

### **Contextual Factors Which May Impact the Grieving Process**

In addition to dealing with the loss of their loved one, family members are constantly bombarded with additional factors which result from the violent nature of the death. These may include reactions to the murder -- both their own and those of others -- or a feeling of having been "re-victimized" by their involvement with the media and the criminal justice system.

### **Reactions to the Murder**

One of the most troublesome aspects of a murder for homicide survivors is that the homicide makes no sense to them. Janoff-Bulman (1992) stated that people, either consciously or unconsciously, often operate on the basis of underlying assumptions about the way the world is and why things happen. These assumptions help explain or attribute blame for situations or events and may serve as a protective mechanism against the extremely uncomfortable notion that "we are not in complete control." Having lost the framework that helps them to feel safe and make sense of the world, homicide survivors often feel as though they have been cast adrift and that they are trying to understand the incomprehensible.

It is for this reason that safety issues are often of primary concern for homicide survivors. They now know that bad things not only can, but do, happen. This brings home the reality that no one is completely safe -- no one is immortal. Survivors may become fearful and anxious when another loved one comes home late or does not call when expected. One homicide survivor described becoming fearful whenever her husband had to be away overnight on business:

"I found that I was taking a sleeping bag and sleeping by the door because I was so nervous." (Asaro, 1992, p. 40.)

Another survivor described her fears in this way:

". . . when you are pregnant, at least with my first pregnancy . . . [you feel] that you are a main target. . . I thought they were out to get me. I felt like there was this big X' on me saying, Get me." (Asaro, 1992, p. 40.)

When the assailant is not known, the family will very often try to pursue any avenue to obtain information or insights about what happened -- not only to bring the guilty party to justice, but also to feel safe and to protect their remaining loved ones from an unknown threat. For example, some surviving family members have reported that they hired a psychic to try to come up with new information; others have reported that they keep a police scanner on at home all day, listening for anything that might help with the investigation.

Homicide survivors must also deal with their reactions to the violent nature of the death. They often think about the extent to which their loved one suffered; the fact that the violence was intentional and, therefore, *preventable* is very troublesome. One survivor spoke of her distress over the way in which two of her loved ones were murdered:

"Both had suffered terribly and suffered for hours . . . it was a very slow and painful death for both of them." (Asaro, 1992, p. 42.)

It is very difficult for many people to accept the notion that "bad things happen to good people." For them, it seems that there must be a cause and effect when unforeseen events occur. In their need to determine where the "blame" for the homicide should be assigned, they may consciously or unconsciously blame the victim. In the aftermath of a murder, they may feel especially confused, angry and isolated if their loved one was murdered while engaged in activities that were not legal or perceived to be socially unacceptable.

Homicide survivors must also deal with other's misguided attempts at helpfulness, including such comments as, "It's been a year -- you should be over this by now" or "It's God's will." Surviving parents may be told, "At least you still have two other children" or "At least you can have other children."

Oftentimes, well-meaning friends may inadvertently overlook the pain and trauma experienced by brothers and sisters of the victim. Lack of acknowledgment of the nature or extent of their pain, or denial of their right to feel the pain and anger associated with their loss, may cause siblings to feel silently resentful and even more alone.

When homicide survivors go to their pastor, priest, rabbi or other religious leader for support, too often they are told that the "murder was somehow part of God's plan" or that "they must forgive the murderer." These statements can be very distressing to people already struggling with feelings of rage and thoughts of revenge, and may give them an additional burden of guilt to bear.

Other factors which may complicate the grieving process for homicide survivors have to do with the ongoing exposure they have to homicide-related material -- such as autopsy reports, crime scene photos, repairing or cleaning up the crime scene, trying to obtain the victim's personal effects (which may have been held as evidence), and other potentially trauma-inducing events.

### **Media Intrusion**

After a loved one is murdered, homicide survivors have little privacy. Their identities and the circumstances of the murder often become public knowledge. Tragically, some survivors may learn about the murder while watching television or listening to the radio. In this day and age, it is not uncommon for survivors to find a microphone thrust in their faces after a court hearing. They may learn about developments in their case for the first time on the evening news or, suddenly and unexpectedly, see their loved one's body placed on a gurney and wheeled to an ambulance during a "Year in Review" news special.

The media may also report inaccurate or inappropriate information about their loved one's case or may portray the offender as a victim in the case, without also acknowledging the impact the murder had on the victim's surviving loved ones.

### **Involvement in the Criminal Justice System**

Most of the people who work within the criminal justice system are well-trained and have demonstrated tremendous sensitivity assisting family members after a murder. However, re-victimization of family members might easily result from the way in which family members are notified of the murder, whether their loved one's body can be released by the coroner in a timely manner, how they are given information from the

autopsy report, whether or not a suspect is caught, and the manner in which the investigation and/or prosecution are conducted.

### **Law Enforcement:**

When someone has been murdered, law enforcement is usually the first on the scene and, therefore, the first part of the criminal justice system with which the surviving family comes into contact. Generally, the family is frantic for information -- anything that will help them to comprehend what has happened. In murders where little is known or in cases where family members have not been ruled out as suspects, information cannot be forthcoming to the rest of the family. When family members have always perceived themselves to be law-abiding and good citizens, this might not only cause them to feel frustrated and embarrassed, but might also cause them to experience a "secondary victimization" by the very system that they expected would be there to help them find justice.

One survivor described the way in which her family learned the circumstances of their loved one's death:

"The policeman said to us, you people get out of here . . . get the hell out of here. We're dealing with a homicide.' That's how we found out." (Asaro, 1992, p. 39.)

### **Coroner:**

In a murder investigation, the victim's body is considered to be the primary "evidence" and there may be a delay in releasing his or her body to the funeral home. For this reason, funeral or memorial arrangements may be delayed, causing further distress to the surviving family. Autopsy reports may later be given to family members with no explanation of the forensic or medical terms used.

### **Judiciary System:**

If there is sufficient evidence to bring charges against the alleged killer, the case may be brought to trial. As described earlier, homicide survivors quickly learn that there is a great deal of difference between their expectations and the reality of how the criminal justice system works. What they see on "CSI" and other television shows or read in murder mysteries is often grossly inaccurate and merely fiction. In addition -- depending upon whether the assailant is an adult or a juvenile -- there is a great deal of difference in the extent of survivors' rights in the criminal process. During prosecution, the surviving family members often find themselves drawn into a world of legal technicalities which often leave them wondering, "Where are our rights?"

Survivors often find that arrests do not always result in prosecution; prosecutions do not always result in convictions, and convictions do not consistently result in maximum sentences. In the criminal justice system, family members find that the crime has been committed "against the state" and not against them or their loved one. Perceptions of injustice and lack of respect for their loved one often cause further distress for homicide survivors. Their loved one becomes "the body," "the victim" or "the deceased" and is rarely referred to by name, which can seem dehumanizing to the victim's family. Sometimes the victim's character might be called into question during the trial, causing dismay for loved ones who are present.

Homicide survivors are usually told to show little or no emotion in the courtroom so that they will not unduly "influence the jury." This is especially difficult as they face the

alleged killer and hear the painful details of their loved one's death. One survivor related her experience in this way:

"You're holding your breath. You don't want to make a peep, or a sound, or anything that would harm that trial at all because you want the guy to get the max." (Asaro, 1992, p. 40.)

If homicide survivors are called as material witnesses by either the prosecution or defense, they may not be able to stay in the courtroom for part or all of the trial. On the other hand, it is not uncommon for survivors to be listed as witnesses by the defense in order to keep them out of the courtroom and away from the curious or sympathetic gaze of the jury.

The trauma may not end once the convicted murderer is sentenced; survivors are often surprised to learn that the criminal sentences imposed and ordered are frequently *not* the sentences served. Ongoing appeals and parole hearings may easily trigger later stress reactions for the surviving family members, friends and loved ones of the victim.

If a "not guilty" verdict is returned, or if the sentence is the minimum or for a reduced amount of time, the family may feel betrayed and enraged. If the assailant was not caught or is unknown, survivors must go on without a sense of closure. In a case where the killer was never identified, the survivor stated:

"Well, I think my bitterness is because it's never been solved and I thought it was handled . . . it's like nobody gives a damn." (Asaro, 1992, p. 36.)