



Information for

# **CRIME VICTIMS & SURVIVORS**

## **CONVICTION INTEGRITY UNIT**

[mi.gov/agciu](https://mi.gov/agciu) | [AG-CIU@mi.gov](mailto:AG-CIU@mi.gov) | 517-335-7650

[mi.gov/crimevictimrights](https://mi.gov/crimevictimrights)





# INFORMATION & GUIDANCE

This resource aims to provide you with information and guidance in the wake of learning about a Conviction Integrity Unit (CIU) investigation or pending court hearing in your case. We understand that the news you received may leave you with questions.

This pamphlet offers details on what you can expect, common experiences and feelings you may have, and where to get help if you need it. If you have questions not addressed here, please let us know. We are available to help.



## WHAT IS THE CONVICTION INTEGRITY UNIT?

The CIU is an out-of-court unit comprised of attorneys, victim advocates, and investigators that investigate cases where individuals are claiming innocence for the crimes of which they have been convicted. The CIU requires new evidence that was not raised during trial or any appeal process that supports their innocence. We conduct full investigations that may include reviewing documents, interviewing witnesses, conducting DNA and other forensic testing and interviewing the defendants. We use a victim-centered approach to notify and interview victims during our investigation.



# WHAT IS A POST-CONVICTION EXONERATION?

If the CIU determines there is new evidence to support innocence, they make a recommendation to the Attorney General. The Attorney General can then petition the court, through a post-conviction motion, to grant relief. Only the court has the power to grant relief. An exoneration happens when all parties agree that the new evidence proves that the person convicted of the crime is factually innocent. The conviction will be vacated (eliminated) and the original charges will then be dismissed. The defendant is not likely to be re-tried as all parties agree they are innocent.



# WHAT IS POST-CONVICTION RELIEF IN THE INTEREST OF JUSTICE?

If the CIU and Attorney General discover evidence that shows the defendant did not receive a fair trial, they can file a post-conviction motion in court to request the Court grant a new trial. The conviction will be vacated (eliminated), but the defendant will still have the original charges. The defendant can then be re-tried or the charges dismissed. The decision on how to proceed is usually made by the original prosecutor's office.





# WHAT CAN I EXPECT NEXT?

All cases are unique and at various stages of investigation. The victim advocate and attorney assigned to the case will be able to provide a personal update applicable to your circumstances.

*"I HAVE ALWAYS SAID THAT IT TAKES GREAT STRENGTH AND COURAGE FOR VICTIMS TO FACE THEIR ABUSERS OR ASSAILANTS. THEY ARE THE MOST VULNERABLE INDIVIDUALS IN OUR JUDICIAL SYSTEM—AND THEY DESERVE AND REQUIRE ENCOURAGEMENT AND OUR PROTECTION. AND WE KNOW THAT MANY VICTIMS ARE AFRAID TO COME FORWARD, PARTICULARLY THOSE WHO ARE VICTIMS OF SEXUAL AND DOMESTIC ABUSE."*

**ATTORNEY GENERAL DANA NESSEL**

Depending on the unique facts of your case, there may be pending DNA or other forensic testing, witnesses that need to be interviewed, or these may have already been completed. There may also be upcoming court hearings.

Additionally, the CIU may investigate the case and determine that no relief should be recommended. The case will be formally closed in the CIU, and you will be notified.

(1) Crime victims, as defined by law, shall have the following rights, as provided by law:

- The right to be treated with fairness and respect for their dignity and privacy throughout the criminal justice process.
- The right to timely disposition of the case following arrest of the accused.
- The right to be reasonably protected from the accused throughout the criminal justice process.
- The right to notification of court proceedings.
- The right to attend trial and all other court proceedings the accused has the right to attend.
- The right to confer with the prosecution.
- The right to make a statement to the court at sentencing.
- The right to restitution.
- The right to information about the conviction, sentence, imprisonment, and release of the accused.



## WHAT ARE MY RIGHTS?

You have a right to be informed and supported throughout the entire post-conviction process.

To learn more about victims' rights in your state, [visit the National Crime Victim Law Institute's website](http://www.ncvli.org) (www.ncvli.org). You can [email](mailto:ncvli@lclark.edu) (ncvli@lclark.edu) or call them at 503-768-6819.

You can also obtain more information from a victim service provider or advocate who works with your local law enforcement agency or prosecutor's office. Please [contact our office](#) for more information.

# WHAT CAN I EXPECT TO EXPERIENCE EMOTIONALLY?

Learning about a potential or actual exoneration in your case can result in a wide range of emotional reactions.

*"LEARNING ABOUT THE EXONERATION FELT LIKE THE EARTH OPENED UP AND I GOT SWALLOWED INTO A BLACK HOLE."*

**CRIME SURVIVOR**

This new information might bring back negative feelings and trauma from the original crime. It might also have an impact on your family members and other loved ones. It is normal for you and your loved ones to experience any or all the following feelings in response to receiving this news:

- **Anxiety**
- **Increased stress**
- **Sense of isolation**
- **Fear**
- **Confusion**
- **Grief**
- **Hopelessness**
- **Disbelief**
- **Loss of faith in the justice system**
- **Anger**
- **Self-blame**
- **Re-victimization**
- **Re-traumatization**







# WHAT IS TRAUMA?

Trauma is a common reaction to an experience that is distressing or deeply disturbing and can be experienced both physically and emotionally. Post-conviction innocence investigations and exonerations often cause deep, complex trauma to crime victims as they face another justice process and relive the trauma and pain of the original crime committed against them or their loved one.

This re-traumatization serves as a reminder of the past harm and results in experiencing similar feelings and emotions from the original crime.

While trauma can cause significant disruption to your life and have a long-term impact on your physical, social, emotional, and spiritual health, many people who experience trauma are able to overcome it with the right support.

While an exoneration can be an extremely difficult process to experience, the right support and assistance can help you to overcome it, and many other victims have found ways to heal in these cases.

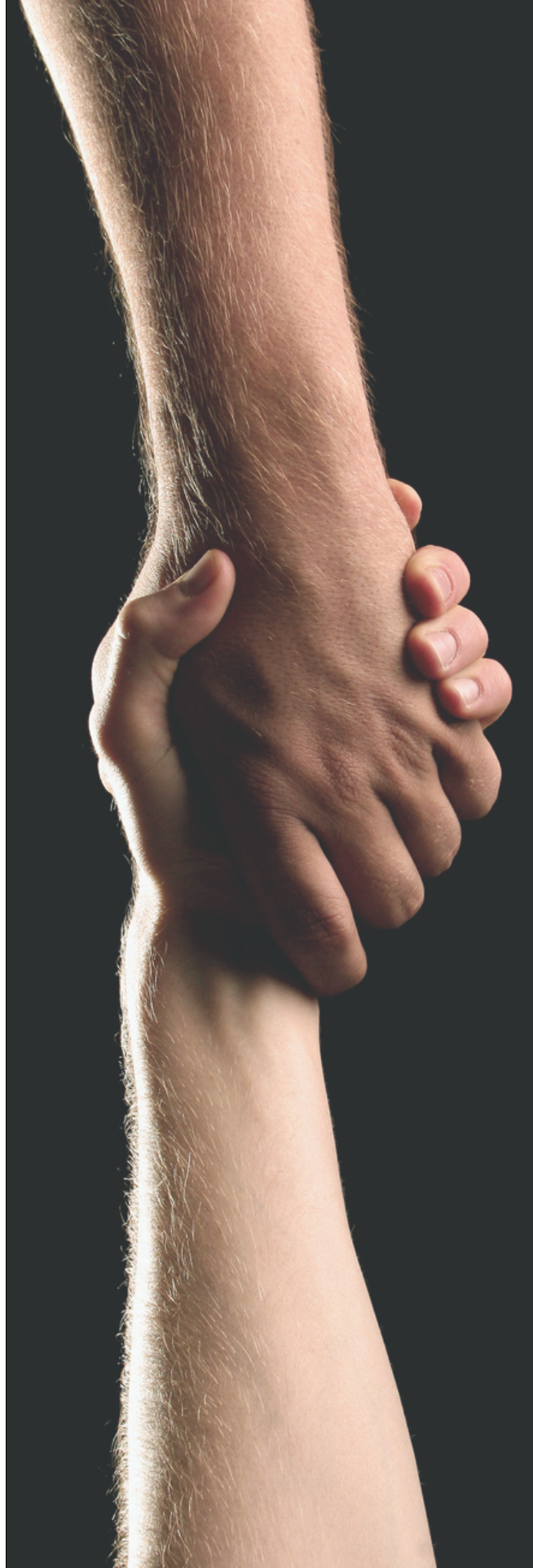
Helpguide.org's resource, [Healing from Trauma and Moving On](https://www.helpguide.org/articles/ptsd-trauma/coping-with-emotional-and-psychological-trauma.htm) (helpguide.org/articles/ptsd-trauma/coping-with-emotional-and-psychological-trauma.htm), provides helpful information on trauma and practical tips for moving forward.

# WHERE CAN I GO FOR SUPPORT & SERVICES?

The best place to start is with a trained, professional victim advocate. A victim advocate can spend time with you and help assess your and your family's needs. They can also help connect you with community-based resources that can further support you during this time.

These resources may include:

- **Emotional health support, including individual and family counseling.**
- **Information about the case process and status.**
- **Contact with someone who has been through a similar experience.**
- **Attorneys who can explain legal documents and processes.**
- **Legal advocates who can provide information and support around victims' rights.**
- **Direct assistance for immediate needs, such as food or shelter.**
- **Crisis intervention and safety planning.**







# VICTIM RESOURCE MAP

The [Victim Resource Map tool](https://ncvli.org/victim-resources-database) (ncvli.org/victim-resources-database) developed by the National Crime Victim Law Institute provides a searchable directory where you can find local and national victim service organizations that can provide you with information and support. This is one of the best resources for finding services to help meet your specific needs. The National Center for Victims of Crime (NCVC) [Victim Connect resource center](https://victimconnect.org) (victimconnect.org) provides an anonymous referral helpline where crime victims can learn about their rights and opportunities for support.

**CALL OR TEXT: 855 4 VICTIM (855 484 2846)**

## Victim Resources Database

NCVLI's Victim Resources Database is a tool for individuals seeking agencies and organizations that provide aid, information, and support directly to victims of crime. Searchable by crime type, victim population and location, the database contains links to national and state programs. Many of these agencies and organizations can help victims find local county and city services. In an effort to empower victims, the database provides a path to direct help and services such as crisis intervention, emergency housing, financial compensation, counseling, and legal advocacy.

**Note:** NCVLI does not endorse, have any responsibility for, or exercise control over these organizations' and agencies' views, services, and information.

**BE ADDED TO THE DATABASE**



# OTHER RESOURCES

- **Healing Justice:** ([healingjusticeproject.org](http://healingjusticeproject.org))
  - Provides one-on-one and group peer support, referrals to key resources, and other assistance to crime victims and survivors in these cases.
  - Hosts healing retreats, where victims and family members come together to address their unique harms and learn about ways to move forward. These retreats include conversations, art activities, and times for individual reflection to help individuals on their journey towards healing.
  - For more information about opportunities to connect with other victims, you can [contact Healing Justice via email](mailto:info@healingjusticeproject.org) ([info@healingjusticeproject.org](mailto:info@healingjusticeproject.org)).
- **NCVLI:** ([ncvli.org](http://ncvli.org))
  - Provides a breakdown of [Victims' Rights Law by State](http://law.lclark.edu/live/news/23544-victims-rights-law-by-state) ([law.lclark.edu/live/news/23544-victims-rights-law-by-state](http://law.lclark.edu/live/news/23544-victims-rights-law-by-state))
- **U.S. Department of Justice, Office for Victims of Crime:** ([ovc.gov/help/index.html](http://ovc.gov/help/index.html))
  - Provides information and resources for all victims of crime in the U.S.
- **Victims' Rights Law Center:** ([victimrights.org](http://victimrights.org))
  - Provides legal representation to victims of rape and sexual assault and promotes a national movement committed to seeking justice for every rape and sexual assault victim.
- **RAINN:** ([rainn.org](http://rainn.org))
  - Provides immediate access to a [trained support specialist online](http://trainedsupportspecialistonline.hotline.rainn.org) ([hotline.rainn.org](http://trainedsupportspecialistonline.hotline.rainn.org)) and by phone, 1-800-656-HOPE.

# MEDIA ATTENTION

## HOW DO I HANDLE MEDIA ATTENTION?

There may be a lot of media coverage in your case, especially if it results in an exoneration. Media coverage in these cases typically focuses on the experience of the exonerated individual and not on the victim of the original crime. Insensitive, misguided coverage may even publicly shame the original victim as well as the justice system for mistakes in the case. This can cause further emotional harm to you and may cause you to feel:

- Attacked, pursued, and victimized
- Misrepresented, silenced, and voiceless
- Blamed for causing the wrongful conviction
- Threatened, due to public and online comments

If you have been publicly identified in the case, you might be contacted by the media. You have the right to refuse to speak to the media, and these steps can help protect you from unwanted media attention:

- Ask for a victim advocate to accompany you to any court hearings. They can help ensure that any news outlets or journalists do not speak to you or film you without prior permission.
- Ask the prosecutor or victim advocate to arrange for someone to be your “liaison” with the media.
- Identify a trusted support person (friend, relative, colleague) who you can talk to when news stories are published about your case.

The following resources developed by Justice Solutions provide more information on how to anticipate and prepare for media attention in your case:

### Guidelines for Media Interview

This resource outlines what you can expect and your rights with regards to media requests and interviews.

([victimprovidersmediaguide.com/PDFS/Quick%20Tips%20for%20Crime%20Victims%20and%20Survivors.pdf](http://victimprovidersmediaguide.com/PDFS/Quick%20Tips%20for%20Crime%20Victims%20and%20Survivors.pdf))

### Tips for Media Interviews

Should you be interested in giving an interview, this resource can help prepare you in advance.

([victimprovidersmediaguide.com/PDFS/13b\\_Victim%20Tips%20for%20Media%20Interviews.pdf](http://victimprovidersmediaguide.com/PDFS/13b_Victim%20Tips%20for%20Media%20Interviews.pdf))



# YOU ARE NOT ALONE

**Remember: YOU ARE NOT TO BLAME** for the wrongful conviction, and **YOU ARE NOT ALONE.**

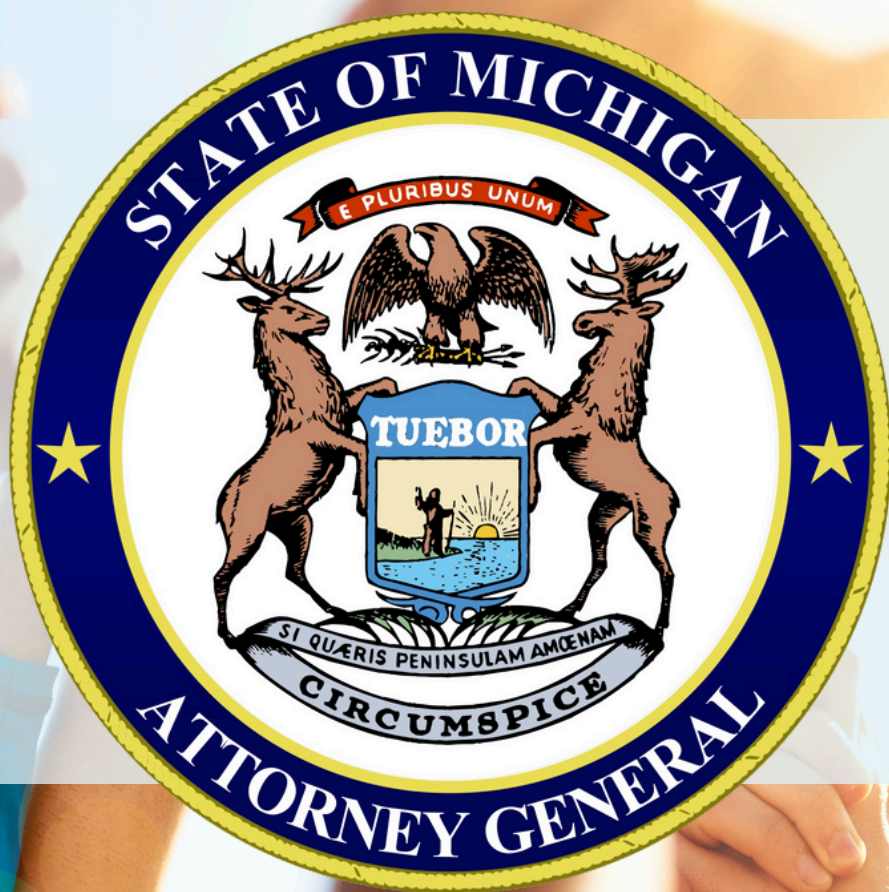
Don't be afraid to ask questions and to express your individual needs.

If you are feeling unsupported at this time, request to speak to a victim advocate in your local prosecutor's office, police department, or community organization who can advocate on your behalf.



# NOTES





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