arrested.

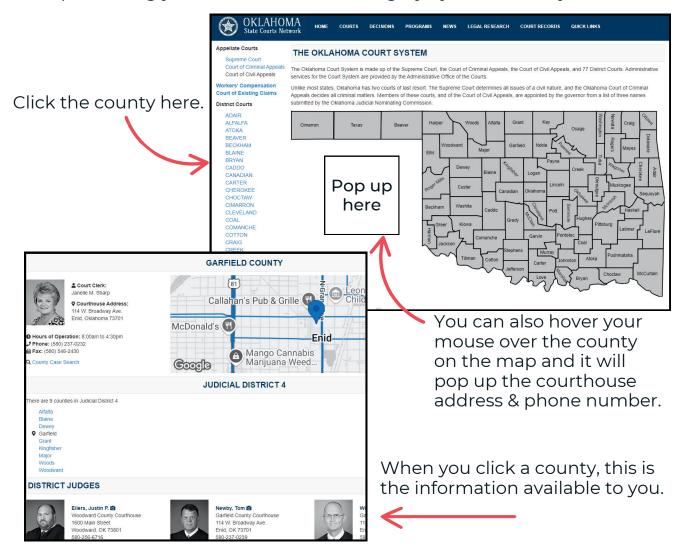


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How do I locate the courthouse to attend hearings?

At the top of the OSCN website, click COURTS. You will see this page. Once at the webpage, click on the link for the county where charges were filed to find the location of the courthouse. *Remember to dress and behave appropriately for court hearings. You are representing your loved one to the Judge, jury and attorneys.





I have never been in court before. What can I expect?

Every county is different and we suggest you ask your ADA or Victim Advocate for any specific guidelines, but we believe these are some general tips everyone can benefit from:

- If there is a Victim Advocate present, be sure you contact them ahead to let them know you plan to attend whatever hearing, conference, arraignment, etc. is scheduled. You have a right to be at any scheduled event related to your victim's case. However, some of these take 5 minutes and are just quick conversations between attorneys and may not make sense for you to drive a long distance, take off work, etc. Don't hesitate to reach out and ask for information. When you arrive at the courthouse, you will want to find their office and you may be able to wait there.
- If you attend, please remember you are representing your loved one(s). It can be really difficult at times to keep your emotions controlled, but you will come across better to the judge, attorneys, and a jury if you refrain from loud outbursts in the courtroom.
- It is expected that you dress nicely when you attend court. No shorts, t-shirts with inappropriate wording or symbols, or hats. You may not be allowed to wear clothing or picture buttons with anything related to your loved one. Be sure to ask in advance.
- Dressing "nicely" doesn't mean you have to be in a suit or a dress.
 It doesn't mean you need anything new or expensive; but rather
 your appearance should be clean and well-kept with clothing free
 from dirt, rips, tears, holes, etc. Of course, if you prefer a suit or a
 dress, by all means, wear whatever is most comfortable for you
 and represents your loved one well.
- Some counties have rules regarding children attending.





I've been told to prepare a Victim Impact Statement? What is it and how do I write one?

If you are like us, and other VOID families, you will find your Victim Impact Statement (VIS) very challenging to write. How can you possibly put your loved one's life and value in a "statement"? How can it possibly reflect the depth of devastating change that was imposed upon your loved one, you and all who knew/know them? If feels like a very daunting task. It is extremely personal and emotional. It may take a while to get it just like you want, so we advise you to start early. Add bits at a time as things come to mind. Then as the date for you to present your VIS gets closer, you can work to put it all together in a well thought out, impactful way.

Here are some suggestions to keep in mind and to consider including:

- The JUDGE is your audience. He/she is making the sentencing decision and your VIS is the only opportunity to let him/her know just how much was taken from you when the defendant committed the crime against your loved one.
- Be sure to describe your loved one. What were they like? What did they enjoy?
 What were some of their accomplishments? What were their future goals? What will you miss now that they are gone?
- Describe how their death has affected you: Emotionally, mentally, physically, socially. Describe any ways it has affected your ability to work, provide for your family or complete daily household activities. Grief and trauma have many aspects, so be sure to communicate ALL the ways your loved one's death has impacted your life.
- If you have had a financial impact (from a prolonged hospitalization, surgery, rehabilitation, funeral, or anything), be sure to point this out as well.
- Remember, judges hear these statements often, so you want your loved one's life (and your statement) to be powerful and unique.
- Be sure to ASK for the sentence you want the judge to impose. Be mindful of the circumstances of the case, the offender's criminal history, the charges, and the sentencing allowed by statute. You want your request to be significant, but also reasonable considering the facts of the case. No sentence will ever be FAIR, we know that. It's about justice for your loved one, accountability for the offender, and the safety and protection of the public should this defendant ever be returned to the streets. Believe in the sentence you and the ADA are asking for!

If you would like any assistance with creating your Victim Impact Statement, or would like to see/read any examples from other VOID families, please don't hesitate to contact us at 405-609-4282 or contact@voidok.org.



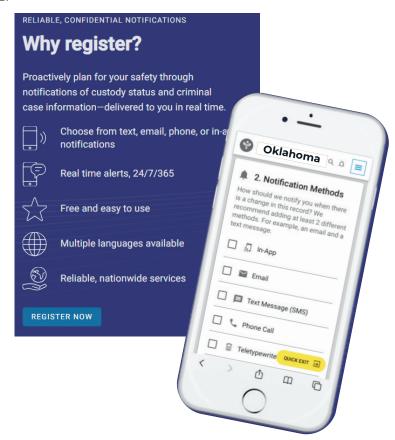
What happens if the offender is found guilty and sentenced to prison?

The person will be held in the county jail until they are delivered to the Oklahoma Department of Corrections. To be notified of any changes in custody status (for example, when the offender is moved to a different facility or has applied for a modification hearing, etc.) or when an offender is going to be released from prison, go to www.vinelink.com. Follow the instructions to get registered. Here is more information about VINE.



VINE is the nation's leading victim notification network. It allows survivors, victims of crime, and other concerned citizens to access timely and reliable information about offenders or criminal cases in U.S. jails and prisons.

Register to receive automated notifications via email, text, or phone call, or check custody status information online at any time. Available in 48 states and covering 2,900 incarceration facilities, VINE is a lifesaving service that offers peace of mind to millions of people every day.



You can access VINE via their online portal, the VINELink Mobile App or via Too-Free Number @ 1-866-277-7477.

Victim's Bill of Rights

Pursuant to state statute, 21 O.S. 142A-2, as a victim of crime, you have the following rights:

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

Financial Assistance

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Program Mission:

To compassionately deliver services by offering information, resources and financial assistance to crime victims and the organizations who serve them.

A primary requirement is that the crime be one in which the victim suffered physical or psychological harm or death as a result of a violent crime. Eligible claimants are the victim, a dependent of a deceased victim, or a person authorized to act on behalf of the victim. Applicants must also meet the following reporting and filing REQUIREMENTS:

- There must be economic loss.
- The crime must have occurred in Oklahoma.
- The crime must have been reported to law enforcement within 72 hours of the incident. The Board or administrator may find good cause for failure to report within this period. Exceptions are always made for child victims.
- The claim for compensation must be filed within one (1) year of the crime-related injury of the victim. The one (1) year deadline may be waived for good cause.
- The claimant is required to fully cooperate with the police, prosecution and other law enforcement entities during the investigation and prosecution of the offender.
- Compensation cannot benefit the offender or an accomplice.
- Compensation that could be awarded to a claimant shall be reduced or denied, depending on the degree of responsibility for the injury or death that is attributable to the victim.

Financial Assistance



ELIGIBLE EXPENSES

- Funeral
- Future Economic Loss
- Income Loss
- Loss of Support
- Medical / Dental

- Counseling for victims
- Grief Counseling
- Crime Scene Cleanup
- Replacement Services
- Traditional American Indian Services

IMPORTANT: Pain and suffering and personal property are NOT allowable expenses under the Crime Victims Compensation Act.

For more information, please contact your DA's office or:

Oklahoma Crime Victims Compensation Program

421 NW 13th, Suite 290 Oklahoma City, OK 73103

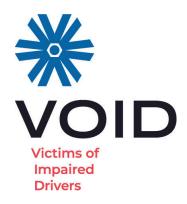
Free On-site Parking Available

(405) 264-5006 or Toll Free 1(800) 745-6098

victimsservices@dac.state.ok.us or www.okvictimscomp.com

Victim Services and Resources





Our organization has several resources with contact information provided. Go to **voidok.org** and click the Resources tab in the top right corner.

Be sure to join our private Facebook group so we can support you during this time. **Scan the QR code** on page 2 of this handbook.





Office of the Attorney General

www.oag.ok.gov/victim-services (405)521-3921

Department of Corrections

oklahoma.gov/doc/victim-services.html (405)425-2607



Phone: 405 748-3122 or (866) 706-4646

Email: ok.state@madd.org

PO Box 891556 Oklahoma City, OK 73189

www.madd.org/oklahoma

Contact Information

- **** +405-609-4282
- www.voidok.org

