

**Guidance to Victim Witness Personnel on  
Traditional Services That May Be Compensated Through Victims Compensation**

**May 18, 2010**

It is the intention of the Board and staff to be sensitive to the traditional needs of victims in Oklahoma, and specifically, our large Native American population. We want to honor other cultures by addressing and considering those expenses that may be part of how, in their culture, the victim receives healing, treatment, and a proper burial.

In April, the Victims Compensation Board met and had their first request for expenses related to a traditional Native American funeral ceremony; specifically, the ceremonial meal associated with the victim's burial and the gifting of blankets and fruit. The request was awarded by the Board, based on a notarized affidavit submitted by the claimant that itemized the expenses. The Tribe paid the majority of the actual burial costs, and the overall claim was less than \$1,500. The claimant and Victim Witness Coordinator were not aware that these services would be considered [because the Board had never been asked to consider them before], so the claimant was not aware she should keep receipts. The Board agreed to allow the use of a notarized affidavit in place of actual receipts. Of course, receipts would have been the preferred method of record keeping, and victims/claimants should be advised to keep these.

This case opened up good discussion between the Board, the staff, and the Victim Witness Coordinator who did a phenomenal job of advocating for the claimant. We are advising you of this precedent-setting case so that you can advise victims from other cultures, specifically our Native American victims and claimants, that the costs associated with healing and burial ceremonies are being considered, and may be compensated if the claim is found to meet the standard eligibility requirements. Please advise claimants to keep all receipts for expenses associated with the traditional healing and/or burial. Victims and/or family members may not know to ask for compensation for these expenses, so it may be necessary to offer the information before it is asked. If you are unsure if something can be covered, please contact me.

We hope to provide training in the near future on the various ceremonies that you may be asked to include on a claim. We have had similar training not long ago, but it would be beneficial to revisit this issue since these expenses are now being paid for through victims compensation.

Below is a list of expenses we have been told are commonly associated with traditional healing or burial ceremonies. Please keep in mind that Tribes vary on their traditional practices. If you know of other practices that need to be added to the "list" please advise.

Types of expenses that may be common after the homicide:

- Ceremonial funeral, including meals/food baskets and expenses related to traditional "giveaway" or "gifting" practices
- Quilts for gifts and for actual burial
- Tobacco, which can be a common item for gifting or giveaways
- Traditional grief healing for family of deceased
- Faith-based counseling services for family of deceased
- Sweat lodge ceremonies
- Smudging ceremonies

- Services of a Spiritual Leader of the Tribe for various ceremonies
- Burial clothing for the deceased
- Misc. food items including: flour for fry bread, meat, oil, vegetables, baskets of fruit, etc.
- Gifts for the cooks (could be fruit baskets, quilts, or other useful items)
- Gifts for those performing services (quilts or other useful items)
- Expenses for memorial one year after the burial (includes meal and "giveaway" or "gifting")
- Child care during funeral - in some cultures children are not allowed to come to a funeral

Types of expenses that may be requested in non-homicide cases:

- Traditional healing
- Sweat lodge ceremonies
- Medicine Man services
- Smudging ceremonies
- Faith-based counseling services
- Services of a spiritual leader for various ceremonies

All standard limits for funeral expenses and counseling will still apply. Thanks for your time.

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