



WHAT HAPPENS NEXT?

MY SON
MATTERS
#BLACKLIVESMATTER

*A guide for St. Louis families who have lost loved ones to
police or other forms of state violence*

TBD 2020



ARCHCITY
DEFENDERS

About the Author(s)

In late January 2017, Emanuel Powell received the call that his older cousin Ronnie Shorter, known to his family as “Pie,” had been killed by the Greenville Police Department in his hometown of Greenville, Mississippi. Emanuel’s family had virtually nowhere to turn and no idea what to do to learn what actually happened to Pie and what they might do about it. This personal feeling of helplessness solidified for Emanuel the need to support other families who had lost loved ones to state violence. In summer 2017, Emanuel interned at ArchCity Defenders (“ACD”), a nonprofit civil rights law firm based in St. Louis, Missouri, supporting their civil rights litigation efforts on issues of police brutality and debtors’ prisons. ACD has fought on behalf of several families to address instances of violence by the police. Together, ACD and Emanuel worked to create this document so that future families would both know what to expect and what to do in the face of the loss of loved one killed by the policy or from another form of state violence.

Acknowledgements

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About This Project

“...all political power is vested in and derived from the people; that all government of right originates from the people, is founded upon their will only, and is instituted solely for the good of the whole.”

-Constitution of the State of Missouri, Article I, Section I

Many state constitutions start with this kind of preamble; that the State and all its powers not only come from the people but exist only for the good of the people in that State. When your family member is killed by the police, killed while incarcerated, or killed through some other form of state violence, such preambles cannot seem farther from the truth.

This Project is focused on providing a resource guide for the families who have lost loved ones to state violence. Six families agreed to be interviewed to tell their stories of how they lost loved ones and describe the many challenges they faced when trying to find answers, bury their loved one, and get the support they needed to carry on after such a traumatic experience. They also agreed to participate in follow up conversations to provide feedback on drafts of the guide now in front of you.

The hope for this Guide is that it will be a starting point for readers who have lost loved ones to state violence. It is not inclusive of every possible issue they may face. It does, however, share the challenges other similarly situated families have encountered in the St. Louis area and, in this way, seeks to provide a sense of community support and solidarity.

This Guide was released by ArchCity Defenders in January XX 2020, in conjunction with “FSV Report” as part of ACD’s continuing effort against the injustice of fatal state violence and support the families currently suffering from the effects of such devastation.

“Someone should be there to support the family and say here is where your son’s or daughter’s body is.

This is what is going to happen next, so that you understand the process”

-Marlene Gebhard

Family Members Interviewed For This Project



GINA TORRES

Gina Torres is the mother of four children. On June 7th, 2017, her eldest son Isaiah Hammett was killed by the St. Louis Metropolitan Police Department in the home he shared with his grandfather, Dennis Torres, for whom he was the primary caretaker. Prior to Isaiah's death, Gina worked as a bartender and cleaned houses. She now is the primary caretaker of her father Dennis and continues to advocate for justice on Isaiah's behalf.



JANICE WASHINGTON

Janice Washington has lived in St. Louis since she was 12 years old. She is the older sister of Louis “Lyon” Payton, a St. Louis resident who lost his life while in custody at the St. Louis Medium Security Institution, colloquially known as “The Workhouse.”



BRENDA ROBINSON

Brenda Robinson used to be a nurse's aid in St. Louis. She is the mother of Rauchandia and Anthony Robinson who have two and five children respectively. On September 24th, 2016, Brenda's son and Rauchandia's and Anthony's brother, Germaine, was taken out of a police car by St. Louis Metropolitan Police officers and left on the ground barely clinging to life. He later died at St. Mary's Hospital on October 4th.

What You Can Expect In This Guide



TONI TAYLOR

Toni Taylor is the mother of four children and grandmother to 10 grandchildren and was the store manager at Payless until they closed. On April 24th, 2013, Toni's son Cary Ball was shot at least twenty-five times by members of the St. Louis Metropolitan Police Department, including six times in the back, according to medical records.



ELIZABETH JOHNSON AND MARK JOHNSON

Elizabeth and Mark both say that family is the most important aspect of their lives. Elizabeth has worked as a nurse practitioner in St. Louis for 15 years, and Mark runs his own contracting company. They are also the sister and brother-in-law respectively of Jason Moore who died after being tased excessively by police on June 28th, 2011. Several years later, the family won a civil lawsuit against the Ferguson police department and the city of Ferguson.



MARLENE GEBHARD

Marlene Gebhard is a mother of three and grandmother of six. Marlene is also a retired president of Shop 'n Save grocery stores, a provider of many jobs in the St. Louis County area. She is also the grandmother of Tyler Gebhard. On July 9th, 2016, Tyler was shot by an off-duty officer of the St. Louis County Police Department.

The following is by no means an exhaustive list of the many questions surviving family members have after losing a loved one to police violence or while in state custody. However, speaking with impacted families allowed us to group the goals of family members into three categories:

FINDING CLOSURE

The loss of a loved one is one of the most traumatic experiences we can have in life. When that loss is unexpected and at the hands of a police officer or other government figure, this trauma can be even more expansive and challenging to navigate. However, as in cases of natural death, the first goal of the family will often be to seek some form of closure. This may take the form of a burial or some form of a funeral service for your lost loved one. Another aspect of seeking closure is also, likely, the desire to simply know how your family member died—information often only available from the police, prison/jail or other state actor/system/institute responsible for the killing.

SEEKING JUSTICE

The concept of “justice” is complex, and for those who have lost a loved one to state violence, what justice means for you may take different forms. For the families interviewed in the creation of this guide, “justice” looked like: (1) holding the people who killed their family member accountable, primarily seeking to have them prosecuted in criminal court; (2) changing policies or practices of the state actors responsible for their family member’s death so such killing will not happen in the future; (3) changing the narrative in the public about who their family member was; and (4) bringing a lawsuit of some sort in court to vindicate the violation of their family member’s rights.

GETTING SUPPORT

Despite the proliferation of media coverage in the United States on officer shootings and the bad state of the nation’s prisons, surviving the loss of a loved one to state violence can be both isolating and exceptionally confusing to navigate. In such cases, survivors should know that they should consider seeking the following forms of support: (1) financial, (2) legal; (3) media; and (4) emotional and mental health.

In the next section, you will find more detailed information about the challenges you might face moving forward after the loss of a loved one. You will also find information and resources to assist you in navigating the complex emotional and legal landscape of fatal state violence.

Finding Closure: Funeral Services

"They didn't even tell us where Lyen was. They didn't tell us where his body was. They didn't tell us nothing. They say they didn't know."

-Janice Washington

Paying your respects to your loved one may look different based on your religious background or the wishes of your loved one. In the interviews for this guide, families identified the following issues that you should be aware of, however, across faith backgrounds.

Getting Access To Your Loved One's Body

According to Missouri Law, only the next-of-kin of the deceased has the "right to choose and control the burial, cremation, or other final disposition" of someone's body. If your loved one has designated an attorney to have power of attorney, then that attorney will have the authority to make decisions about your loved one's final arrangements. If your loved one was on active duty in the Military, they will have designated who was to handle their final arrangements with the United States Department of Defense, in Form 93: Record of Emergency Data.¹ Outside of the military, the status of "next of kin" goes first to a surviving spouse. If there is no surviving spouse, then a surviving child over 18 (with some exceptions to the age requirement), followed by a surviving parent if there are no surviving children, then a surviving sibling, to the next nearest surviving relative, or finally any person or friend who assumes financial responsibility if none of the prior potential "next of kin" assume responsibility. Finally, if none of the above assume financial responsibility, the coroner or medical examiner will have the right to choose final arrangements.²

There is no guarantee that you will be told upfront where your loved one's body is located. Unfortunately, you must be prepared to ask the police department or jail/prison associated with the death of your loved one. You must also be prepared for them to not know where your loved one's body is. In such cases, the next best step is to call the medical examiner's office in the jurisdiction where your loved one died. You can reach the St. Louis County Medical Examiner office at (314) 615-0800 or the St. Louis City Medical Examiner office at (314) 622-4971.

Missouri law requires the police or any person having knowledge of deaths as a result of "violence by homicide" or deaths "suddenly when in apparent good health...while in the custody of the law, or while an inmate in a public institution" to immediately notify the county office of the medical examiner. In that notification, the police or person with knowledge of the death is to provide

the medical examiner's office with the "known facts concerning the time, place, manner and circumstances of the death."³ The Saint Louis County or St. Louis City Medical Examiner's Offices are to be notified of all such deaths occurring in St. Louis City and County respectively. At the date of this publication, the office for the county medical examiner is located at 6059 North Hanley Road in Berkeley, MO and the city medical examiner is located at 1300 Clark Avenue.⁴

Immediately upon being notified of a violent death, the office of the medical examiner is to take charge of the body and conduct a full investigation of the facts "concerning the medical causes of death." It is also important to know that the office of the medical examiner is charged by Missouri law to inventory any of your loved one's belongings found with their body and to turn in anything that "may be useful in establishing the cause of death" to the County or City prosecuting attorney. The St. Louis County Medical Examiner's Office website says that such investigations into the death can take up to four to six weeks. Until the investigation is complete, you cannot expect to have access to the body of your loved one.

Death Certificates, Autopsy Reports, and Other Documentation

DISCLAIMER: Due to the nature of your loved one's death, review the entire guidebook before making any decisions. If and when possible, you may wish to seek legal counsel and representation before (a) giving detailed statements to the media or posting to social media, (b) burying your loved one, and/or (c) making any other critical decisions regarding your loved one.

There are at least two documents you should make sure to get following the death of your loved one: **the death certificate and the autopsy report.**

A death certificate is an official statement certifying that a person has died. Having the death certificate of your loved one can be important for many reasons from being able to claim the benefit of a life insurance policy to finalizing funeral arrangements.

Missouri Law requires a death certificate be filed for all deaths in the state.⁵ Generally, the funeral director or cremation service the family has worked with will fill out the necessary paperwork and file the completed death certificate with the Missouri Bureau of Vital Statistics. However, in cases of "violence by homicide" or sudden death while in police custody or incarcerated, death certificates may not be signed until after the medical examiner has completed the investigation into the death, which can take up to 4-6 weeks.⁶ The funeral director or cremation service will still need to complete the necessary paperwork, and after the medical examiner's office signs, they will file his paperwork and obtain certified copies for you.⁷ According to state law, certified copies cost \$13.00 for the first copy and can vary up to \$15 for subsequent copies.

It is very likely that the medical examiner will conduct a full autopsy when investigating your loved one's death. Next-of-kin must send a letter to the St. Louis County Medical Examiner Office with the (1) relationship to the deceased, (2) phone number where they can be reached, and (3) a check or money order in the amount of \$20.00, payable to the "St. Louis County Medical Examiner Office." The office says that a copy of the report will be mailed "as soon as it is available," but note that this may take more time than expected and that you may have to follow up the letter with calls and/or personal visits to the office.

In cases of a killing by a police officer or other instances of fatal state violence, this process may look different. Missouri public records law allows autopsies that are part of an active investigation to be kept from the public.⁸ In such cases, the office of the medical examiner may not release their autopsy until the police or prosecutor's office has finished their investigation into your loved one's death. The law however does provide an exception: for "purposes of investigation of any civil claim or defense," a family member may "upon written request...obtain a complete unaltered and unedited incident report concerning the incident, and may obtain access to other records closed by a law enforcement agency." The law enforcement agency has 30 days to either provide the requested documents or to file a motion in the relevant circuit court asking the documents not be shared. In court, they must prove that releasing an incident report will either risk the safety of a witness or other person involved or that it would jeopardize their criminal investigation. The court will either order the law enforcement agency to give you the unedited documents, give them to you in redacted form with some information removed, or keep them closed so you cannot access them until the investigation has been completed.

Paying for Your Loved One's Final Arrangements

There are several options available for final arrangements, including:

1. Cremation: Being cremated shortly after death is generally done without embalming, viewing or visitation of the body. Though only 5% of Americans were cremated after death back in 1980, today that number is slightly over 50% according to the Cremation Association of North America.⁹ The cost of cremation ranges from around \$700 to over \$1,000.

2. Burial: The National Funeral Directors Association quotes the average cost of a total funeral as of December 2018 at around \$11,000 or more.

3. Donation for Medical Research: Missouri law allows for the donation of a deceased person's body to a medical institution for the "purposes of transplantation, therapy, research, or education."¹⁰

This option of medical research donation is generally not available for those who have died from traumatic injuries, as could be the case for your loved one. Additionally, your family member would most likely have had to fill out a notarized donor form prior to their death. For reference, however, St. Louis University School of Medicine and the Washington University School of Medicine both have body donation programs. [See Resources Available Section for more information]. Generally, the only cost for the family is the transportation of the body to the medical institution.

Virtually all of these options require the use of a funeral director to make arrangements. [See Resources Available for a list of funeral directors recommended by families interviewed for this guide.]

If your loved one was covered by a life insurance policy, you must review the policy requirements to claim the benefit of the life insurance policy. Generally, the beneficiary of the policy is named and it will be that person who can access any benefits. If you do not have a life insurance policy, which is true for many individuals in this situation, many interviewed families noted that you should first consider fundraisers. This can either be online, as with GoFundMe, in private from family and friends, or through a third-party organization like CAPCR (Coalition Against Police Crimes and Repression) or your local church/place of worship. As a last effort, you can also request to take out a funeral loan or other personal loan for funeral experiences. Some funeral homes provide these loans directly; otherwise, you can apply for such loans at a local bank. [See Getting Support: Financial for more information about financial assistance.]



Finding Closure: Learning What Happened

"They act like when you ask those questions that you have no right to that information, and to me that's egregious"
-Marlene Gebhard

Like Marlene Gebhard, and many of the families interviewed for this guide, you may find that merely knowing what exactly happened to your family member is a necessary step towards seeking closure. The reality, unfortunately, is that often the only people who have knowledge of the circumstances surrounding your loved one's death in these contexts are the police or other state officials responsible for or present for their death. For many families interviewed, it was rare that the state was forthcoming with that information. There are then four paths, identified from conversations with the families interviewed:

1. Talking Directly to the Police or Other Government Agency: In most cases, the local police department will select an officer to investigate the death of your family member. You can generally contact this person by calling the relevant police department. Depending on the investigator, they may be open to sharing information with you about the details surrounding your loved one's death. This is not the norm however. Many families interviewed noted that often the media would be provided information on the findings of an investigation prior to any outreach to the family. It can be helpful to get assistance when seeking such information. [See Available Resources for recommended legal or advocacy groups].

2. Filing a Lawsuit: Given the low likelihood that law enforcement or other state actors will willingly provide information on your loved one's death, it is likely that you will need to consider filing a lawsuit against the relevant police department, jail, and/or other state institution. You will need to contact a lawyer(s) to discuss what, if any, claims you might be able to bring. As part of the lawsuit, you will be able to conduct what is called "discovery," which is the process by which evidence and information related to the death of your loved one can be legally requested and provided. During discovery, you will be able to ask questions regarding the specific events surrounding the incident and potentially have the opportunity to ask questions of those responsible. [See Seeking Justice: Vindicating Rights in Court and Resources Available for help filing a lawsuit].

3. Hiring a Private Investigator

Perhaps one of the more costly options, but a private investigator may be able to help discover the circumstances surrounding your loved one's death. Private investigators effectively conduct the role of a police investigation and are often used in law offices to support building a legal case. [See Resources Available].

4. Public Records Request As discussed above in "Finding Closure: Funeral" regarding getting access to an autopsy, Missouri public records law allows you to provide a written request to the relevant law enforcement agency, which includes the office of the medical examiner¹¹, for records relating to your loved one's death. This is only available when you are requesting the records for "purposes of investigation of any civil claim or defense." The law enforcement agency has 30 days to either provide the requested documents or to file a motion in the relevant circuit court asking the documents not be shared. In court, they must prove that releasing an incident report will either risk the safety of a witness or other person present or that it would jeopardize their criminal investigation. The court will then either order the law enforcement agency to give you the unedited documents, give them to you in redacted form with some information removed, or keep them closed so you cannot access them until the investigation has been completed.

Seeking Justice: Holding the People Who Killed Your Family Member Accountable

"I kept telling them, after we bury my baby we gon rock this city like it ain't never been rocked before, and I wasn't playing and I haven't stopped. Somebody is going to jail behind Cary Ball Jr. I'll tell you that much."
-Toni Taylor

Generally, there are two ways that the legal system can get involved in the case of your loved one's death: a criminal investigation and criminal prosecution, and/or a civil claim that you might file on your loved one's behalf to vindicate their rights.

In terms of a criminal investigation and prosecution, if a police department was responsible for the killing of your family member, it is likely that they will conduct their own investigation.¹² This is separate however from an investigation by the prosecutor's office. In St. Louis, there are two prosecutor's offices that are the most relevant.

First, the City of St. Louis Circuit Attorney's Office (CAO), handles state-level criminal matters. At the time of this publication, attorney Kimberly M. Gardner serves as the CAO Circuit Attorney and leads a team of attorneys, investigators, victim services case managers. The CAO adopted a protocol in September 2014 in which they agreed to conduct an independent review of all shootings by police officers resulting in injury or death in the City of St. Louis. The office stresses that "these reviews occur "after, and are fully independent of, an investigation undertaken by the SLMPD's Force Investigation Unit (FIU)."¹³ These investigations are either conducted through a grand jury or by the CAO staff themselves.

From the investigation, the CAO must determine if “a criminal violation of Missouri law has occurred and if such violation can be proven beyond a reasonable doubt in a court of law.” If both are found to be true, it is still the CAO’s decision whether or not they will prosecute the officers responsible for your loved one’s death.

Second, the office of the St. Louis County Prosecuting Attorney serves as the attorney for St. Louis County. Their jurisdiction covers all crimes occurring in St. Louis County, outside of the City of St. Louis. Historically, the County Prosecuting Attorney does not have a positive track record when it comes to charging police and other state officials for their involvement in fatal encounters with civilians. Wesley Bell, the prosecuting attorney at the time of this publication however, has promised to “establish trust in the Prosecutor’s office” and focus on creating a more equitable justice system.¹⁴

Seeking Justice: Vindicating Your Loved One’s Rights in Court

“You have to advocate for yourself. The police will not do it.”

-Marlene Gebhard

Families were split on whether they considered a civil court case to be a high priority after the death of their loved one. It is possible that you may want to file a lawsuit to show that your loved one’s civil rights were violated. Based on the circumstances of your loved one’s death, you may be able to bring state or federal claims against the police and/or other state actors responsible. Most families choose to retain legal services of an attorney or private law firm to investigate the death of your loved one, file records requests, and explore filing civil litigation such as a wrongful death lawsuit. Typically, there is a statute of limitations or a time stamp on when you can file a civil claim. In Missouri, a wrongful death claim in state court must be filed within three years of the incident.¹⁵

This approach is different from a criminal prosecution by a prosecutor’s office, firstly because you as a private individual would need to file the lawsuit. Such lawsuits can be costly and complicated, so often the best approach is to find an attorney who would be willing to take your case. [See Getting Support and Available Resources: Legal Advocates].



Seeking Justice: Changing Government Policies or Practices

"We're not out here just for our son. We're out here for everybody and to stop them from killing somebody else. No, we don't want nobody to go through the pain that we've been through."

-Gina Torres

As Gina Torres noted, one goal you may have is to make sure that what happened to your loved one never happens to another person by seeking to change policies or practices. There are many different policies that have been implemented by St. Louis police forces, ranging from the introduction of body cameras¹⁶ to the institution of drug testing after any officer shooting.¹⁷

Your approach could be one of individually pushing for either local or state-level change, either from media appearances, letter writing campaigns, or the like. Alternatively, or in addition, you may want to work with an existing community organization to support your efforts. The Close the Workhouse Campaign and CAPCR's Campaign for Real Public Safety with its Cure Violence component are two such examples. [See Available Resources for suggested community groups or local activists].

Seeking Justice: Changing the Public Narrative of Your Loved One

"They lied on the news. Like they asked me what happened, and then they changed up my words"

-Gina Torres

It is common practice for the media—television, social media, etc.—to receive the story of your loved one's death before you do. It is also important to note that the media is often guilty of prioritizing whatever narrative the police or state have for your loved one. Often this characterization may be one that you disagree with or find disturbing or offensive.

Many studies have found that mainstream media is often biased against people of color. A report called Color of Change by Dr. Travis L. Dixon, found that "37% of those represented as criminal in news and opinion media are Black family members, though Black family members constitute only 26% of family members arrested for criminal activity, according to crime reports, while 28% of

those represented as criminal are White family members, though White family member constitute 77% of those arrested for criminal activity, according to crime reports."¹⁸ In your case specifically, this could mean that officer's names are withheld by the media while your loved one is painted as dangerous or criminal. Practically this often includes mention of drugs or a weapon, whether or not this was present, and describing any past criminal—or alleged criminal—history your loved one may have.

Some of the families interviewed recommended that you avoid speaking publicly about your family member immediately after the incident without first seeking legal advice. It is possible that your words will be distorted by the media or used by police in an attempt to portray your family member in a way that may offend you or harm future litigation. It was also recommended that you avoid social media or at least plan to receive any information from social media through a friend or official third party who can shield you from triggering statements or stories written about your loved one.

Many of the families also shared personal stories of their loved ones that contradicted the allegations or characterizations in the media. There was a sense of relief and almost urgency as they spoke about their perceptions of their loved ones. Sharing your or your loved one's story in even this small way can allow you to begin taking control of the narrative.

Community organizers and activists can also be helpful in staging protests and gaining media attention to push back against misinformation. However, it is important to remember that they often have their own specific focus and agenda that may not entirely align with your personal idea of justice for your loved one. It is possible that some groups might attempt to push you into public situations that you are uncomfortable with. Because of this, it is important to take the time to make sure that the organizations you partner with have your best interests and the best interests of your family at heart. [See Getting Support: With the Media for more information on partnering with organizations to take control of your loved one's narrative].

"That was not right. Even though he was a prisoner, he still was a son, a father, a brother. You know he had peoples who loved him."

-Janice Washington

Getting Support: Financial

The various financial costs associated with losing a loved one include:

A death certificate initially costs **\$13** for one copy and **\$15** for any subsequent copies

A full autopsy report costs **\$20**

Cremation costs anywhere from **\$700-\$1000**

Burial Services cost around **\$11,000**

Other costs associated with hiring a private investigator or legal representation

Many families find it difficult to cover all of these costs and must turn to external sources for financial support. If you are unable to rely on funds from a life insurance policy or from family and friends, fundraising from one of the following sources is likely a good next step.

Your community or place of religious worship may be able to assist you in raising money or have funds set aside to help members under financial pressure.

GoFundMe is a crowdfunding website that allows individuals to raise money for specific purposes from strangers on the platform.

Coalition Against Police Crimes and Repression (CAPCR) is an organization that seeks to support victims of police violence and their families through protest, direct action, media campaigns, and advocacy. Part of the support they provide is assistance fundraising for funeral and hospital bills. They can be contacted at capcr2050@gmail.com or (314) 322-1262.

Missouri Crime Victims' Compensation Program: Separately, it is possible that you may be eligible for funding under the State's compensation program which can provide up to \$5,000 in funeral expenses. A claim must be filed within two years of the crime date or discovery of the crime. Additionally, Missouri law requires a potential claimant to (1) report the crime to the proper authorities; (2) to cooperate with the "apprehension of the alleged offender unless the Department has found that the failure to cooperate was for good cause;" and (3) that the victim not have "contributed to the infliction of the injury by consent, provocation, incitement or negligence." Whether or not such "contributory conduct" is found is based on the discretion of the Missouri Department of Public Safety. Additionally, the office of the Compensation Program will review the police report to determine if "the victim was in the commission of an illegal act at the time of the crime upon which the claim is based or if contributory conduct was present." Any injuries of the victim that were received during what the Program determines to be an illegal act are not compensated.

Getting Support: Legal

After the death of a loved one to state violence, seeking legal support is often highly advised due to the many bureaucratic roadblocks you can encounter. An attorney can help you file a case against the police department or other government agency responsible for the death of your loved one. They can also shield you and your family from police questioning and unwanted media attention following the incident.

However, many of the families interviewed mentioned that some of the law firms they encountered were callous and highly focused on financial gain instead of being a support for the family. It is recommended that you take the time to find an attorney that listens and puts the needs of you and your family first. Nonprofit law firms often offer such a responsive and usually more cost effective type of legal representation. Such organizations can, at times, lack sufficient resources to take on new cases, but contacting them is often your best course of action. [See Available Resources: Legal Advocates].

Getting Support: With the Media

As previously discussed in [Seeking Justice: changing the public narrative of your loved one], the mainstream media can often distort the image of your loved one and the circumstances surrounding their death. It is important to remember that their version of events does not always correspond with reality and with your experience. Many families find, therefore, that creating their own media narrative is important to them. What this looks like will vary depending on your family and the specific circumstances of your loved one's death. What families we interviewed hoped to accomplish took several different forms, including:

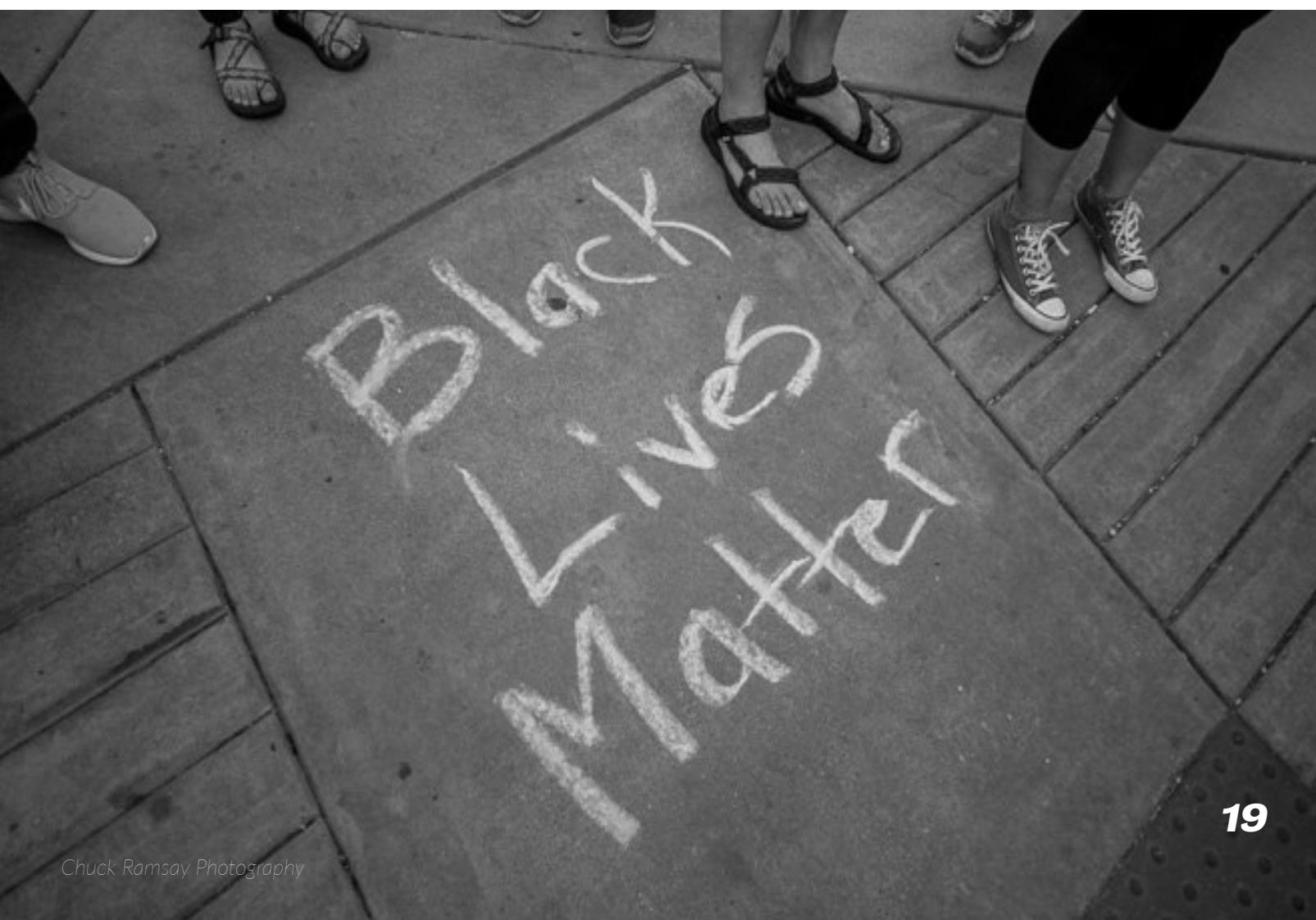
1. Countering Mainstream Media: Many of the families we interviewed mentioned that sharing your own story can bring closure and begin to alter the popular narrative surrounding your loved one. This can take place in smaller, more private settings or in larger more public statements or press conferences. However, it is important to remember that widespread media bias can, at times, distort your attempts to broadcast the truth.

2. Furthering activism: Janice Washington and her family took part in an organized press conference to share her brother, Louis Payton's, story. By partnering with the Close the Workhouse campaign, they allowed their voices to be heard and increased pressure to permanently shutter the Workhouse, a historically inhumane jail in St. Louis. Information from her press conference can be found via Close the Workhouse's

Facebook page and through news clips: St. Louis Public Radio: Calls to close the St. Louis Workhouse amplified after death of inmate.

3. Calling out injustice and structural inequality: Marlene Gebhard, like Janice Washington, took part in a press conference and used the media to draw attention to the injustice present in the state's handling of her grandson's case and treatment of family members. Information from her press conference can be found via ArchCity Defenders' website and through news clips: St. Louis Post-Dispatch: Messenger: Family wants answers in shooting death of Tyler Gebhard by off-duty cop.

Overall, what Janice Washington, Marlene Gebhard, and many of the other families had in common was a partnership with third party advocacy and activism organizations. Having such organizations as part of your support system when dealing with the media can help you share your and your loved one's story in a way that best reflects your own goals and is shielded against distortion by police narratives and biased reporting.



Getting Support: Mental and Emotional Health

"Losing a child; it changed my life. It knocks the wind out of you. It leaves you feeling empty and confused and really don't know where to go."

-Toni Taylor

One of the most difficult parts of losing a loved one to police or state violence can be the mental and emotional trauma such a loss creates. This emotional experience goes beyond the normal grieving process and intersects with a larger experience of systematic trauma. Dr. Monnica Williams, a doctor of clinical psychology writes that "individuals who experienced a posttraumatic reaction to police violence...had better outcomes when each situation was viewed more accurately as the outcome of racial trauma within a PTSD framework."¹⁹

The enduring effects of such a loss on the mental health of surviving family members cannot be understated. This is especially true for children who have lost a parent or sibling.

While there are limited mental health resources available to you that deal specifically with the effects of police violence, there are many counsellors and organizations that help individuals cope with trauma and the death of loved ones through violence. Many of the families we interviewed suggested resources that helped them cope after their loss. [See Available Resources: Emotional/Mental Support for cost effective and culturally competent mental health resources].

"Take one day at a time. That's all you can do. Just take one day at a time."

-Janice Washington

Available Resources

This section compiles all of the resources for families mentioned throughout this guide into a single place. Many of the recommendations come directly from interviewed families and include individuals and organizations that helped them in the aftermath of their loved one's death.

FUNERAL DIRECTORS

Ronald L. Jones Funeral Home
<https://rljfuneralchapel.com>
2161 East Fair Ave
St. Louis, MO 63107
(314) 383-2332

William-James Mortuary
<https://www.williamsjamesmortuaryinc.com>
1424 Dielman Rd
St. Louis, MO 63132
(314) 993-0890

COMMUNITY GROUPS AND LOCAL ACTIVISTS

Coalition Against Police Crimes and Repression (CAPCR)

<http://capcr-stl.org>
CAPCR was Founded in 1983, as a coalition seeking justice for Marilyn Banks, a 20-year-old college student killed by police officer Joseph Ferrario. CAPCR continues its work to end police crimes and abuse and provides support to victims of police violence, survivors and their families through protest, direct action and advocacy. They have had two successful campaigns, one to establish local control of the police and the other to establish a civilian oversight board. They are able to assist you in filing a complaint against the St. Louis Metropolitan Police Department. They will also perform immediate canvassing of a crime scene after your loved one's death for eye witness and background information with which to review police investigations.

Action St. Louis

<https://actionstl.org> or <https://www.facebook.com/pg/ActionSTL/about>
Action St. Louis is a millennial Black-led collective working to build political power in the city of St. Louis through civic engagement and strategic political action. Action STL is one of the core partners and organizers of the Close the Workhouse Campaign, a campaign to close the St. Louis Medium Security Institution, also known as the "Workhouse" and reinvest in all St. Louis communities.

Close the Workhouse

<https://www.closetheworkhouse.org>

The Close the Workhouse campaign aims to attack mass incarceration, without legitimizing or justifying the continued caging of people as punishment. They call for the closure of the Medium Security Institute, better known in St. Louis as the Workhouse, an end to wealth based pretrial detention, and the reinvestment of the money used to cage poor people and Black people into rebuilding the most impacted neighborhoods in this region.

Forward Through Ferguson

<https://forwardthroughferguson.org>

The Ferguson Commission's report outlined 189 policy recommendations to address these disparities and move the region toward Racial Equity drew local and national praise., in its final act, the Commission created Forward Through Ferguson to carry on its work, to help the region turn those calls into action, and to catalyze St. Louis' efforts toward Racial Equity. Forward Through Ferguson is a 501(c)3 non-profit organization that is charting a path toward Racial Equity. They: work as a catalyst, connecting and challenging stakeholders across the region to implement the 189 calls to action outlined in the Ferguson Commission report. Help organizations and institutions build the capacity they need to dismantle systemic racism. Serve people of color, who most experience inequity, through a systems approach that will strengthen the region for us all.



LEGAL ADVOCATES

ArchCity Defenders

<http://www.archcitydefenders.org>

ArchCity Defenders (ACD) is a 501(c)3 non-profit civil rights law firm providing holistic legal advocacy and combating the criminalization of poverty and state violence against poor people and people of color.

ACLU of Missouri

<https://www.aclu-mo.org>

The ACLU of Missouri defends civil liberties and the principles of equality and justice in Missouri through its litigation, legislative and public education programs. The ACLU was founded in 1920 as the first public interest law firm of its kind, and is recognized as the country's foremost advocate of individual rights. We base our work largely on the U.S. Constitution, which, along with state and federal laws, protects certain fundamental rights of individuals against the power of the government and will of the majority.

EMOTIONAL / MENTAL SUPPORT

Rainbow of Mothers

<http://michaelodbrown.org/index.php/rainbow-of-mothers>

Our signature program RAINBOW of MOTHERS was established to develop 'collective impact' through the proactive engagement of multi-cultural/multi-ethnic mothers who like Mike Mike's mother, Lezley McSpadden, have suffered and sustained the devastating and unthinkable premature loss of a child. Whether from excessive police force, street or domestic violence, illness, or unforeseen tragic circumstance; Rainbow of Mothers will provide a support system of hope that includes wrap-around resources and services including but not limited to counseling, group sessions, legal advice and helpful information to assist in the restorative process of rebuilding and repurposing life after loss. Key funding implementations also include a support fund for mothers who have also sustained lost wages in the face of tragedy along with other much needed health related funded resources.

Circle of Mothers

<https://www.circleofmothers.org>

Sybrina Fulton, the mother of Trayvon Martin, created the Circle of Mothers as a way to empower women. The purpose of the Circle of Mothers is to bring together mothers who have lost children or family members due to senseless gun violence for the purpose of healing, empowerment, and fellowship towards the larger aim of community building.

Chosen Father's Program

<https://www.facebook.com/MichaelBrownFoundationCFC>

(707) 355-4483

The Chosen Father's Program is part of the Michael Brown Chosen For Change Foundation founded by Michael Brown Sr. The organization offers bereavement services within 48 hours of the loss of a child and hosts an annual retreat for grieving men across the country that have lost a child.

Weavings Mother's Retreat BJC

<https://www.bjchospice.org/Grief-Support/Community-Grief-Support/Weavings-retreat-for-mothers>

Weavings weekend retreat is offered at no cost to mothers who have experienced the death of their son or daughter. The retreat offers: a safe place for mothers to explore and openly express their emotions, share stories about their children, and celebrate their motherhood. An opportunity to create a community of support with other women who have experienced the death of a child. Support from bereavement professionals, volunteers, and mothers who attended the retreat previously. Suggestions for ways to cope with difficult emotions and moments.

Weavings Mother's Retreat BJC

<https://www.bjchospice.org/Grief-Support/Community-Grief-Support/Weavings-retreat-for-mothers>

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S.T.R.I.V.E.E. Institute

<http://michaelodbrown.org/index.php/rainbow-of-mothers>

Siblings Thriving and Ready to be Involved as Valuable Examples of Excellence is a Rainbow of Mothers sister program providing trauma-informed evidence-based social-emotional and developmental curriculum and training for children and adolescents as they face a “new normal” in the wake of the loss of a sibling or parent. This also includes opportunities for scholarship to the “Full S.T.E.A.M. Ahead” summer camp experience engaging youth through community service learning and group counseling opportunities.

Camp Stepping Stones BJC

<https://www.bjchospice.org/Grief-Support/Community-Grief-Support/Stepping-Stones-Camp-for-Children>

Barnes Jewish Christian Hospital offers an annual weekend retreat at no cost for children aged 6 to 12 who have lost a loved one. Children from across the St. Louis area come together to share memories of their loved ones, meet other children who have experienced loss, and learn techniques to process grief.

Sibling Support Network

<https://www.siblingsupportnetwork.org/about>

The mission of Sibling Support Network (SSN) is to promote awareness of the trauma, toxic stress, and other mental, emotional, physical, spiritual, and financial challenges people endure following the loss of a blood related or fictive kin sibling to violence.

Annie's Hope Bereavement Center

<https://annieshope.org>

A nonprofit bereavement center that seeks To provide comprehensive support services to children, teens and their families who are grieving a death. With a very family centered approach, helping grieving families discover their own courage, strength and hope for the future is what Annie's Hope is all about. It is a safe, warm place where grieving children, teens and their families can find comfort and support throughout their grief journey.

K.H.A.O.S

<http://www.organizedkhaos.org/index.html>

KHAOS, Inc. is a 501c3 non profit organization geared towards providing trauma informed services to help individuals create and maintain mental wellness for themselves. They do this by providing resources and skills to individuals, families, and communities.

Conclusion

This project began with the families. Emanuel created this document after police killed his cousin and he witnessed his family's lack of direction and external support in the aftermath of this death. He was compelled to serve others undergoing the same struggle as a result of fatal state violence. At every step of the way, the guide was informed by his own background and driven by the interviews with other individuals who have lost loved ones in similar circumstances. Their experiences, their pain, and their passion for justice shaped the final version of the guide you have before you. Its ultimate purpose is to provide a consolidated roadmap of what you can expect along with some individuals and organizations to which you can turn for support. As previously noted, it is impossible to touch on all of the possible questions, problems, and emotions that families encounter after a loved one is killed by state officials or in state custody. However, we hope this guide will lessen feelings of isolation and begin to give families a sense of direction when navigating the traumatic aspects of this experience.

Footnotes

¹This form essentially names an emergency contact that will be the receiver of any benefits upon the death of the service member. Benefits, for example, can include unpaid pay and allowances and up to a \$100,000 death gratuity to aid survivors in meeting immediate expenses. See, e.g., <https://www.afpc.af.mil/Benefits-and-Entitlements/Servicemembers-Group-Life-Insurance/vRED/>

²“Missouri Revisor of Statutes - Revised Statutes of Missouri, RSMo Section 194.119 Right of Sepulcher, the Right to Choose and Control Final Disposition of a Dead Human Body.,” 19, accessed June 28, 2019, <http://revisor.mo.gov/main/OneSection.aspx?section=194.119&bid=9947&hl=>.

³“Missouri Revisor of Statutes - Revised Statutes of Missouri, RSMo Section 58.720 Medical Examiner, Certain Counties, to Investigate, When – Death Certificate Issued, When – Place of Death – Two Counties Involved, How Determined – Efforts to Accommodate Organ Donation.” accessed June 28, 2019, <http://revisor.mo.gov/main/OneSection.aspx?section=58.720&bid=2247&hl=>.

⁴“Information for Family and Friends” (Saint Louis County Health Office of the Medical Examiner), accessed June 28, 2019, https://www.stlouisco.com/Portals/8/docs/Health/Medical%20Examiner/Family_Information_Pamphlet.pdf.

⁵“Missouri Laws 193.145 – Death Certificate – Electronic System – Contents, Filing, Locale, Duties of ...LawServer,” accessed June 28, 2019, https://www.lawserver.com/law/state/missouri/mo-laws/missouri_laws_193-145.

⁶“Information for Family and Friends” (Saint Louis County Health Office of the Medical Examiner).

⁷“Information for Family and Friends” (Saint Louis County Health Office of the Medical Examiner).

⁸<http://revisor.mo.gov/main/OneSection.aspx?section=610.100&bid=33334&hl=>; <https://ago.mo.gov/docs/default-source/publications/missourisunshinelaw.pdf?sfvrsn=20>

⁹<https://www.popularmechanics.com/science/health/a18923323/cremation/>; <https://www.cremationassociation.org/page/IndustryStatistics>

¹⁰https://www.lawserver.com/law/state/missouri/mo-laws/missouri_laws_194-210

¹¹*News-Press & Gazette Co. v. Cathcart*, 974 S.W.2d 576, 579 (Mo. Ct. App. 1998)(“For purposes of the investigative report exception to the Sunshine Law, a medical examiner is a law enforcement agency.”)

¹²https://www.stltoday.com/news/local/crime-and-courts/new-st-louis-police-unit-focuses-on-officer-involved-shootings/article_145d667b-31e6-5aa5-a9f8-76ca54647638.html

¹³<http://www.circuitattorney.org/Police%20Shooting%20Reports.aspx>

¹⁴<https://www.stlouiscountyprosecutingattorney.com/wesleybell>

¹⁵MO STAT 537.100

¹⁶https://www.stltoday.com/news/local/crime-and-courts/police-departments-in-st-louis-county-getting-body-cameras-after/article_fe627d7b-d05a-5d3a-bdda-66098198cc84.html

¹⁷<https://www.riverfronttimes.com/newsblog/2018/07/24/st-louis-police-to-face-tougher-drug-testing-after-shootings>

¹⁸https://colorofchange.org/dangerousdistortion/#key_findings

¹⁹http://www.monnicawilliams.com/articles/Williams_RacialTraumaPTSD_2018.pdf page 182

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