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# Face to Face

Encountering the offender in the courtroom can be difficult, but knowing what to expect makes it easier

**M**ost people never get any closer to a courtroom than their television, where justice is served in one-hour installments. And they always end the same way. Guilty or not, the audience is subjected to the inevitable final frame of the offender slowly turning to meet the steely-eyed victim, who is restrained by bittersweet victory or unjust defeat.

In reality, the days, weeks and months preceding a trial can be physically and emotionally exhausting. Anxiety brought on by a crash is not only heightened by the seemingly endless wait for the wheels of justice to turn, but the mere anticipation of seeing the offender in the courtroom.

There is no formula to predict how you will react to seeing the offender. Every victim and victimization is unique, and your responses depend on a number of internal and external factors. There are, however, common questions asked by victims, and the answers can help prepare you for the encounter.

*May I address the offender personally?* As difficult as it may be, you are not allowed to personally address the offender. Even when you read your victim impact statement, it must be addressed to the judge. Engaging

the offender may result in your removal from the courtroom and could potentially damage the case.

*Does the offender know my personal information?* Possibly. Victim(s) names and addresses regularly appear on police or crash reports. In addition, the offender may have access to the information through his or her defense attorney.

*Does the offender have to testify?* In our justice system, no person can be compelled to bear witness against him or herself. In drunk driving cases, it is common for an offender not to testify.

*Does the offender have all the rights?* While it often appears that way, victims do have some rights. However, victim rights vary from state to state. The fact is, offenders do possess a majority of legal rights in courtroom situations.

*MADD is here to help. To be put in touch with a victim advocate in your area, call 1-800-GET-MADD.*

## Managing Your Emotions

Fear, anxiety and confusion are all natural and expected responses that can arise before, during and after seeing the offender. As overwhelming as it can be, there are several things you can do to help manage your emotions:

- Acknowledge and accept that your feelings are normal responses.
- Keep a journal to make your thoughts real and be aware of recurring themes and issues.
- Keep the lines of communication open by talking to family, friends or your MADD victim advocate.
- Ask questions until you have the answers you need.
- Allow yourself time to grieve and remember your loved one.
- Remind yourself that you are not alone.

While MADD victim advocates cannot produce that dramatic “final frame” moment, we can help you by providing information, assistance and support in facing the offender and throughout the criminal court proceedings. ■

## How a MADD Victim Advocate Can Help You in Court

- Inform you about drunk driving laws and victim rights.
- Monitor the court case against the defendant.
- Provide a list of civil attorneys skilled in handling wrongful death and personal injury cases.
- Assist in preparing a victim impact statement.
- Accompany you to court to offer support and inform you about legal procedures.
- Represent your family with statements to the media.
- Assist with the development of probation conditions if the offender does not go to prison.
- Help you apply for financial assistance through the Crime Victims Compensation Fund.

