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WHY VICTIMS OF CRIME AND THEIR FAMILIES NEED TO BE REPRESENTED BY AN ATTORNEY



*This article is published in honor of
National Crime Victims' Rights Week: April 22 to 28*

BY RICHARD POMPELIO, ESQ. AND JEFFREY W. POMPEO, ESQ.

"You cannot imagine being told that you are forbidden from being in the courtroom during the trial of your loved one's killer or showing to the judge a photograph of the victim at the killer's sentencing. But it happens!"

Those words appear in the brochure for the New Jersey Crime Victims' Law Center (VLC), which was established in 1992 by Richard and Ann Pompelio, both attorneys, after their 17-year-old son Tony was murdered, and the Pompelio family experienced first hand the harsh treatment victims of violent crime often encounter in the criminal justice system.

When Rich and Ann founded the VLC in 1992, they did so with the understanding that they would never charge a victim of violent crime to represent them in the criminal justice system. In other words, 100% of the work of the VLC is pro bono, a Latin expression which means "for the good of the public." And this is without regard to the victim's ability to pay.

The VLC was the first of its kind in the United States and it has served as a model for other pro bono crime victim law clinics that have developed in other states. Through the work of the VLC, for over a decade, survivors of homicide and victims of sexual assault, domestic violence, attempted murder, robbery, assault, child abuse, drunk driving, and numerous other crimes have been given a voice, a face and a true meaning in the criminal justice system through the efforts of the VLC. This work is always done at no

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cost to victims.

In this context, "victims" includes those against whom violent crimes are committed, as well as their families.

FLORENCE AND TOBI

After Florence Hoffman's daughter Amy was murdered, she fought to be allowed to attend the trial of Amy's killer. Denied that right in the 1984 trial, she pursued it with even more fervor at the killer's re-trial in 1990. Although it was emotionally painful for Florence to hear the trial testimony, nevertheless, it was necessary for her to be there for Amy.

In 1990, once again the defense sought to remove Florence from the courtroom, referring to her as "so much emotional baggage," and "a walking, talking living impact statement." But this time the result was different when Judge G. Donald Collester, Jr. recognized her loss, her need and her right to be present at the trial of her daughter's killer.

Several years ago, Tobi Moor sat in a dark hallway next to a sputtering steam radiator in the County Court House in Newark for over two (2) days waiting. She was waiting for permission from the trial judge to be present at the pre-trial hearing of the woman who had fatally stabbed her daughter, Zoickleeim. Permission never came from the judge.

A few days later, Tobi Moor was required to file an emergent appeal to a higher court in order to reverse the decision of the trial judge so that she could gain the right to be present.

Both mothers won. Both were represented pro bono by the New Jersey Crime Victims' Law Center.

In the history of the victims' rights movement, these cases were major victories for the victims. But what did they win?

In her affidavit to the Appellate Court, Tobi Moor stated "I only wish to sit quietly in the courtroom so that I may bear witness to the justice process and the events surrounding the death of my daughter."

CONCLUSION

Florence Hoffman and Tobi Moor never imagined being told that they were forbidden from being in the courtroom during the trial of their daughter's killer. But it happened to both of them.

The question of why victims of crime and their families need to be represented by an attorney can best be answered by the mission of the New Jersey Crime Victims' Law Center - "to assure that the innocent crime victim has a face, a voice and a significant meaning in our system of social justice."

DONATIONS

April 22 to 28 is National Crime Victims' Rights Week.

For more information about the New Jersey Crime Victims' Law Center or to make a tax-deductible donation, please contact Richard Pompelio, Esq., New Jersey Crime Victims' Law Center, 33 Woodport Road, Sparta, New Jersey 07871 (e-mail: rpompelio@yahoo.com).

The VLC is recognized by the IRS as a 501(c) (3) corporation. As such, all donations are fully tax deductible.

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