

SENATE BILL REPORT

SB 6387

AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 7, 1992

Brief Description: Establishing the office of crime victims' advocacy.

SPONSORS: Senators Nelson, Thorsness, M. Kreidler and Rasmussen; by request of Department of Community Development and Dept. of Social and Health Services

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 6387 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, M. Kreidler, Madsen, Rasmussen, and A. Smith.

Staff: Susan Carlson (786-7418)

Hearing Dates: February 5, 1992; February 7, 1992

BACKGROUND:

In 1990, through the Community Protection Act, the Legislature recognized the need to increase services for victims of sexual assault. Subsequently, the Governor issued an Executive Order which created the Office of Crime Victims' Advocacy within the Department of Community Development. The order specified that the office was to work with community organizations and governments to compile information regarding state policies, practices, and priorities relative to sexual assault services. Although this Executive Order expired on June 30, 1991, some of the tasks assigned to the office by the order have not been completed.

Discussions with community providers and victims throughout the state indicate that the demand on service providers and the need for additional resources is not exclusive to victims of sexual assault. It is recommended that the Office of Crime Victims' Advocacy be statutorily authorized within the Department of Community Development to address the needs and concerns of all victims of crime.

SUMMARY:

The Office of Crime Victims' Advocacy is established within the Department of Community Development to provide a focus within state government on the rights of and services for victims of crime.

The role of the office includes: advocating for victims' rights and services; serving as a clearinghouse of

information; providing leadership in the development of public policy; facilitating the development of service standards; and planning and providing training.

The crime victims' ombuds is created within the Office to ensure statewide compliance with the statutory rights of crime victims. Assistance may be in the form of investigation, information, referral, acting as a liaison, or other interventions. Procedures for resolution of victim's complaints are provided.

Records maintained by the office are not subject to discovery in any judicial proceeding except upon written motion and in camera review by the court. Records related to the ombuds functions of the office are not available to the public if disclosure could reveal the identity of a crime victim or complainant.

An executive administrator of the Office of Crime Victims' Advocacy must be appointed and must report to the director of the Department of Community Development. The grant program administered by the department is broadened to include programs for the prevention of sexual assault victimization.

EFFECT OF PROPOSED SUBSTITUTE:

Information pertaining to a victim's complaint is not required to be given to the ombuds office but may be provided upon request of the ombuds. Other technical corrections were made.

Appropriation: none

Revenue: none

Fiscal Note: available

TESTIMONY FOR:

This bill will enable the Office of Crime Victims' Advocacy to continue moving forward on victims' issues. The office has been very accessible to victims, and the creation of an ombuds office will help ensure compliance with the victims' bill of rights.

TESTIMONY AGAINST: None

TESTIFIED: PRO: Bev Emery, Office of Crime Victims' Advocacy; Jeralita Costa, Families and Friends of Violent Crime Victims; Dick Anderson, DSHS, Division of Children and Family Services