

I have had two cases result in second-degree murder convictions since the state Supreme Court ruling: Heirkiess Moore-Smith and Jerome Thompson. Both families waited years for their cases to conclude and to finally receive some sense of justice. Now, after making it through lengthy trials and guilty verdicts, they are being forced to wait yet again while the state legislature determines new sentencing guidelines.

These families are exhausted.

Our justice system already demands an extraordinary amount of patience from victims' families. From my very first conversation with a new client, I prepare them for how long and unpredictable this process can be. Postponements are common, often requested by the defense with little or no advance notice. Sometimes families do not learn that a hearing has been postponed until they have already arrived at court. This happened in another one of my cases just today.

I share this because it is important to understand what we are asking of these families. The process is long, painful, traumatizing, and often incredibly inconsiderate of their time, emotions, energy, and finances. Those things rarely seem to factor into decisions being made about the case involving their murdered loved one.

I can hear the disappointment and sadness in their voices every time I have to tell them that sentencing has been postponed again. They must mentally and emotionally prepare themselves for court over and over, and each time they are forced to relive the worst thing that has ever happened to them.

They waited through years of court proceedings. They endured the trial. They sat anxiously through jury deliberations. They held their breath as the verdict was read. They finally thought they could see the finish line—only to have it moved further out of reach.

And sentencing is especially significant because it is the family's one opportunity to have their voice heard in court. It is their chance to speak for their loved one. They have had something to say for years, and now many feel they are being robbed of the opportunity to finally say it. That sadness is understandably turning into anger.

Many families feel they cannot truly begin healing until the criminal case is over. Continuing to make grieving families wait is cruel, particularly when this court decision was viewed by many as inevitable. I don't pretend to understand all the complexities involved in creating new sentencing guidelines, but I am shocked that the consequences of this ruling were not better anticipated. Nearly four months later, there is still no resolution in sight.

Once again, the system is asking victims' families for patience.

In my opinion, they have been patient long enough.

***Veronica is a veteran Criminal Court Homicide Advocate. This is her view of the change in sentencing guidelines for Second Degree Felony Murder.***