

**Defining Fairness, Dignity and Respect**  
**Concept Paper for the Open Philanthropy Project**  
**By Anne Seymour, National Crime Victim Advocate**

**Introduction**

All 50 states and Territories, the Federal government, and the Uniform Code of Military Justice have statutes – and in many states, constitutional amendments – that provide for crime victims and survivors to be treated with fairness, dignity and respect. While this important right and commensurate language are consistent across all laws in the United States, it has *not* been clearly defined (with the exception of the state of Utah):

“Fairness” means treating the crime victim reasonably, even-handedly, and impartially.

“Dignity” means treating the crime victim with worthiness, honor and esteem.

“Respect” means treating the crime victim with regard and value.

*Utah Code of Criminal Procedure, Chapter 38*

In statewide needs assessments of victim service and allied professionals conducted in June - August 2016 in two large states, this right was identified as the *top priority* for the purposes of training by online surveys and in-depth interviews of local, Tribal and state leaders in the field. Statewide leaders, in particular, articulated the need to clearly define what this right means and how it can be effectively implemented in the criminal, juvenile, civil, Tribal, Federal and military justice systems.

While it is possible to clearly measure whether or not the other “standard rights” of victims to participate, submit victim impact statements, receive restitution and compensation, and be reasonably protected are implemented, the rights to be treated with fairness, dignity and respect are less tangible and may be more intrinsic to each victim/survivor and his or her experiences.

The entire field of crime victim/survivor assistance and potentially the justice fields would greatly benefit from a clearer definition of this basic right that many consider to be foundational in terms of *all* victims’ rights.

## Proposal

Existing information and research relevant to this right, and to the fair treatment of victims/survivors, can inform a project that is unique in its scope and impact. To develop a current assessment of this victims' right and the scope of its implementation, the project will work with:

- Legal researchers to conduct a review of the language included in victims' rights to be treated with fairness, dignity and respect (and other similar language) and develop a comparison matrix that describes similarities and differences across jurisdictions, and any legislative language/intent that more clearly defines this right.
- The National Crime Victim Research and Treatment Center at the Medical University of South Carolina (<https://www.musc.edu/ncvc>) to develop a national survey that addresses public opinion of crime, victimization and victims' rights to be treated with fairness, dignity and respect.

There are many specific populations that have unique, viable and often varied perspectives about this right, its intent and its implementation, including (but not limited to):

- Crime victims and survivors, with an emphasis on victims who are considered "traditionally under-served," i.e., victims in rural/remote and highly urban communities, LGBTQI, young men of color, homicide family survivors, victims of sexual assault in prison and detention facilities, and non-reporting victims (among others)
- Residents of marginalized communities (including victims and survivors)
- Law enforcement
- Prosecutors
- Probation, parole and reentry authorities

This Project's overall outreach will also link to the fair treatment and proactive involvement of victims, survivors and those who serve them and justice reform initiatives at the Federal and state levels.

Existing strong relationships with national, state and local associations and entities that seek to represent the above populations can contribute to a strategy that includes:

- Online survey(s) that document respondent demographics and seek personal perspectives on definitions of this right
- Roundtable discussions and focus groups of key informants (described above) that encourage a dialogue that crosses personal and professional spectra, including engagement of national justice associations and their respective Victim Issues Committees (on which I serve as a long-standing member):
  - International Association of Chiefs of Police
  - National Sheriffs' Association
  - Association of Prosecuting Attorneys
  - American Probation and Parole Association
  - Association of Paroling Authorities, International

- American Correctional Association
- Personal interviews that are filmed, with an intent of developing a video presentation for victim/survivor and public awareness that defines – in three segments – victims’ rights to be treated with fairness, dignity and respect
- Project team participation in conferences and other events that can help contribute to more clearly defining victims’ rights to fairness, dignity and respect.

In addition, leaders of justice reform efforts in America who cross political persuasions – from the U.S. Attorney General and the Co-Chairs of the Congressional Crime Victims Caucus to the signatories/supporters of Right on Crime – can be interviewed (and filmed) about how they personally define a victim’s right to be treated with fairness, dignity and respect.

### **Anticipated Outcomes**

The most important outcome is the initiation of a *national dialogue* on what it truly means to treat crime victims and survivors with fairness, dignity and respect. This is a discussion that has not yet occurred in a meaningful fashion and that is long overdue.

Two documents will be developed that relate directly to victims’ rights to fairness, dignity and respect: 1) A summary of states’ laws that define this right; and 2) A summary of current research that provides an evidence base to factors that affect the fair treatment of victims/survivors and their ability to cope in the aftermath of crime.

The combination of personal and professional perspectives that will be documented in summary reports, brief Infographic reports, and multi-media presentations have important applications to crime survivors, victim service professionals, justice professionals and anyone in America who is concerned about crime and victimization.

A basic “FDR for Victims and Survivors” website will be developed to share all Project deliverables, and to provide an opportunity for survivors, advocates and others to contribute to the national dialogue about what fairness, dignity and respect mean to crime victims and to overall justice.

### **Project Impact**

This Project provides me with the opportunity to provide leadership and guidance to many survivors and victim advocates who may question the very concept of “fairness, dignity and respect” and the concerns many express about survivors’ willingness to report crimes, to be believed and to not be blamed. I believe I can offer a powerful voice that reflects and respects survivors’ concerns, and serve as a liaison to national leaders in criminal and juvenile justice and justice reform.

The outreach to and involvement of all major justice-related organizations will, in the first nine months of this Project, provide them with an opportunity to have input into defining “fairness, dignity and respect” for victims from their unique perspectives, as well as how this relates to justice reform efforts; and in the last nine months, offer them a plenary session or session at their training conferences that includes a multi-media presentation of this Project that reflects their input, along with Infographic resources that document the findings from this Project.

The bi-partisan U.S. Congressional Victims’ Rights Caucus will, without a doubt, engage this Project and sponsor a Congressional briefing near its completion that highlights key findings.

This Project will also provide me with the resources and time to partner with national victim advocate/justice reform professionals such as Lenore Anderson, Danielle Sered and their partners from the LGBTQI and highly urban and highly rural/Tribal communities to ensure that victims’ needs and quests to be treated with fairness, dignity and respect are articulated and understood. By simply sharing information and relationships that promote victim/survivor justice and justice reform, we can create a “united front” on these important and timely issues.

Perhaps most important (at least to me personally) is the engagement of under-served victim populations and marginalized communities who seldom have a “voice at the table” of crime victims’ rights and services and justice reform. I anticipate the development of a multi-media presentation that emphasizes the often overwhelming challenges facing some crime victims and survivors (victims in rural/remote and highly urban communities, LGBTQI, young men of color, homicide family survivors, victims of sexual assault in prison and detention facilities, and non-reporting victims) in achieving treatment by justice systems and others that is fair, dignified and respectful; and guidance from these survivor and communities on *how to improve fair treatment of them by justice systems and by communities.*

### **About the Author**

Anne Seymour has been a national crime victim advocate for 34 years. As the Co-Founder of the National Center for Victims of Crime and Justice Solutions and as an independent and outspoken advocate for crime victims/survivors and justice reform, she has developed strong relationships with many survivors, professionals and policy makers at the local, state, and national levels that can help inform this project. In addition, Seymour facilitates one of the largest free weekly listserv of victims/survivors, victim service professionals and justice professionals in the United States.

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