



The Office of Victim Advocate (OVA) fully supports the Justice Reinvestment Initiative. As a package, these bills will allow Pennsylvania to build on efforts that identify inefficiencies, then reinvest those savings into programs and services that have been proven effective in reducing crime and recidivism. OVA is committed to serving more victims, more effectively. OVA emphatically supports efforts to expand the Crime Victims Act, and reinvesting dollars in victims' services.

Bill Background

In 2011, Pennsylvania enacted Acts 122 and 196, which ran until 2017. In 2015, the second round of justice reinvestment, known as JRI II, began with the formation of the Justice Reinvestment Working Group. The group reviewed analysis and discussed policy options. In the summer of 2017, a report was released which outlined six policy options that would build on the success of the first round:

- (1) make time served for short sentences to state prison more predictable
- (2) advance the state's approach to funding and supporting county probation
- (3) strengthen support for victims
- (4) improve pretrial decision making
- (5) expand guidance provided by sentencing guidelines
- (6) increase parole supervision

In early 2018, Senator Greenleaf and Senator Hughes introduced the full JRI II package of legislation, a three-bill package. Unfortunately, the package was not fully adopted during that legislative session.

SB502 will expand the Crime Victims Act to serve more victims, more effectively, and provide discretion to the compensation program to consider claims that would otherwise be time-barred. The OVA and various stakeholders, including the District Attorney's Association, Pennsylvania Commission on Crime and Delinquency, PCAR, PCADV and many local victim witness assistance programs, have assisted with the overall development of the bill which was derived from a desire to address the strains the current law is placing on families and codify the current work that has always been done through the OVA.

Under current law, limitations have equated to some families unable to bury their loved ones, or the inability to pay medical bills, as well as failure to reimburse victims for attendance at parole review hearings and resentencing hearings in association with their criminal cases and/or pay for necessary counseling when victims and families are forced back into the justice system due to court rulings, appeals and newly enacted legislation. This bill seeks to change the compensation provisions in the Crime Victims Act due to the denials of vital funding discussed previously and ensure these resources are made available.



As victim service providers, we strive to restore every victim, to the extent possible, to where they were prior to a crime. Financial restoration is an important part of this process.

SB502 will enable us to enhance services to victims and their families as it would make VCAP available to victims who have, in the past, not met the minimum required loss, victims who have not been able to engage in counseling when transportation stands in their way, and those who have suffered great financial loss in crashes that were previously excluded.

Additionally, we will finally be able to offer assistance to all families of homicide victims, regardless of circumstances.

- Lancaster County Victim Witness

What These Bills Do

SB502 amends the Crime Victim Act with the goal of serving more crime victims, more effectively. Notable improvements include the following:

- (1) requires police officers to provide written notice of victims' services information at the scene
- (2) increases access for crime victim compensation in the following ways:
 - extends the time to file a claim to three years (currently two years)
 - allows an exception to the three-year claim period if the Office of Victim Services finds good cause why the claim wasn't filed timely
 - reduces the minimum loss that can be reimbursed to \$50 (currently \$100)
 - removes the cap on the amount of emergency award that can be granted (currently \$1,500 cap)
 - allows a claim to be made for sexual violence and intimidation orders, when reported and an action is brought
 - allows reimbursement for costs of transportation to get a victim to counseling
 - adds crimes of death or personal injury by vehicle while not licensed to the definition of crime, for purposes of the act
 - exempts enforcement officers who are eligible for benefits under the Enforcement Officer Disability Benefits Law from various definitions relating to victims
- (3) removes barriers to compensation of homicide burial expenses for surviving families
- (4) requires prosecutors to notify OVA in personal crime injury cases so parole notifications can be facilitated
- (5) provides technical changes to the act to reflect the functionality of the OVA
- (6) merges multiple funds into a singular Crime Victim Services and Compensation Fund

This bill is part of an overall package of Justice Reinvestment bills being put forth. The Office of Victim Advocate is fully supportive of all JRI II bills and encourages full adoption of all recommended reforms.



This package makes significant improvements to the Crime Victims' Compensation Act, one of which will ensure that no family member ever has to bear the financial responsibility of burying a loved one killed in a homicide.

As the act stands now, PCCD must reduce or deny a claim if it is deemed that a person was contributing in any manner towards their own death, ie had drugs in their pocket, was engaging in a fight that escalated to someone taking their life, etc.

The family who is left with the trauma should never be required to bear the burden of another's criminal conduct.

- Jennifer Storm, Commonwealth Victim Advocate