

Increasing Post-Conviction Options and Access for Victims of Crime

2022 - 2025



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Prepared by Healing Justice
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Executive Summary

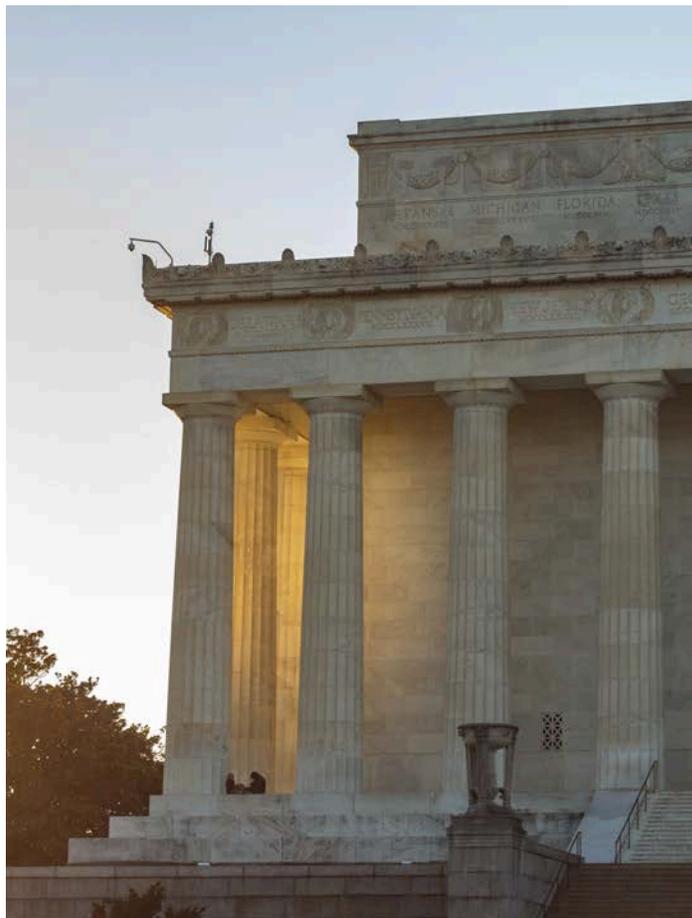
This report presents key insights and recommendations from a three-year project aimed at enhancing holistic support for crime victims and survivors during post-conviction case activity, particularly when convictions or sentences are reviewed anew for accuracy or fairness.

The post-conviction phase of the criminal legal process is often complex, lengthy, and traumatizing for victims; yet, victims and survivors are rarely prepared for what follows a conviction, and limited services are available to them to ensure that they receive timely information and ongoing support, and that their legal rights are protected. The rapid growth of conviction and sentence review units in prosecution agencies around the country has underscored the urgent need to better center victims and survivors in post-conviction practice.

Funded by the Office for Victims of Crime, this project convened leading national nonprofits, a nonprofit research organization, three state-based criminal legal agencies (and other related professionals in their jurisdiction), a multidisciplinary advisory group, and subject matter experts to identify post-conviction service gaps in cases involving conviction and sentence review and to develop specialized tools and resources. Through information gathering, legal analyses, and cross-discipline training, this project identified systemic deficiencies: limited professional knowledge about post-conviction practice; fragmented communication and coordination across agencies; absence of specialized victim advocacy resources in conviction and sentence review; and weak enforcement of victims' rights.

This report outlines these deficiencies and offers actionable recommendations in four areas: Legislation, Policies and Protocols, Resources, and System Culture. It is our sincere hope that these recommendations will help criminal legal agencies and professionals nationwide build more comprehensive, trauma-informed, and victim-centered post-conviction victim support systems.

While focused on conviction and sentence review, our findings and recommendations serve as a roadmap and call to action to ensure victims and survivors are not overlooked or not served during any legal or other case activity that occurs after a conviction.



Introduction

In cases involving violent crime, legal activity often continues long after a conviction – typically for the entirety of an individual’s incarceration or supervision. This post-conviction case activity can be lengthy, complicated, and involve multiple layers of legal review, including direct appeals, requests for writs of habeas corpus, motions for new trials, and other legal action in both state and federal courts.

There can also be other activity outside of courts lasting the length of time the convicted person is incarcerated, such as review of requests for parole, probation, and pardon, or clemency. Yet, rarely are crime victims and survivors (hereinafter victims)^[1] provided advance details about the full scope and length of post-conviction case activity. Instead, most believe that a conviction, whether reached through plea or trial, marks the end of the legal process and the beginning of “closure.”

Conviction and sentence review complicate things further.^[2] Much of the review and re-investigation happens outside of court and can last for months, years, or even decades, as new evidence or supporting information is uncovered, developed, and considered. Victims may suddenly learn without warning and often late into the conviction or sentence review process, that the person convicted in their case is challenging the accuracy or fairness of their conviction or sentence, requesting new forensic testing, conducting new investigations and witness interviews, or seeking court hearings to overturn the original conviction or sentence.

These cases have the potential to completely upend the justice victims believed they received and can be deeply confusing, alarming, and re-traumatizing, and can cause victims to lose trust in the legal system and agencies they relied on for safety and protection. Adding urgency to this concern is the rapidly increasing number of agencies undertaking conviction and sentence review. More than 50 conviction and/or sentence review units (CRUS/SRUs) have been established in the past five years alone.^[3]



1. Throughout this report we use the term victims to maintain consistency with federal and state statutes. We recognize that many individuals also identify as survivors, and we honor the strength and resilience of that term. Our use of the term victim is not meant to diminish but to align with statutory language.
2. Conviction review occurs when a postconviction investigation is undertaken to develop or consider new facts relating to guilt or innocence and/or relating to the constitutionality of the conviction. Sentence review occurs when new consideration is given to the fairness or accuracy of the original sentence.
3. Healing Justice. (2025). Post-Conviction Practitioner Resource Center. <https://pcrc-practitioners.org>

Despite the complexity and length of the post-conviction phase of the legal system and the potential for significant upheaval caused by conviction and sentence review, many attorneys, victim advocates, and other legal system professionals have limited knowledge or understanding about post-conviction case activity and corresponding victims' rights.

Moreover, with the exception of victim advocacy units in departments of corrections, many agencies do not have established, organized, or well-resourced victim services to respond to legal activity that continues post-conviction, especially conviction and sentence review. Victims are often blindsided by renewed case activity and have limited places to turn for information, support, or enforcement of their rights.



To address this, Healing Justice, our project partners, the National Crime Victim Law Institute (NCVLI), the National Organization for Victim Advocacy (NOVA), the Urban Institute, and members of a diverse national advisory group, launched this project to strengthen post-conviction victim services in conviction and sentence review.

From 2022 to 2025, we gathered information, conducted legal analyses, and developed training and practical tools to help agencies establish sustainable, trauma-informed, and victim-centered practices. This report summarizes our activities, challenges of the field, and recommendations for increasing post-conviction options and access for victims of crime in these cases.



The Project

The overarching goal of this project was to strengthen and expand post-conviction victim services during conviction and sentence review. To accomplish this goal, we undertook comprehensive information gathering at both the national and local levels and developed specialized training, tools, and resources to assist agencies in providing victim services and protecting victims' rights in these cases.

The activities we undertook throughout the project elevated the conversation around what conviction and sentence review involve and what meaningful and comprehensive post-conviction victim support and services should entail. They also established a replicable framework for conducting needs assessments and training, and developed specialized resources and tools for jurisdictions engaged in conviction or sentence review. We hope that agencies nationwide will utilize the deliverables developed to provide meaningful, holistic, and trauma-informed services to victims during conviction and sentence review and during post-conviction case activity more widely.



Partners, Sites, and Advisory Group Members

To ensure breadth and depth of expertise, as well as widespread distribution and implementation of project deliverables, we assembled an expert team of national and local partner organizations along with a multidisciplinary advisory group.

Healing Justice served as project lead. Healing Justice is a national nonprofit that serves victims in cases involving conviction review and exonerations, and provides training and technical assistance to victim service providers and allied professionals working on these cases. Healing Justice has focused on post-conviction victim advocacy since inception. In addition, the mission and work of Healing Justice is led by victims who have lived experiences, which ensured the project's training, tools, and resources are practical and safe. Under a 2017 award from the Office for Victims of Crime (OVC), Healing Justice created victim-led post-conviction resources to improve the response to and treatment of victims in cases involving post-conviction claims of innocence and exonerations. These resources included the first-ever practical tools for service providers, peer-to-peer victim outreach and support videos, and guidelines for media.

The response to these resources was uniformly outstanding, as evidenced by feedback and requests for technical assistance. Throughout this project, Healing Justice continued to center the voices and input of victims, as well as allied professionals, in every aspect of the project's development and implementation.

The National Crime Victim Law Institute (NCVLI) contributed deep legal expertise throughout the project regarding post-conviction victims' rights and remedies. Building on their prior research and tools, including the Victims' Rights Enforcement Toolkit,^[4] NCVLI developed specialized legal analyses, created a unique training curriculum, and expanded pro bono legal support available for representation of victims in each project site.

The National Organization for Victim Advocacy (NOVA) offered critical insight into the practicality of post-conviction victim advocacy knowledge and skills. NOVA developed the training module for victim advocates and helped to ensure it reflected national current standards for trauma-informed practices, communication, and skill-based learning.

4 NCVLI (n.d.) Victims' Rights Enforcement Toolkit: <https://ncvli.org/what-we-do/legal-assistance/rights-enforcement-toolkit/>.

The Urban Institute (Urban) led the evaluation design and data strategy components across the project. Their work ensured that the variety of frameworks used in the project were grounded in evidence and research practices. Urban's contributions also included the development of evaluation tools, metrics, and recommendations for effectively evaluating change across jurisdictions and throughout the project.



Additionally, the project was guided by a national Advisory Group composed of 13 individuals, including victims, victim advocates, attorneys, and other legal system professionals. [5] Their insights and expertise informed every phase of the project – from design, to implementation, to evaluation.

To maximize the application of project deliverables we sought to work with three prosecutorial agencies that have active CRUs/SRUs with diverse service populations, organizational structures, operational procedures, scopes of cases, and challenges. To select these three sites, we began by distributing a questionnaire to more than 30 prosecutorial agencies with active CRUs/SRUs, collecting key information on each unit's scope of work, staffing, historical and current case loads, and policies and procedures for victim notification and support, as well as existing challenges and barriers. Using this information, we narrowed the selection and ultimately chose the New Jersey Attorney General's Office Conviction Review Unit, the Bexar County (Texas) District Attorney Office's Conviction Integrity Unit, and the Contra Costa County (California) Post-Conviction Integrity and Re-Sentencing Unit.

5 See Last Page.



Activities

At the national level, the project began by convening the multidisciplinary Advisory Group. Meetings and regular engagement with this group were essential to grounding the work in both expertise and experience. The Advisory Group played a central role by offering subject-matter input on key areas and helping to shape our project deliverables. They also guided the project's progress, recommendations, and practicality for the field.

Next, we conducted a national scan of prosecutorial agencies with CRUs/SRUs to analyze the current landscape of these units. This scan helped us document and understand the mission, scope, and operational differences of victim service provision among units, and provided the basis for understanding where victim service gaps persist. To supplement this scan, NCVLI conducted a comprehensive assessment of units operating in states with enforceable victims' rights during conviction and sentence review, and identified processes through which advocates, prosecutors, and victims' rights attorneys can support the enforcement of rights in these cases. These dual analyses informed where targeted improvements would be most needed and identified priority sites for local interventions following the project period.

To address the growing need for specialized training in this area, we developed national training modules for attorneys and advocates. These trainings drew from past federally funded work product, Advisory Group input, insights from the information gathering efforts, and findings from local listening sessions with service providers. NOVA developed a tailored training for victim advocates, which was approved for continuing education credits from the National Advocate Credentialing Program. NCVLI created a parallel module for both prosecutors and victims' rights attorneys, focused on understanding and enforcing post-conviction victims' rights. This module was similarly approved for continuing legal education credits. Together, these trainings fill crucial gaps by creating the first-ever nationally coordinated curriculum for attorneys and advocates on this topic.

The local-level work of this project focused on the three selected prosecutorial agencies and their respective jurisdictions. To ensure sustained engagement with these sites we implemented formal partnership agreements outlining expectations. With input from project partners and the Advisory Group, we conducted statewide listening sessions in each site's respective jurisdiction (California, New Jersey, and Texas). A wide range of local service providers, legal professionals, and community stakeholders attended to identify unmet needs and systemic challenges relating to providing post-conviction victim services in cases handled by CRUs/SRUs. Findings, insights, and themes from these sessions shaped the remaining local-level work on the project, including in-depth legal analyses of victims' rights and tailored training, tools, and resources for each site.

As part of our local-level work, we also conducted environmental scans in each jurisdiction to map system- and community-based services available for victims during post-conviction case activity. In addition to the local services explored, the project team also explored available services through the state department of corrections (DOCs) along with national directories and databases of victim services. The scans informed the development of clear, user-friendly tools, including a referral guide to help sites provide holistic victim services and adaptable brochures outlining available resources for victims.

Building on the national training module described above, we offered specialized three-hour long training for each of the three sites. The training followed a three-part structure: a shared introductory session; breakout sessions for attorneys and advocates; and a shared wrap-up session. This format supported role-specific learning while also fostering cross-disciplinary discussion and collaboration. Participants learned about post-conviction case activity generally, conviction and sentence review specifically, and victims' needs across both. They also engaged in interactive exercises, analyzed case studies, and explored practical actions and tools to better support victims in these cases. Additionally, based on all we learned through our national and local level work, we developed specialized resources for each of the sites, including jurisdiction-specific flowcharts, referral guides for service providers, informational materials, and support resources for victims.

Finally, we established a formalized referral process to connect victims with legal support through NCVLI's *pro bono portal*. This tool matches victims' cases – posted by a system-based attorney or another service provider – with attorneys available to provide *pro bono* legal services to victims. To support this pairing process within each site's jurisdiction, NCVLI reached out to private attorneys who attended a listening session, training, or other project activity, expanding the pool of available *pro bono* attorneys in each site. We also created information and handouts about how to use this tool for service providers in each jurisdiction.



Understanding the Challenges: Learning From the Field

The combination of activities during the project – including the national information gathering, local listening sessions, site meetings, focus groups, advisory group discussions, training feedback, and more – confirmed known challenges to providing post-conviction victim services during conviction and sentence review and revealed additional ones that require attention. Key challenges include:

- Limited professional knowledge about post-conviction case activity and post-conviction victim support needs, particularly conviction and sentence review.
- Systemic gaps in post-conviction victim services overall.
- Fragmented communication and coordination within and across agencies.
- Lack of tailored advocacy and support resources for conviction and sentence review.
- Gaps in victims' rights knowledge and enforcement.

"Many staff supporting victims post-conviction have never received formal training on these processes, leaving them unsure how to respond effectively"

- System based service provider



The challenges identified include input from victims, advocates, prosecutors, victims' rights attorneys, and other legal system professionals at both the national and local levels. Collectively, what we learned through project activities underscores the urgency of closing gaps and investing in post-conviction victim services during conviction and sentence review, in order to foster a more compassionate and holistic response to victims' experiences and improve victims' trust in the legal system.

Training Deficiencies

Unlike the more structured pre-conviction stage of the legal system – where victims are typically accompanied by law enforcement, prosecutors, and victim advocates – post-conviction case activity involves multiple layers of legal and other review, across different systems and agencies. Conviction and sentence review adds further complexity, often occurring many years after the original trial and typically handled internally within prosecution agencies.

Many professionals, including law enforcement, prosecutors, and victim advocates, receive little to no training on post-conviction processes. Law schools, continuing legal education programs, and law enforcement credentialing rarely address the scope and complexity of post-conviction case activity. When they do, they often omit conviction and sentence review, the unique needs of victims in these cases, and the application of victims' rights. Victim service professionals, too, are often unprepared to support victims in post-conviction matters, having never been trained or engaged in this part of the legal system.

A 2019 national report by NCVLI and the National Institute of Corrections (NIC) highlighted this absence of knowledge as a critical barrier to providing effective post-conviction victim support.^[6] Cited gaps included uncertainty about the law, inconsistent interpretations, scattered information and resources, insufficient trauma-informed training, insufficient weak cross-jurisdictional practice, and misconceived notions regarding the proceedings following conviction.^[7]

Project participants^[8] echoed these concerns. Both victim advocates and legal professionals noted that their training, experience, and institutional knowledge focused mainly on pre-trial and trial criminal legal phases, leaving them unprepared for the variety and complexity of post-conviction case activity. Many reported uncertainty about their responsibilities when post-conviction motions were filed or convictions or sentences were reconsidered. Victims described feeling blindsided by continuing case activity they did not know was possible, while professionals admitted hesitancy to reach out to victims without a clear understanding of the legal process or how to meet victims' legal and emotional needs.

"Training is often focused on initial prosecution; post-conviction victim support is often overlooked, leaving a critical gap."

- System based service provider

Staff in CRUs/SRUs and allied service providers also acknowledged they had little to no training on victim support or rights protection in conviction or sentence review. Prosecutors and advocates working on these specialized post-conviction cases frequently noted that trauma-informed practices and rights' enforcement were not well integrated into their existing policies and practices.

As a result, victims are frequently left without knowledgeable professionals who can help them understand their rights, navigate post-conviction processes, and access ongoing support during conviction and sentence review. Across the board, participants emphasized the need for more specialized training and better tools to deliver holistic post-conviction victim services in these cases and across post-conviction case activity more widely.

⁶ Post-Conviction Victims' Rights: Recommendations for Practice (prepared by NCVLI): <https://ncvli.org/wp-content/uploads/2023/06/Post-Conviction-Victim-Rights-Services.pdf>.

⁷ Id.

⁸ By "project participant," we mean everyone who contributed to the project during all of its information-gathering activities, meetings and other group activities, training sessions, and deliverables development.

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"There is a blind spot in the system for addressing the evolving, individual needs of victims during post-conviction"

- System based service provider

"There is a clear need for structured, ongoing training for both prosecutors and advocates about post-conviction victims' rights."

- System based service provider

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Gaps in Ongoing Victim Services

Victims' transition from pre-conviction to post-conviction case activity is disjointed at best. While many law enforcement and prosecution agencies offer strong, coordinated services before and at trial (e.g., Coordinated Community Response Teams), those services typically dwindle once a conviction is secured. Where post-conviction victim services exist, they are distinctly separate from pre-conviction services^[9] and often lack the infrastructure, staffing, and resources to provide seamless support from trial through post-conviction and release.^[10]

Moreover, since most victims assume their case ends with the conviction, they may not inquire or seek information about what might come later. Even when pre-conviction service providers share information about post-conviction rights and services, the details may be minimal or offered at a time when the victims are unable to fully process them.^[11]

Re-engagement years or even decades after a conviction presents additional challenges. Victims may not keep their contact information updated, either because they are unaware of possible future case activity or because they wish to move on.

State departments of corrections (DOCs) offer postconviction victim services in cases with felony convictions, including notification and safety planning around release. Many have established relationships with local agencies to coordinate the provision of information and support to victims.^[12] DOCs also offer automated alert systems to keep victims informed of new case activity. However, these alerts may fail to capture all continuing legal developments,^[13] particularly relating to conviction and sentence review. Moreover, CRUs/SRUs often do not have sufficient understanding of the victim services offered by DOC-based advocates and, thus, fail to utilize those services. Similarly, DOC-based advocates need more details and better understanding about the process and outcomes in these cases in order for them to better assist victims around release.

9 2019, Recommendations for Practice, NCVLI.

10 National Association of Victim Assistance in Corrections (March 2021), Post-Conviction Victim Services Gap Assessment Report:

https://www.navac.website/uploads/7/3/2/2/73224507/navac__pc_gap_assessment_report_-_revised_march_2021.pdf.

11 2019, Recommendations for Practice, NCVLI.

12 National Association of Victim Assistance in Corrections (March 2021), Post-Conviction Victim Services Gap Assessment Report:

https://www.navac.website/uploads/7/3/2/2/73224507/navac__pc_gap_assessment_report_-_revised_march_2021.pdf.

13 Case developments traditionally included in automatic alerts include eligibility for parole, probation, transfer, and release. Less often included are legal developments such as relating to petitions filed in court and resulting court hearings and legal activity. This could be related to direct appeals, petitions for writs of habeas corpus, motions for a new trial, etc. Healing Justice. (2025). Post-Conviction Survivor Resource Center. <https://pcrc-survivors.org>

Fragmented Responsibilities & Coordination

The project revealed numerous inconsistencies in how jurisdictions and agencies handle victim notification, ongoing contact, and support during conviction and sentence review and other post-conviction case activity more generally. Many service providers noted that while they should collaborate with others within their own agency or across other involved agencies, there were no formal partnerships, communication plans, or transition protocols to make such collaboration possible.

In conviction and review cases specifically, service providers described agencies as often lacking defined procedures for notifying victims or sharing updates once a CRU/SRU initiated a case review or proceeded to court to seek release. This led to widely varying practices that were not trauma-informed and which limited or prevented coordination with internal and external victim advocates. Moreover, few CRUs/SRUs coordinated with other systems-based advocates, such as those in DOCs, or community-based agencies and organizations that could assist with outreach, provide services, and deliver needed support. In conviction review cases, this absence of coordination limited the assistance DOC-based advocates could provide victims around release because advocates were unaware that the release was the result of an exoneration based on factual innocence.

"Without a shared process for collaboration, victims may fall through the cracks between agencies."

- Statewide service provider

Across the project, participants stressed the critical need for consistent communication and coordination within and between agencies engaged in post-conviction case activity, particularly during conviction and sentence review.

"Enhanced coordination would allow agencies to make efficient use of resources and provide victims with more holistic and seamless support."

-Community-based service provider



"Different agencies handle different pieces of post-conviction but there is no central process to connect them."

- System based service provider

Absence of Tailored Advocacy in Conviction and Sentence Review

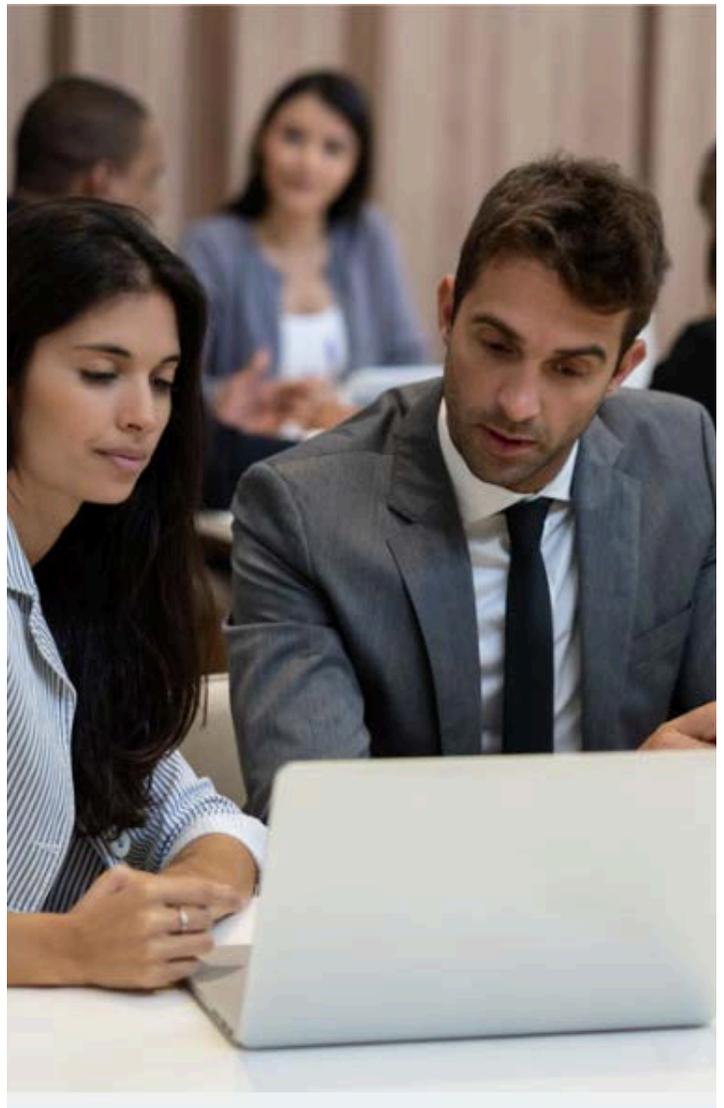
Centering advocacy and support on the specific needs of victims during conviction and sentence review emerged as a crucial theme. The upheaval and uncertainty in these reviews can be overwhelming and distressing for victims, making specialized, trauma-informed support and services essential.

A recurring concern was the absence of trained or dedicated victim advocates focused on providing necessary information and support in these cases. Most CRUs/SRUs lack trained advocates assigned to their units, and few had consistent access to other advocates in their respective agency. Some attempted to adapt general victim service roles, but efforts were inconsistent and lacked the needed infrastructure to be maintained across all cases. In many units, non-advocacy staff – such as investigators, paralegals, or attorneys – were tasked with victim outreach, notification, and support.

Overall, participants agreed that, without tailored advocacy and support, victim services fell short in most agencies conducting conviction or sentence review.

"Victims need advocacy that reflects the unique circumstances of their case, rather than a one size fits all approach"

- System based service provider



"Victim centered guidance and advocacy services ensures victims understand their rights and options"

-Community based service provider

Inadequate Guidance on Victims' Rights

A key activity of the project was NCVLI's analyses of how existing victims' rights apply to conviction and sentence review. This included: (1) a national review of rights in conviction and sentence review, and (2) a state-level review of promising practices in New Jersey, Texas, and California, where the project sites were based. These analyses confirmed that victims' rights broadly apply to post-conviction processes and are particularly relevant to conviction and sentence review in the 28 states with active CRUs/SRUs. Common rights that apply post-conviction include the right to:

- be treated with fairness, dignity and respect.
- notice.
- information;
- be heard;
- be present;
- confer;
- privacy and confidentiality;
- protection;
- safety and security;
- counsel;
- refuse interview requests;
- (re)apply for compensation;
- timely disposition;
- language access; and
- employer or creditor intercession services.

"Many victims are unaware of their specific post-conviction victims' rights unless someone informs them of their rights and how to exercise them"

- System based service provider

Rights enforcement ensures victims are meaningfully and adequately informed of post-conviction activity and allows them to make timely and informed decisions about participation. Timely initial notification is a key right that lays the foundation that ensures other rights will be protected and enforced as a case progresses.¹⁴ Equally important is how attorneys, advocates, and other victim service providers engage with victims, since the right to be treated with fairness, dignity, and respect requires trauma-informed approaches to timing, communication, and staffing. Despite the critical application of victims' rights to post-conviction practice, few agencies engaging in conviction or sentence review have systems or practices in place to protect those rights.

Project participants underscored the absence of clear guidance on which rights extend into the post-conviction phase. While most jurisdictions have detailed legal frameworks for rights through investigation, trial, and sentencing, there was widespread uncertainty about their continuation afterward. This inconsistency often left notification, participation, and support to the discretion of individual agencies or practitioners.

Confusion extended to how and when rights should be enforced, creating anxiety for service providers who wanted to support victims but feared acting improperly. Without clearer legislative language, participants warned, victims will continue to be inconsistently informed, poorly supported, or even excluded from the conviction and sentence processes.

¹⁴ National Crime Victim Law Institute (2019) Legal analysis on victims' rights. Survivor Services. <https://www.survivorservices.org/media/olahfm4n/legal-analysis-on-victims-rights.pdf>

Addressing the Challenges: Recommendations for the Field

The following recommendations reflect key insights from victims, victim advocates, prosecutors, victims' rights attorneys, and other criminal legal system stakeholders engaged throughout this project. Together, they outline opportunities to strengthen post-conviction victim services during conviction and sentence review and more broadly. Recommendations are organized across four key categories – Legislation; Practice and Protocols; Resources; and System Culture – and provide a roadmap for jurisdictions seeking to embed a holistic, victim-centered approach into post-conviction processes.

"Without processes and clear steps that explicitly enhance post-conviction victim services, victims often feel overlooked and powerless."

Legislation

Legal frameworks must evolve to reflect the complex realities victims face during the post-conviction case activity. Victim service providers, prosecutors, law enforcement officers, judges, and other attorneys need clear, statutory guidance to enforce victims' rights at every stage of the post-conviction process. In addition, prosecution agencies, law enforcement, and victim service providers need increased and consistent funding from legislatures to ensure sufficient and meaningful provision of victim services and victims' rights enforcement across all of the case activity that occurs after a conviction. CRUs/SRUs in particular need resources to hire trained victim advocates and develop specialized services. Strengthening legislation in this area is foundational to ensuring that both victim services and victims' rights are integral to postconviction case activity.

1) Enact or expand enforceable and clear victims' rights statutes that apply post-conviction: Victims should retain meaningful rights throughout the full length of a case, including post-conviction and during conviction and sentence review.

State statutes should clearly identify which victims' rights apply post-conviction, including all core victims' rights such as notification and access to information, participation, and support. These rights must be enforceable, with remedies for violations, following models like Wisconsin's enforcement framework.^[15] Statutory clarity is essential not only to guarantee rights but also to create accountability for agencies responsible for victim notification and support.

2) Provide statutory funding to support dedicated post-conviction victim services, including specialized advocacy within CRUs/SRUs: Current funding for victim services overwhelmingly focuses on the pre-trial and trial phase of the legal process. Statutory funding should prioritize post-conviction victim services through VOCA, state, and county allocations, ensuring a continuity of care after a conviction. This is especially true when legislatures create new mechanisms for conviction or sentence review or other post-conviction case activity. Funding for new post-conviction case activity, including the creation of CRUs/SRUs, should require the integration of professional, trauma-informed victim services and trained advocates to assist victims during this new case activity and allow dedicated funding to sustain them long term. Funding should also be increased to allow for community-based victim services after a conviction, including community-based victim services providers that provide long-term care and ongoing support during the post-conviction phase of the legal system.

¹⁵ See, as example, Wisconsin Department of Justice, Crime Victims Rights Board, [The right to timely and meaningful notification is rooted in due process Only with](#)

3) Expand eligibility for Crime Victim Compensation to include specific post-conviction cases: Current crime victim compensation frameworks and programs often exclude victims impacted by post-conviction case activity from being eligible to receive financial assistance. States should revise Crime Victim Compensation (CVC) statutes and eligibility criteria to expand eligibility for expenses such as counseling, lost wages, safety planning, and other necessary support for those who need help during post-conviction case activity, including those impacted by conviction and sentence review.

4) Ensure statutes of limitation allow for the prosecution of the actual offender in sexual assault cases following post-conviction DNA testing that results in a CODIS hit and an exoneration: In many cases, new DNA testing during conviction review or other post-conviction proceedings identifies the person who actually committed the crime. However, rigid statute limitations of limitations, particularly in sexual assault cases, often prevent prosecution of these identified individuals, even when the victim or legal system could not have identified the individual sooner. State laws should require that people be subjected to prosecution when their involvement in a crime is confirmed through DNA testing.

Policies and Protocols

Clear standards and directives within prosecution and law enforcement agencies are key to ensuring that victims are notified and supported using trauma-informed practices – and that their rights are protected – during conviction and sentence review. They also provide a crucial roadmap for agency staff, allowing for streamlined responsibilities and seamless practices that make notification and support easier while also meeting victims' needs. The following policy and practice recommendations will help guarantee uniform and consistent post-conviction information and support for victims and both ease of implementation and accountability for agencies and practitioners.

"Agencies often operate in silos, and without consistent policies, victims don't know where to turn for help."

- Project site

1) Develop standardized protocols for timely and trauma-informed initial victim notification. Victims have a legal right to notification of post-conviction case activity. For this right to be meaningful, notification must happen early enough to ensure that they have time to understand the renewed activity, have questions answered, request and receive support, and seek protection of their other rights. Agency protocols should prioritize early notification and identify who is responsible and how coordination will occur across agencies. In conviction and sentence review cases, notification should occur when a case moves from internal screening to active review – well in advance of final decisions in the case, court hearings, or release.

A multidisciplinary team including an attorney assigned to the case and trained advocate should coordinate individualized notification and provide victims with clear information about their rights and the choice to determine how and when they wish to receive continuing information about the case.^[16]

2) Provide continuing information and support throughout the postconviction case activity.

Beyond initial notification, agency protocols should include that victims receive updates (in a manner requested by them) on continuing case activity and key moments during the conviction or sentence review, such as requests for and results of forensic testing, planned legal action by the CRU/SRU, court hearings and decisions, and impending release. Protocols should include a process for making referrals to counseling, safety planning, media preparation, and culturally responsive services as needed throughout the remainder of the review process and outcome of the case.

16 See, as example, Wisconsin Department of Justice, Crime Victims Rights Board, <https://www.wisdoj.gov/Pages/CrimeVictimServices/crime-victims-rights-board.aspx>



3) Establish protocols for sharing information and coordinating victim outreach and support across agencies:

Victim contact information and case information often becomes siloed across agencies (e.g., law enforcement, prosecutors, victim advocates, courts). Protocols should require coordination and information sharing across agencies to ensure that notifying agencies have access to current victim contact information, as well as information about other agencies' ongoing communication with victims. This will help ensure that all victims receive notification, information, and services in a uniform, consistent, and meaningful way, and that no victim is overlooked.^[17] Cross-agency agreements should govern how and when information is shared to ensure coordinated outreach while safeguarding the privacy of victims.

17 One example of key coordination is between CRUs/SRUs and DOC-based advocates; both may need to be in contact with victims relating to different case activity that is occurring simultaneously. Careful coordination will eliminate confusion for victims and service providers and ensure that all involved are fully informed. DOC-based advocates can also provide CRUs/SRUs with key victim assistance around release, such as safety planning.

4) Ensure the scope and pacing of conviction and sentence review allows time to locate, engage, and support victims: Older cases often require significant time to locate and engage victims. Case review protocols should include early efforts to collect victim contact information and allow for sufficient time to locate victims before internal screening is completed and cases move forward into active review and decision making. Protocols should also aim to manage caseloads so that all victims can receive timely and continuing notification, information, and support. A heavy caseload can negatively affect an agency's ability to provide meaningful victim services. This is especially true in sentence review cases where large numbers of victims may need rapid outreach.

Allocation of Resources

Effective post-conviction victim support requires that agencies themselves secure and allocate sufficient and stable funding, conduct regular training, and participate in raising public awareness. Without these, post-conviction victim services during conviction and sentence review will remain fragmented and inadequate.

"Resources are stretched thin for agencies, and victims' needs in this phase are often left unmet"

- Advisory group member

1) Ensure the dedication of sustainable funding for post-conviction victim services and advocate positions, including specialized advocacy for cases involving conviction and sentence review:

Agencies must intentionally treat post-conviction victim services as a permanent function of the agency, backed by stable funding streams to embed trained advocates in CRU/SRU staff structures.

2) Develop accessible public education materials for victims to build awareness about post-conviction victims' rights and available services:

Agencies should create plain language materials – print, digital, and video – that explain post-conviction processes, legal rights, and available support and services. These should be provided at conviction and, again, at key moments in the post-conviction case activity, and be designed with input from victims.

3) Strengthen training and collaboration among attorneys, advocates, and other system partners during conviction and sentence review:

Attorneys, advocates, law enforcement, and investigators need ongoing, practical training to understand and navigate the complexities of conviction and sentence review. Continuing education training should be offered regularly and cover victims' rights, trauma-informed communication, and points for collaboration, with ongoing opportunities for networking and shared learning to foster collaboration across roles and agencies.

4) Create regional navigator roles to support CRU/SRU victim services, provide training, and monitor service availability across the region:

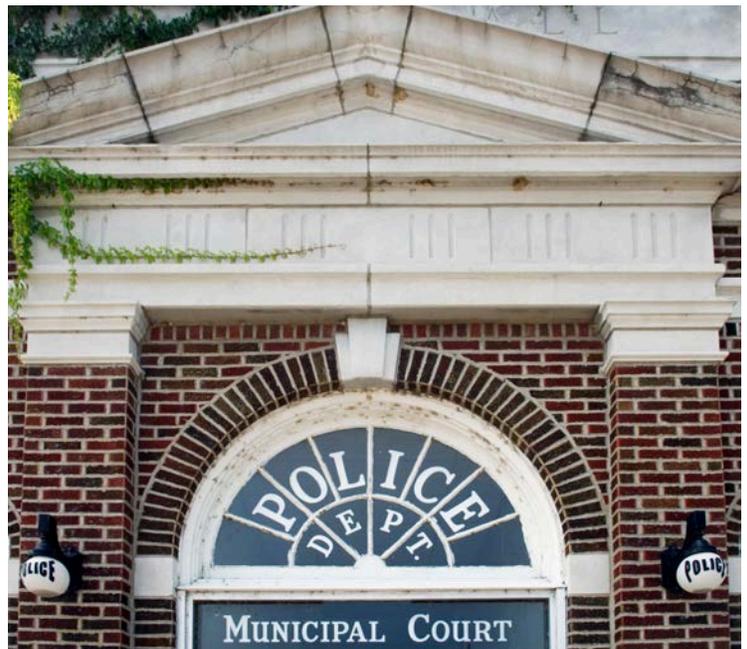
Regional navigators cover a specific geographic area and develop a comprehensive network of resources within that area to assist victims. They are typically trained in victims' rights, trauma-informed communication services, safety-planning, resource navigation, crisis response, and safety planning. These roles should be developed to serve as state or region wide liaisons between CRUs/SRUs and other victim service providers – to assist with locating victims, coordinating victim outreach, identifying service gaps, and ensuring the provision of coordinated, holistic services across multiple agencies and jurisdictions. The regional navigator role would be an additional layer of victim and service provider support alongside local victim advocates and, ideally, would be housed within a state-based agency.

5) Improve law enforcement resources, support structures and available victim services for conviction review cases that result in exoneration but do not identify the person who committed the crime, thus leaving the case unresolved:

When an exoneration occurs without identifying the actual offender, cases often return to "cold case" status, leaving victims and families without a path forward and causing them significant emotional stress. Dedicated resources (counseling, case updates, continued outreach) should be provided, and system professionals should receive specialized training to support victims through these complex cases.

"Building trust and ongoing communication takes times and consistency, but lack of staff undermines that effort"

- Project site



System Culture

True transformation of post-conviction victim support requires more than changes to policies, practices, and funding; it demands a cultural shift in how the legal system values victims during post-conviction proceedings.

1) Acknowledge the leadership role of elected prosecution officials in ensuring adequate victim support and services when establishing CRUs/SRUs: Elected district attorneys, attorney generals, and other public leadership officials must set expectations and standards for victim support and services during conviction and sentence review. Their commitments to staffing CRUs/SRUs with adequate numbers of attorneys and victim advocates, and to public messaging around these units, directly influence whether victims are provided with meaningful information and support and whether their legal rights are protected. Agency leaders must publicly and actively affirm the importance of meaningful inclusion and support offerings for victims in these cases.

"A legal system that truly prioritizes trauma informed and victim-centered communication, support and overall practices can change how victims experience the legal system entirely"

- Advisory group member

"Creating a culture of accountability and collaboration across agencies is key to ensuring victims don't fall through the cracks."

- Project site

2) Center victim voices in program design and evaluation: Victim experiences and input should be embedded in the core functions of system-based program and policy development across all post-conviction processes and case activity. Structures such as advisory councils, listening sessions, and survivor feedback loops should be institutionalized. This type of engagement should be ongoing, inclusive, and well resourced, recognizing those with direct experience as experts in shaping the systems that so deeply affected their lives.

3) Commit to transparency and accountability, including public sharing of data, policies, and outcomes in cases involving conviction and sentence review. Agencies must publish clear policies, timelines, data, and outcome reports related to conviction and sentence review. To that end, victims must receive timely, understandable explanations of how decisions are made, and their potential impacts to build trust in the system.

Conclusion

The post-conviction phase of our legal system remains one of the least understood, least resourced, and most isolating for victims. Yet, it often lasts much longer than the pre-conviction and trial stages. While momentum has grown around conviction and sentence review, too often these efforts overlook the people most directly harmed by the original crime and subsequent post-conviction case activity. Victims are frequently notified of the renewed case activity too late (if at all), and offered little support despite the potential for confusion, grief, and trauma caused by case outcomes. Providing timely and ongoing information and support can prevent victims from feeling forgotten, marginalized, and reharmed, alleviate mistrust in the system, and ensure better outcomes for all.

This project set out to reimagine what support for victims can look like in conviction and sentence review. We quickly learned that the challenges and gaps exist across the entire spectrum of post-conviction case activity. Through our collaboration with project partnerships and significant work with three diverse project sites – along with guidance from our multidisciplinary advisory group and ongoing conversations with attorneys, legal professionals, victim advocates, and those with direct experience – we sought to develop practical strategies to make post-conviction victim services more holistic, inclusive, coordinated, and trauma-informed during conviction and sentence review and more broadly.



The challenges were clear: existing systems and structures were not designed with the full scope of post-conviction case activity in mind – and, without intentional change, victims will continue to fall through the cracks.

We identified common challenges across jurisdictions: inconsistent or nonexistent practices; unclear protocols and roles; siloed services with little funding; and limited opportunities for holistic support. These are not isolated issues, but evidence of broader failure of the legal system to treat post-conviction case activity and post-conviction victim services as equally important to those that occur during the pre-trial and trial phases.

The recommendations outlined in this report provide concrete steps toward better policies, stronger resources, and a more victim-centered system culture. We offer this report as both a roadmap and a call to action for everyone who supports victims during conviction and sentence review and across the post-conviction spectrum. It is a vision of what is possible when victims are fully informed, engaged, and supported by all agencies involved. With sustained resources, collaboration, and leadership, we can build a legal system that makes victim support a standard, not an exception, throughout the entire length and scope of post-conviction case activity.

Further Guidance and Support from Healing Justice

In the wake of this project, Healing Justice offers specialized training and technical assistance (TTA) to help agencies expand post-conviction victim services and uphold victims' rights in cases involving postconviction claims of innocence, conviction review, and exonerations. Together with our partners, we can:

- Tailor the national training module for your agency or jurisdiction.
- Adapt the site-specific tools and resources to fit local needs.
- Provide direct assistance with victim notification and ongoing services to victims.

To learn more about what Healing Justice offers to agencies and professionals, visit our Post-Conviction Resource Center for Practitioners at pcrc-practitioners.org. Victims can seek direct assistance through our Post-Conviction Resource Center for Survivors at pcrc-survivors.org. Attorneys interested in becoming trained to provide pro bono help to victims in post-conviction cases should contact NCVLI at navra@lclark.edu. To request TTA from Healing Justice, please contact Claire Exley at cexley@healingjusticeproject.org.



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This initiative was further strengthened by and made possible through the time, expertise, and insights shared by our three pilot sites: the New Jersey Attorney General's Office Conviction Review Unit, Bexar County (Texas) District Attorney's Office Conviction Integrity Unit, and Contra Costa County District Attorney's Office (California) Conviction Integrity Unit. We are extremely grateful for their willingness to work with us and allow us to both learn from and help them. We also thank the attorneys, victim advocates, and other professionals from these jurisdictions who contributed to our information gathering, trainings, and discussions to advance holistic victim support during post-conviction proceedings. participated in our information gathering efforts and training sessions, provided feedback, and engaged in meaningful discussions to improve holistic victimholistic, wraparound victim support during post-conviction case activity.



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