

## *How are terrorist acts against Americans prosecuted?*

If there is sufficient evidence, an indictment may be brought against the perpetrator(s) in a federal court in this country by a United States Attorney's Office, which is part of the Department of Justice. The ability of the Department of Justice to bring perpetrators to justice in the U.S. depends on the ability of the U.S. Government to arrest the perpetrators and/or persuade a foreign government to extradite them to the U.S. for trial. Some countries have not entered into extradition treaties with the U.S. Even if a treaty exists, it is not unusual for the extradition process to take months or even years. Some trials in the U.S. have occurred more than a decade after the crime was committed. Information and assistance will be provided to victims by Victim-Witness Coordinators in the prosecuting United States Attorney's Office, often with assistance from the FBI's Office for Victim Assistance and DOJ's Office of Justice for Victims of Overseas Terrorism. In the event of a conviction or a guilty plea, victims have the right to present a victim impact statement to the court.

In some cases, the perpetrator(s) of a terrorist attack may be arrested and tried by the foreign government. The ability of victims and their families to observe or participate in a foreign prosecution depends upon the laws of that country. The legal systems in most countries do not allow for victims to provide impact statements. The Department of State, the Department of Justice, and the FBI will attempt to monitor the foreign criminal justice proceedings and will make every attempt to keep victims and their families informed.

## *Obtaining Help and Additional Information:*

While we can only imagine the depths of your pain and loss, we are determined to be sensitive to your needs and to seek justice on behalf of all who are injured or killed as a result of terrorist attacks.

The Federal Bureau of Investigation and the Department of Justice's Office for Victims of Crime can be extremely valuable resources for victims of terrorism. Contact information may be found below:

### **Federal Bureau of Investigation Office for Victim Assistance**

935 Pennsylvania Avenue, N.W.  
Room 3731  
Washington, DC 20535  
(866) 828-5320 (Toll free)

<http://www.fbi.gov/hq/cid/victimassist/home.htm>

### **U.S. Department of Justice Office for Victims of Crime**

<http://ovc.ncjrs.org/askovc/>

**Phone:** 1-800-851-3420 (TTY1-877-712-9279)

**Mail:** Office for Victims of Crime Resource Center  
National Criminal Justice Reference Service

P.O. Box 6000  
Rockville, MD 20849-6000

**Hours of operation:** 10 a.m. to 6 p.m., Monday  
through Friday, EST time

Resources for International Victims:

<http://www.ojp.usdoj.gov/ovc/intdir/welcome.html>

U.S. Department of Justice  
National Security Division



# Assistance for U.S. Victims of Overseas Terrorism and Their Families



United States Department of Justice  
National Security Division  
Office of Justice for Victims of  
Overseas Terrorism  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530  
(202) 532-4100  
<http://www.usdoj.gov/nsd/ovt.htm>

Under any circumstance, the death or injury of a loved one is difficult. When the death or injury occurs in a foreign country, coping can be even more difficult and frustrating. The Department of State (DOS) is responsible for identifying Americans killed or injured overseas by any cause, whether or not criminal. DOS typically makes notification of deaths and provides assistance to victims in the aftermath of the event. This brochure is intended to provide information on what victims and their families can expect with regard to the criminal justice process, including assistance from the Department of Justice and the Federal Bureau of Investigation (FBI).

### ***What is the Office of Justice for Victims of Overseas Terrorism (OVT)?***

The OVT was established in May of 2005 to:

- Ensure that the investigation and prosecution of terrorist attacks that result in deaths and/or injuries of American citizens overseas remain a high priority within the Department of Justice.
- Ensure that the rights of victims and their families are honored and respected.
- Provide information and support to victims and their families during the criminal justice process.

A full description of the OVT's functions can be found on the OVT's website: <http://www.usdoj.gov/nsd/ovt.htm>.

### ***What are the rights of victims of overseas terrorism?***

Terrorism against American citizens outside the borders of the U.S. is considered a federal crime. Victims of terrorism are entitled to the same rights and services from the Department of Justice that are afforded to victims of federal crimes occurring in the U.S. These rights include:

- Information on the status of the case.
- A point-of-contact for information and assistance in the FBI, the prosecuting United States Attorney's Office, and/or OVT.
- Information on, and referrals for, financial and other assistance services for victims.

It is important for victims and their families to understand that these rights pertain to information and assistance from the U.S. Government only, and do not require the government of the foreign country in which the attack occurred to provide similar information and assistance.

### ***How is an investigation conducted by the Department of Justice and the FBI?***

U.S. laws give the Department of Justice and the FBI authority to investigate and prosecute certain crimes against Americans occurring outside this country. The ability of the FBI to conduct a thorough investigation, especially within the borders of another country, is dependent on the level of cooperation provided by the foreign government. U.S. law enforcement agencies do not

have an unconditional right to conduct investigations overseas, and therefore must be given access to evidence, witnesses and/or suspects by the country in which the incident occurs. Requests for assistance to or from the foreign government for such information and access must be coordinated with the relevant U.S. embassy and the Department of State. Investigations into terrorism crimes overseas may last months or even years. Some countries simply will not allow the FBI to arrest perpetrators who are inside their borders. Likewise, the amount of information about an investigation that can be shared with victims and their families is necessarily limited by the need to protect the integrity of the investigation and any sensitive information related to it.

### ***What assistance can victims expect from the Department of Justice and the FBI?***

The FBI Office for Victim Assistance in Washington, DC is responsible for providing information and assistance to victims during an investigation. The Terrorism Victim Assistance Unit in the Office for Victim Assistance (OVA) offers immediate assistance to families of victims with information about the repatriation process, autopsies, return of personal effects, emergency travel, documentation for insurance and other benefits, as well as other crisis intervention services. The OVA assists by providing information on coping, referrals for counseling, information on victims' compensation and other sources of financial assistance. In addition, the OVA serves as a point-of-contact for victims and their families and may facilitate briefings between victims and FBI officials responsible for the investigation.