



NATIONAL
COMPASSION
FUND

Indianapolis 4/15 Survivors Fund

Draft Protocol Overview

The Indianapolis 4/15 Survivors Fund will distribute funds as gifts to victims and survivors of the Indianapolis Attack at the FedEx facility. The funds may be used however the recipients wish.

Decisions about eligibility and distribution are made by a local Steering Committee. This Draft Protocol is their suggestion of what rules should apply to this fund. We want your feedback on whether you think these proposed rules are fair and reasonable, or if you think changes should be made. Please submit your feedback no later than **Friday, August 13, 2021**, by sending an email to **Indy@NationalCompassionFund.org**.

The Draft Protocol proposes three categories of eligibility:

- Legal heirs of those who were killed
- Those who were injured
- Those who were present at the FedEx facility at the time of the Indianapolis Attack who experienced psychological trauma

Once the rules are finalized, the Steering Committee will release a Final Protocol. We will then provide an online application for benefits on or around Monday, August 30, 2021.

It is very important for you to sign up for the Fund's Contact List on **www.NationalCompassionFund.org/Indianapolis**. This will ensure that you receive emails about:

- When the final rules for the Fund have been set
- When the application is available
- When the deadline for submitting an application is approaching

We are here to help you through this process and are happy to meet with you and answer your questions. Email **Indy@NationalCompassionFund.org** with any questions or to set up a meeting.

A subsidiary of the National Center for Victims of Crime

1450 DUKE STREET • ALEXANDRIA, VA 22314 • NATIONALCOMPASSIONFUND.ORG

Draft Protocol

June 16, 2021

This is the Draft Protocol. The Final Distribution Protocol, which will govern the Indianapolis 4/15 Survivors Fund (the “Fund”), will be developed by the Fund Administrators, incorporating relevant and appropriate feedback from the Steering Committee, the National Compassion Fund, the greater community, and the general public.

The financial benefits paid by the fund are a gift to which no person has a legal claim or entitlement. All aspects of this Draft Protocol including, without limitation, the classifications of applicants, distribution criteria, application process, timetable, and amounts to be awarded, may be revised and are subject to the full and complete discretion of the Fund Administrators.

This Fund was financially assisted by FedEx and was enhanced through the generosity of businesses, foundations, and individual donors. The Fund will be used to assist those families of the victims who were killed, the victims who were physically injured, and the victims who were lawfully present at the FedEx facility and experienced psychological trauma, during the attack (the “Indianapolis Attack”) on April 15, 2021. The National Compassion Fund, LLC (Federal Tax ID #30-0022798) is a subsidiary of the National Center for Victims of Crime, a 501(c)(3) nonprofit organization (Federal Tax ID #30-0022798).

TO BE ELIGIBLE FOR BENEFITS, ALL APPLICATIONS MUST BE SUBMITTED ONLINE NO LATER THAN TUESDAY, SEPTEMBER 28, 2021. IF THE VICTIM IS UNDER THE AGE OF 18, A PARENT OR GUARDIAN MUST APPLY ON THE VICTIM’S BEHALF.

The amounts awarded from the Fund will take into consideration variables that include severity of injury, type of injury, and information as to the proof of injury arising from the Indianapolis Attack. Determination of the amounts for each eligible applicant will depend upon variables that include: (1) the balance in the Fund on August 25, 2021; (2) the receipt of updated data regarding the nature and the number of physical injuries and proof thereof and the number of individuals physically present in the designated geographic area; (3) completion of the review of all submitted applications; and (4) review and approval by the Administrators. The Administrators reserve all right to determining the validity of all information submitted by applicants.

The distribution classifications are outlined below:

CATEGORIES OF ELIGIBLE APPLICANTS (ELIGIBILITY IS LIMITED TO ONE CATEGORY)

A. Application for Death Benefits

Eligible applicants for deceased victims killed as a result of the Indianapolis Attack will receive the highest category of payment under the scope of this Protocol. A final payment determination will be made upon receipt of all pertinent data and is subject to all comments above.

B. Individual Physical Injury Applications for Victims Requiring Overnight Hospitalization

Eligible applicants who were lawfully present in the FedEx facility or its parking lot (as indicated in fig 1), who were physically injured and hospitalized for one or more nights between April 15, 2021, and September 28, 2021 (the last day to submit an application to the Fund), due to physical injuries resulting from the Indianapolis Attack will receive payment under the Final Protocol.

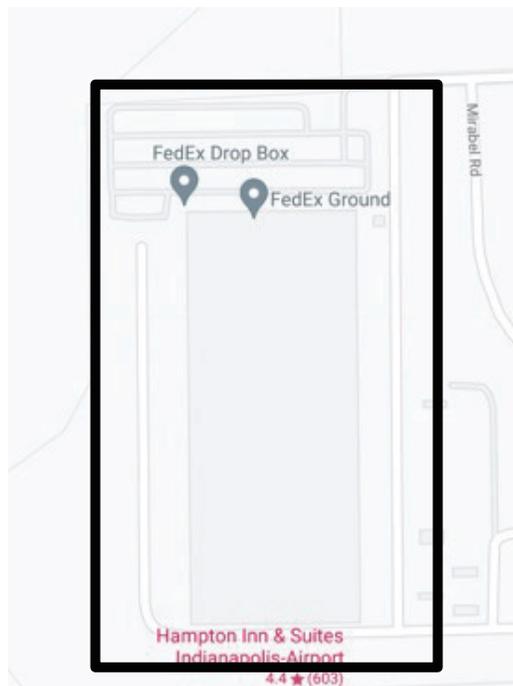
C. Individual Physical Injury Applications of Victims Treated at Area Hospitals on an Emergency Out-Patient Basis

Eligible applicants who were lawfully present in the FedEx facility or its parking lot (as indicated in fig 1), who were physically injured as a result of the Indianapolis Attack, and who received medical treatment on an out-patient basis no later than Thursday, April 22, 2021, will receive a payment under the Final Protocol.

D. Individuals Present at the Site Who Experienced Psychological Trauma

Any individuals who were lawfully present on the FedEx facility at 8951 Mirabel Road (as indicated in fig 1) at the time of the Indianapolis Attack, and who experienced psychological trauma are eligible to receive payment under this protocol.

FIGURE 1.



PROCESS AND PROCEDURES

Eligible applicants must file an application for benefits in order to receive a payment from the Fund. **THE APPLICATION MUST BE SUBMITTED BY THE DEADLINE OF TUESDAY, SEPTEMBER 28, 2021 [however, the Fund Administrators reserve the right in their sole discretion to grant a deadline extension].** In the application, applicants will specify whether they are seeking benefits for deceased victims, for physical injury, or for psychological trauma based upon personally witnessing the Indianapolis Attack. Each eligible applicant should submit only one application for benefits. In their application, applicants must choose only one distribution category for which they are eligible.

The process and procedures for consideration of eligible applications will be as follows:

A. The Fund will be administered by the National Compassion Fund

The Final Protocol to govern the Fund and a link to submit an online application for benefits (“application”) will be emailed to all known potential applicants who have provided the necessary information to the National Compassion Fund (“NCF”) by submitting their information through the Fund-specific online contact form, which is located on the NCF website (www.NationalCompassionFund.org). The Final Protocol and information concerning the application process will also be available on the NCF website beginning on August 30, 2021. Representatives from NCF (the “Fund Administrators”) will administer and process the applications. **Only one application should be submitted by, or on behalf of, each victim.** All applications must be completed and submitted to the Fund Administrators (along with all required supporting documentation detailed in the application or such information curing any deficiencies in information) no later than Tuesday, September 28, 2021. Questions regarding the completion of an application should be sent via email to Indy@NationalCompassionFund.org.

B. Access to the application online will be available at www.NationalCompassionFund.org beginning August 30, 2021. Applicants who lack access to the internet are invited to call the toll-free applicant assistance number at 855-4VICTIM (855-484-2846) for guidance on alternative filing assistance.

C. In the event that an applicant submits an incomplete or deficient application (e.g., the applicant failed to include required documentation or failed to fully complete the application), a representative from the Fund Administrators’ office will send an e-mail notification to the applicant in an effort to cure any such deficiencies.

D. Shortly after the deadline for submission of all financial contributions and the final review and determination of all eligible applications by the Fund Administrators, payments will be issued. The Fund Administrators will submit final payment determinations to the Steering Committee for approval of transmission of the payments, by check or electronic transfer, to each eligible applicant. Applicants may not rely on the timing of any payment. The Administrators, the Steering Committee, and NCF shall have no liability whatsoever for any damage of any kind arising out of or resulting from the timing of any payment from the Fund.

E. An application filed for a deceased victim will require the spouse or legal partner’s signature if the deceased individual was married at the time of death, and shall also include information pertaining to individuals (e.g., spouse, children, parents, siblings) who may be eligible to receive compensation under the local probate law of the jurisdiction where the deceased victim was domiciled. In cases where the victim was not married, the personal representative legally authorized to administer the Estate must submit the application. If the deceased did not leave a Will, the personal representative must prepare a proposed plan of distribution of the funds among the deceased’s legal heirs and beneficiaries. In circumstances where the deceased was, at the time of their death, engaged to be married, cohabitating with an intimate partner, or separated from a spouse, the Fund Administrators may, in their discretion, require a fiancé, intimate partner, or children of the deceased to be included in the proposed distribution plan. The proposed plan will be distributed to all such legal heirs, beneficiaries, and fiancé or cohabitating intimate partner, each of whom must consent to the proposed distribution. If agreement among the heirs cannot be reached as to who will serve as the personal representative or with regard to the proposed distribution, the applicants will be required to obtain legal authorization from



the Probate Court having jurisdiction to determine who is the legally-responsible person eligible to file the application. Under those circumstances, the Fund Administrators will, in their discretion, withhold funds until an agreement is reached, or deposit the affected funds with the Probate Court having jurisdiction, to be held in a separate account, and to be distributed only upon resolution in accordance with a valid court order.

F. If a minor child requires an application, a parent or legal guardian must submit and sign the application. If an application is required for an incompetent adult, the application will require proof of representative capacity, such as a power-of-attorney, guardianship, and appointment of guardian or attorney *ad litem*.

G. An application filed for a physical injury applicant must include an authorization to release medical information which confirms: (i) the date of admission to the hospital, (ii) the date of discharge from the hospital, and (iii) the nature of the injury and contemporaneous evidence from the treating professional that the injury was sustained as a result of the Indianapolis Attack.

H. An application filed for psychological trauma must have the applicant's presence at the site of the Indianapolis Attack corroborated by employment records or law enforcement records. The Fund Administrators (rather than the applicant) will be responsible for validating this information. Applicants must also submit an affidavit attesting to their symptoms and the treatment sought, as well as an authorization to release medical records.

I. NCF, its Fund Administrators, and the Steering Committee will use reasonable efforts to maintain confidentiality of all information submitted by applicants but cannot guarantee confidentiality. Applicants are asked to consider any personal ramifications should any information submitted under this protocol become publicly available.

J. The Fund cannot provide tax advice to those receiving payments from the Fund. The Fund Administrators recommend consulting a tax advisor for any questions regarding tax liability for these payments.

K. When all distributions of benefits have been completed, a full examination of the Indianapolis 4/15 Survivors Fund will be conducted according to Agreed Upon Procedures by an independent auditing firm. The results of these Agreed Upon Procedures will be made available to all applicants, donors, and the general public, along with a Final Report from the Fund Administrators.

OUTREACH

A. The National Compassion Fund (NCF) may conduct outreach to victims of the Indianapolis Attack by telephone, mail, in person, and other forms of electronic communication to provide them with information on the application process, to answer questions related to the filing of applications, to assist victims in curing deficiencies on applications, and to work to ensure that all eligible persons who wish to submit applications are able to do so before the Tuesday, September 28, 2021, filing deadline. But NCF does not guarantee that all who may be eligible will be contacted, nor does it guarantee that all eligible persons who are in contact with NCF are included in the Protocol. It is the responsibility of the person eligible to file an application to make sure that the application is timely filed and received. Contact information that is held by law enforcement or healthcare professionals is *never* shared with NCF, and there should be no assumption that anyone who is eligible

will be contacted simply because they have shared their contact information with either law enforcement or the Indiana Victims of Crime Compensation Program. Information must be shared with NCF via the Fund-specific online contact form.

B. Once finalized, the Final Protocol and application information will be disseminated to all known victims who have filled out the Fund-specific online contact form on www.NationalCompassionFund.org. The Fund Administrators will work directly with applicants as requested so that applications are submitted by the Tuesday, September 28, 2021, deadline.

C. Applicants may request to schedule optional meetings face-to-face or by telephone with the Fund Administrators. All applications will be processed during the period between August 30, 2021, and October 28th, 2021. All applicants requesting meetings with the Fund Administrators before the application is processed will be afforded such a meeting during the period between August 30, 2021, and September 28, 2021. Meetings will be scheduled at mutually convenient times and locations. To request a meeting, please send a request via email to Indy@NationalCompassionFund.org.

PROPOSED INDIANAPOLIS TIMELINE

- April 15, 2021 – Shooting occurs
- April 19, 2021 – Contact form is launched on NCF website
- June 9, 2021 – Announce Steering Committee membership
- June 16, 2021 – First meeting of Steering Committee: approve Draft Protocol and send for translation
- June 21, 2021 – Receive Draft Protocol translations
- July 8, 2021 – Publish Draft Protocol and public comment period begins
- August 13, 2021 – Public comment period ends
- August 16, 2021 – Steering Committee meets to approve Final Protocol
- August 19, 2021 – Receive Final Protocol translations
- August 28, 2021 – Final Protocol published to NCF website for families and all interested parties
- August 30, 2021 – Application is available online. Application instructions are disseminated to all known applicants and potential applicants who are on the contact list.
- August 30 – September 28, 2021 – Applications completed (with required documentation) and submitted to the Fund Administrators
- September 28, 2021 – Deadline for submission of application for benefits
- August 25, 2021 – Fund closes to donations
- August 30 – September 28, 2021 – All personal meetings requested with the Fund Administrators completed
- August 30 – October 28, 2021 – All applications reviewed by the Fund Administrators. Recommendations for payments to eligible applicants submitted to the Steering Committee for independent review and approval.
- November 10, 2021 – Steering Committee approves Funds Distribution Plan
- November 15, 2021 – Distribution of payments to approved eligible beneficiaries begins on a rolling basis
- Three weeks after the end of the month in which all disbursements are completed: Independent auditing firm conducts full examination of Fund according to Agreed Upon Procedures