

## Crime Victims' Rights Act Report 2025

This is the twenty-first report to Congress on crime victims' rights under § 104(a) of the Justice for All Act of 2004, Pub. L. No. 108-405. Section 104(a) requires the Administrative Office of the United States Courts to report "the number of times that a right established in chapter 237 of title 18, United States Code, is asserted in a criminal case and the relief requested is denied and, with respect to each such denial, the reason for such denial, as well as the number of times a mandamus action is brought pursuant to chapter 237 of title 18, and the result reached." Title I of the Justice for All Act of 2004 is commonly referred to as the Crime Victims' Rights Act (CVRA) and is codified at 18 U.S.C. § 3771.

During fiscal year 2025, more than 67,000 criminal cases were filed in the federal district courts, involving more than 79,000 defendants. For that year, six mandamus actions in appellate courts were identified as brought under the provisions of the CVRA and nine district court cases were identified as meeting the statute's reporting criteria. Summaries of those mandamus and district court actions follow, including the reasons provided for the decisions in each of the cases. Related cases are combined into a single summary.

*United States v. Anastassia*, No. 8:23-CR-00042 (C.D. Cal. May 28, 2024); *mandamus granted sub nom. In re Doe*, No. 24-3422 (9th Cir. Oct. 16, 2024).

Defendant pleaded guilty to stalking and transmitting interstate communication with intent to extort. At sentencing, Petitioner, the victim, moved to amend the sentencing memorandum, arguing that it contained false allegations about Petitioner and invoking her right under the CVRA to be treated with fairness and respect for her dignity. *See* 18 U.S.C. § 3771(a)(8). The district court denied the motion in an electronic minute order and proceeded to docket the sentencing memorandum with limited revisions. Petitioner sought a writ of mandamus from the United States Court of Appeals for the Ninth Circuit, directing the district court to remove or rewrite the sentencing memorandum or, in the alternative, to permanently seal the sentencing memorandum and limit Defendant's access to the unredacted version. *See* 18 U.S.C. § 3771(d)(3). The parties agreed that a permanent seal on the sentencing memorandum was an appropriate remedy. The Ninth Circuit granted the request, directing the district court to permanently seal the sentencing memorandum but leaving the disposition of Defendant's access to the district court.

*United States v. Al-Marimi*, 761 F. Supp. 3d 16 (D.D.C. Dec. 23, 2024).

A grand jury indicted Defendant on multiple charges related to the 1988 destruction of Pan Am Flight 103 over Lockerbie, Scotland. In 2023, although the court had previously granted the government's request for alternative victim notification procedures and to permit victims to be heard at select court proceedings, it denied a request to allow victims to access in-person courtroom proceedings via a listen-only telephone line. The court concluded that the CVRA did not authorize courts to permit victims to access trials and other in-person public court proceedings telephonically.

Following the court’s denial, in January 2024 Congress enacted the Lockerbie Victims Access Act, which directed the court, “notwithstanding any provision of the Federal Rules of Criminal Procedure or other law or rule to the contrary,” to “order that reasonable efforts be made to make remote video and telephonic access to proceedings in the case available to victims of crimes associated with the bombing of Pan Am Flight 103.” Pub. L. No. 118-37, § 1(b)(1), 138 Stat. 11, 11 (2024). The statute preserved “the discretion of a district court of the United States to control the manner, circumstances, or availability of remote video or telephonic transmissions where necessary to control the courtroom or protect the integrity of court proceedings or the safety of parties, witnesses, or other participants in the proceedings.” Pub. L. No. 118-37, § 1(c), 138 Stat. 11, 12.

In response to the new statute, the government proposed providing victims with real-time remote video and telephonic access for all pretrial and trial proceedings through the “Zoom for Government” platform. Citing “the need to adequately protect courtroom proceedings from outside interference so as not to jeopardize the Defendant’s right to a fair trial,” 761 F. Supp. 3d at 32, the court granted the government’s request in part. The court did not permit the broadcasting of evidentiary and trial proceedings directly to victims’ personal devices. Instead, the court authorized remote access to evidentiary and trial proceedings broadcast from designated secure viewing locations, such as U.S. courthouses and U.S. embassies.

*United States v. Travis Ford*, No. 24-CR-387-JDR (N.D. Okla. Jan. 9, 2025).

In 2024, the government charged Defendant with conspiracy to commit wire fraud arising from an alleged fraudulent cryptocurrency investment scheme that obtained approximately \$9.4 million in investments from approximately 2,800 investors.

The government filed an unopposed motion for authorization to use alternative victim notification procedures under the CVRA. *See* 18 U.S.C. § 3771(d)(2). The government argued that given the large number of potential crime victims, individualized notice was impracticable. As an alternative, the government proposed to maintain a public Department of Justice website that would provide a case summary, information regarding the case status, and other significant case-related documents. The website would also contain an email address and a telephone number for a victim assistance line through which crime victims could contact the Department of Justice with questions regarding the case.

The district court denied the government’s motion in part. The court held that the government’s proposal did not satisfy the CVRA’s requirement of a “reasonable procedure” because it failed to address how the government would notify victims identified through investigation whose contact information was known. *See* 18 U.S.C. § 3771(d)(2). Therefore, the court ordered that, in addition to posting information on the Department of Justice website for victims whose identities were still anonymous, the government had to provide individual notification to those victims whose identities and contact information were known to the government and to continue notifying victims as their identities became known. The court further ordered that providing information on the Department of Justice website would be sufficient only until a better

notification system was discovered, at which time the government would have to implement revised procedures.

United States v. Jefferson, No. 2:23-CR-00109-LK, 2025 WL 72119 (W.D. Wash. Jan. 10, 2025).

Defendant was indicted on one count of assault by strangulation. Before trial, the government moved to exclude the victim from the courtroom during trial except when she was testifying. The government argued that pursuant to the CVRA, the victim's prior inconsistent statements demonstrated by clear and convincing evidence that the victim's testimony would be materially altered if she heard other witness testimony at trial. *See* 18 U.S.C. §3771(a)(3). The victim opposed the motion, asserting her right under the CVRA to be present at trial and argued that prior inconsistent statements or alleged sympathy toward the accused were not enough to justify her exclusion.

The court denied the government's request. Even though prior inconsistent statements could make it possible that the testimony of other witnesses could alter the victim's testimony, the court held that the government failed to meet the CVRA's "clear and convincing evidence" standard. The government's broad references to inconsistent statements and submission of the victim's recent text messages failed to show it was highly likely the victim would materially change her testimony. The court further stated that the victim's appearance as a defense-favorable witness did not clear the high bar that congress set for exclusion of a victim-witness from trial.

United States v. Francisco Jerard House, Sr., No. 24-CR-335-JD (W.D. Okla. Feb. 27, 2025).

Defendant pleaded guilty to being a felon in possession of ammunition. At sentencing, the government requested that the court hear a victim impact statement from the victim of an alleged rape committed by Defendant while in possession of the ammunition. Specifically, the government argued that pursuant to the CVRA, the term "crime victim" includes a person directly or proximately harmed during the commission of a federal offense or of an offense in the District of Columbia. *See* 18 U.S.C. § 3771(e)(2)(A). The government further noted that the alleged rape is a federal offense and constituted relevant conduct because both the rape and possession fell under a common scheme or plan with the firearm offense. In response, Defendant argued that the victim impact statement should be excluded because the victim is not a "crime victim" as defined under the CVRA. To be a "crime victim" there must be direct and proximate harm as a result of the commission of a federal offense. *Id.* Here, Defendant argued that the federal offense before the court is possession of ammunition, which the victim has not been directly and proximately harmed by. Defendant further argued that the presentence report stated, "there were no identifiable victims in this offense" and that the government had failed to timely object to that finding.

The court denied the government's request to hear the victim impact statement. The court found no good cause for the government's failure to object to the presentence report's statement that there were no identifiable victims. The court held that the victim was not directly or proximately harmed by the offense of unlawfully possessing ammunition. "Thus, while she may

be a victim for purposes of the CVRA, she is not a ‘crime victim’ of the crime to which [the defendant] is being sentenced.” *Sentencing Tr.* 13:22-25, ECF No. 76.

*United States v. Matthew C. Browndorf*, No. 8:22-CR-00291 (D. Md. Mar. 6, 2025); *mandamus denied sub nom. In re Jonathan Ball*, No. 25-1264, 2025 WL 893230 (4th Cir. Mar. 22, 2025).

Petitioner, an attorney formerly employed by the New Jersey law firm BP Fisher, discovered that the firm was operating in New Jersey without having opened an Interest on Lawyers’ Trust Account in that state. Petitioner reported the firm to the New Jersey Office of Attorney Ethics and was subsequently terminated from his position with the firm. Petitioner successfully sued the firm for unlawful termination. Separately, the firm’s managing attorney pleaded guilty to wire fraud and money laundering related to the misallocation of client funds in a trust in Maryland. In that proceeding, Petitioner asserted his termination was attributable to the managing attorney’s criminal activity in Maryland, thus entitling Petitioner to victim rights under the CVRA. Petitioner submitted a victim impact statement to the Assistant United States Attorney prosecuting the managing attorney, requesting that the district court impose the maximum sentence and include Petitioner’s judgment against the managing attorney as part of its restitution order. At the sentencing hearing, the district court concluded that Petitioner was not a victim in the criminal case and that his statements would not be considered in the context of a victim impact statement. Petitioner sought a writ of mandamus from the United States Court of Appeals for the Fourth Circuit, arguing that the district court failed to afford him an opportunity to prove his status as a crime victim entitled to the CVRA’s protections.

The Fourth Circuit denied the petition, holding that Petitioner’s alleged harm was too attenuated to give rise to crime victim’s rights. The managing attorney committed wire fraud and money laundering while misappropriating client funds held in a Maryland trust account. Petitioner was unaware of the managing attorney’s criminal activity in Maryland, having only discovered evidence of the ethical violations in New Jersey. Thus, the managing attorney’s activity in New Jersey was unrelated to the criminal activity in Maryland. In addition, the circumstances of Petitioner’s termination from the firm did not suggest a connection to the Maryland crimes. The CVRA defines a crime victim as “a person directly and proximately harmed as a result of the commission of a federal offense or an offense in the District of Columbia.” *See* 18 U.S.C. § 3771(e)(2)(A). Accordingly, the Fourth Circuit determined the Petitioner did not qualify as a crime victim under the CVRA.

*United States v. Dominik Israel Lopez*, No. CR-24-01093-001-PHX-KML (D. Ariz. Apr. 2, 2025).

A grand jury indicted Defendant on distribution of a controlled substance resulting in death or bodily injury. Prior to the scheduled trial date, Defendant filed an unopposed motion requesting a fourth continuance of the trial date to allow for defense counsel to adequately prepare for trial. The court granted the continuance. In response to the court’s order, victims filed a motion pursuant to the CVRA seeking reexamination of the court’s order and an opportunity to be heard. Specifically, the victims argued that pursuant to their right to be treated

with fairness and respect, and the right to proceedings free from unreasonable delay, their right afforded them an opportunity to be reasonably heard before the court granted the continuance. *See* 18 U.S.C. § 3771(a)(7), (8). In response, Defendant argued that the continuance of the trial was necessary because the alleged offense occurred over five years ago, and defense counsel was unaware of the case at the time of Defendant’s arrest. Thus, Defendant required additional time to review discovery, conduct witness interviews, and engage in expert witnesses. The court denied the victims’ motion, holding that in addition to the reasons stated in Defendant’s opposition, no legal basis supported the victims’ request because the CVRA does not confer to victims a right to be heard before the court grants a continuance motion.

*In re Tebib*, No. 25-1178, 2025 WL 1177264 (4th Cir. Apr. 23, 2025).

Petitioners petitioned under the CVRA for an order directing the United States Attorney’s Office to investigate federal financial crimes committed against them. The district court dismissed the petition, holding that the CVRA does not provide a private right of action allowing crime victims to seek judicial enforcement of CVRA rights outside the context of a preexisting criminal proceeding. *See In re Wild*, 994 F.3d 1244, 1269 (11th Cir. 2021). Petitioners sought a writ of mandamus from the United States Court of Appeals for the Fourth Circuit, arguing that the district court erred in dismissing their petition due to the absence of an ongoing criminal proceeding. Following the lower court’s ruling, the Fourth Circuit dismissed the petition, finding *Wild* persuasive and holding that the CVRA does not authorize freestanding actions to enforce crime victims’ rights.

*United States v. Hared, et al.*, No. 3:19-CR-00040-WHO-1, 2024 WL 1898422 (N.D. Cal. Apr. 30, 2024); *mandamus granted sub nom. In re Davis*, 146 F.4th 710 (9th Cir. Aug. 1, 2025).

Defendants pled guilty to crimes arising from the theft of cryptocurrency from multiple victims. The counts charged included conspiracy to commit computer fraud and abuse in violation of 18 U.S.C. § 1030(b), aggravated identify theft in violation of 18 U.S.C. § 1028A(a)(1), and conspiracy to commit wire fraud in violation of 18 U.S.C. § 1349. Defendants were sentenced in 2023.

The issue implicating the CVRA was restitution. Petitioners were two victims who received notice from the United States Attorney’s Office, including an explanation of their rights under 18 U.S.C. § 3771(a) and a note instructing that if they were “requesting restitution for any financial losses sustained as a result of the conduct charged,” they should “submit proof of [their] loss with all supporting documents (i.e. receipts, bank statements, etc.),” and that the notice “may be [their] final opportunity to submit proof of loss to substantiate an Order of Restitution.” Neither Petitioner participated in the restitution process, but both filed claims with the government in October 2018 for remission of stolen property and provided information about the value of their stolen property. However, the government’s remission and restitution teams did not share this information, so the government’s request for restitution for the victims did not include the valuations that the victims provided to the remission team. Petitioners received restitution, but in amounts significantly below the value they claimed. After sentencing, Petitioners filed motions to reopen the restitution proceedings or amend the restitution orders

under the Mandatory Victim Restitution Act (MVRA) and the CVRA to reflect the value of the cryptocurrency they had lost, which had increased in value significantly after the theft.

The district court denied the motions, finding that Petitioners had not identified “newly discovered losses” under the MVRA and that no other statutory provision permitted relief. *See* 18 U.S.C. § 3664(d)(5). Petitioners sought a writ of mandamus from the United States Court of Appeals for the Ninth Circuit. The Ninth Circuit granted the writ, holding that the district court misinterpreted § 3664(d)(5) and that, although the CVRA does not itself create a substantive right to restitution, the MVRA does. *See* 18 U.S.C. § 3663A(b)(1)(B). Under that provision, the district court should have ordered restitution equal to the greater of “the value of the property on the date of the damage, loss or destruction” or “the value of the property on the date of sentencing.” *Id.* The cases were remanded for further proceedings to determine the proper amounts of restitution.

*United States v. Trevor James Kirk*, No. 2:24-CR-00527 (C.D. Cal. June. 2, 2025); *mandamus denied sub nom. In re J.H.*, 138 F.4th 1347 (9th Cir. June. 5, 2025).

A jury convicted Defendant of excessive force in violation of 18 U.S.C. § 242. Prior to sentencing, the district court granted the government’s motion under Fed. R. Crim. P. 48(a) to dismiss allegations in the indictment that elevated Defendant’s crime to a felony from a misdemeanor. Petitioner, the victim, opposed the reduction and sought a writ of mandamus from the United States Court of Appeals for the Ninth Circuit. The Ninth Circuit denied the petition, explaining that the CVRA provides victims of crimes with certain enumerated rights and a vehicle for asserting those rights in criminal proceedings. *See* 18 U.S.C. § 3771(a), (d)(3). If a district court denies a victim’s motion asserting a right enumerated in the CVRA, the statute permits the victim to challenge the denial through a petition for a writ of mandamus. *Id.* Here, however, Petitioner did not assert a right in district court pursuant to the CVRA, and the record did not reflect that the district court denied the Petitioner any right under the CVRA. Instead, Petitioner challenged the district court’s order granting the Rule 48(a) motion. The court held that the CVRA’s mandamus provision does not permit victims to challenge—and does not empower a court of appeals to address—substantive rulings unrelated to the denial of the rights enumerated in the CVRA. *Id.*

*United States v. The Boeing Co.*, No. 4:21-CR-5-O, 2022 WL 13829875 (N.D. Tex. Oct. 21, 2022); *mandamus denied sub nom. In re Anthony P. Keyter*, No. 25-10457 (5th Cir. July 8, 2025).

In 2021, the government charged the Boeing Company (Boeing) with conspiracy to defraud the United States under 18 U.S.C. § 3771. Boeing entered into a deferred prosecution agreement (DPA) that imposed criminal monetary penalties, compensation to airline customers and to the families of the crash victims, and federal oversight for compliance with both the DPA and other relevant federal laws. Boeing breached the DPA, and on July 24, 2024, the parties submitted a proposed plea agreement.

The victims' family members filed motions opposing acceptance of the plea agreement. Petitioner, a retired senior instructor pilot for Boeing, also filed a motion requesting that the court reject the plea agreement. The district court held a hearing on October 11, 2024, to determine whether the plea agreement should be accepted. The district court addressed various motions during the hearing, but did not rule on Petitioner's motion. Following the hearing, Petitioner filed a motion claiming he was a crime victim pursuant to the CVRA and had a legal right not to be excluded from the hearing and a right to be heard. *See* 18 U.S.C. § 3771(a)(4). In December 2024, the district court rejected the plea agreement.

In March 2025, Petitioner sought a writ of mandamus from the United States Court of Appeals for the Fifth Circuit. Petitioner requested the Fifth Circuit order the district court to rule on his motion asserting violations of his rights under the CVRA. Petitioner argued that he received inadequate notice of the October 2024 hearing concerning the plea agreement and was entitled to timely notice of that issue. The Fifth Circuit denied the petition as moot, holding that because the district court had rejected the plea agreement in December 2024, any complaint based on the district court's failure to rule or provide timely notice was moot.

*United States v. Elias Rodriguez*, No. 25-CR-00224-RDM (D.D.C. Aug. 6, 2025) (minute order).

On August 6, 2025, a grand jury indicted Defendant on multiple charges—including murder of a foreign official, a hate crime resulting in death, and discharge of a firearm during a crime of violence—based on allegations that Defendant had fatally shot two Israeli Embassy employees outside the Capital Jewish Museum in Washington, DC. The indictment identified four separate victims; the decedents' families resided in Israel and Kansas, and two surviving victims resided in the District of Columbia.

Prior to the docketing of the indictment, the government filed a motion pursuant to the CVRA to delay docketing of the indictment until August 7, 2025, to allow the government to provide notice to all the crime victims before the indictment was made public. The government argued that given the publicity of the case, the fact that the victims were all known to one another and were located across time zones spanning an eight-hour difference, notifying the victims individually would not be treating the victims with dignity and fairness. *See* 18 U.S.C. § 3771(a)(8). The government further argued that notifying all victims simultaneously via video conference as opposed to an email message or phone call would treat the victims with dignity and fairness, and that the slight delay would not be prejudicial to Defendant or the public. The government cited *United States v. Al-Marimi*, No. 22-CR-00392-DLF (Dec. 12, 2022), arguing that the presiding judge in that case had granted a similar motion to allow the government to provide notice to the victims before the indictment was publicly docketed.

The district court denied the government's motion in an electronic minute order. The court commended the government for its consideration of the victims, but stated that the facts of the *Al-Marimi* case were not applicable because that case was sealed. The court further noted that when indictments are returned, it is the court's practice to immediately docket the indictment, making the indictment publicly available, unless the indictment is sealed. Here, the court found no basis to seal the indictment or depart from the court's practice. Accordingly, the court concluded that the indictment would be docketed without delay.

United States v. Issa Asad and Q Link Wireless, LLC, No. 24-CR-20363 (S.D. Fla. Aug. 11, 2025).

Defendants were charged with defrauding a federal program administered by the Federal Communications Commission (FCC) known as the Lifeline program. Defendants pled guilty to defrauding the United States and agreed to pay full restitution to the FCC.

Petitioners filed a motion to be recognized as crime victims under the CVRA and sought restitution. *See* 18 U.S.C. § 3771(e)(2)(A), (a)(6). Petitioners alleged that six days after the information had been filed in the case, they were induced, under false pretenses, to enter into agreements with and to transfer over \$20 million to Defendants to purchase Q Link’s assets and business, thereby making them victims of the same fraudulent scheme. The government and Defendants opposed the motion. Defendants argued that Petitioners were third parties with no connection to the conduct detailed in the information and were not “directly and proximately harmed as a result of the commission of the offense.” Similarly, the government contended that the alleged causal connection between the losses Petitioners allegedly suffered based on Defendants’ post charging representation about Q Link are too attenuated to make Petitioners victims of the charged federal program fraud.

The district court denied Petitioners’ motion. The court found that Petitioners failed to establish that they were directly and proximately harmed by the offense underlying the case. The court noted that Petitioners’ 2024 purchase of Q Link’s assets was not a foreseeable consequence of the Lifeline fraud because the transaction occurred after the information detailing the fraud through 2021 had been publicly unsealed, and Petitioners had been legally represented throughout the asset purchase. The court further reasoned that Petitioners could not maintain they had been defrauded in the same way as the FCC because any alleged misrepresentations made in connection with the asset purchase constituted a separate intervening fraud that broke the chain of causation. Accordingly, Petitioners did not qualify as crime victims under the CVRA.

United States v. Dwayne Peterson Davis, No. 24-CR-00257 (N.D. Ga. Aug. 19, 2025).

Defendant was indicted on ten counts of wire fraud and six counts of money laundering, arising from his business relationship with Government Employees Insurance Company (GEICO). Defendant pled guilty to one count of wire fraud. Prior to the sentencing hearing, three individuals, through counsel, submitted letters to the court asserting that they qualified as crime victims under the CVRA. They asked the court to consider, when determining restitution, Defendant’s conduct and alleged losses stemming from other business transactions the individuals engaged in with Defendant that were separate and unrelated to his business transactions involving GEICO. *See* 18 U.S.C. § 3771(e)(2)(A). Both the government and Defendant opposed the request.

The court declined to grant the individuals crime victim status under the CVRA. Applying the Eleventh Circuit’s test in *In re Stewart*, 552 F.3d 1285, 1288 (11th Cir. 2008), the court determined that the conduct charged in the indictment and the count of wire fraud to which Defendant pled guilty was not causally related to the conduct from which the

individuals claimed injury. However, without objection from the government or Defendant, the court admitted into evidence the individuals' letters pursuant to 18 U.S.C. § 3661.

*United States v. OJ Rashad Green*, No. 22-CR-00429-DKC (D. Md. Sep. 19, 2025).

A jury convicted Defendant of distributing fentanyl. At sentencing, the government sought to present a victim impact statement from the mother of a victim whom the government alleged had died from fentanyl distributed by Defendant. Although the government conceded that the mother was not a victim under the CRVA, the government requested that the mother be permitted to speak at the sentencing "under the court's broad discretion to hear evidence concerning the conduct of the Defendant." *See* 18 U.S.C. § 3661. Defendant opposed the government's request, arguing that the mother did not have information concerning Defendant's background, character, or conduct.

The district court denied the government's request. Although recognizing that § 3661 permits consideration of a wide range of information, the court found that, "while the scope of information the court can consider is broad, it is not boundless. The relevant information must relate to the Defendant or the offense conduct." Because the proposed victim impact statement described only the emotional impact of the victim's death and did not provide relevant information to the court about Defendant's background, character, and conduct, the court excluded it.