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NEWS RELEASE

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Crime Victim Advocates Applaud Enactment of “Ground-Breaking” Federal Victim Rights Law

WASHINGTON (Nov. 1, 2004) – The most far-reaching victims’ rights bill ever considered by the U.S. Congress was signed into law on Oct. 30, breaking new ground in two significant ways, according to leaders of the nation’s crime victims’ movement.

First, it establishes the most powerful enforcement mechanisms ever found in a Federal victim’s bill of rights. Second, it authorizes funding to help implement the law – including support of free legal clinics for victims.

“The rights listed in the statute reflect the core principles of victim justice,” said Steve Twist, chief counsel of National Victims Constitutional Amendment Passage (NVCAP), the coalition of victim rights groups that helped craft the bill.

These rights include the right to be reasonably protected, notified, present and heard during proceedings; the rights to confer with the prosecutor, to restitution, and to proceedings free from unreasonable delay; and the right to be treated with fairness and respect.

Twist expressed NVCAP’s enormous gratitude to Sens. Jon Kyl (R-AZ) and Dianne Feinstein (D-CA), for their steadfast leadership in the campaign for victims’ rights. He added his great thanks to House Judiciary Chairman James Sensenbrenner (R-WI) and Reps. Steve Chabot (R-OH) and John Shadegg (R-AZ) for their contributions to the enactment of the Crime Victims’ Rights Act. The Coalition also thanked Sen. Patrick Leahy (D-VT), for his very significant contributions to the original Senate version of the bill.

The bill was Title I of a larger criminal justice reform measure adopted Oct. 9 without fanfare during Congress’s end-of-session rush to adjourn. It was a direct outgrowth of an eight-year campaign to achieve an even more ambitious goal – to embed victim rights in the U.S. Constitution, a cause promoted by the NVCAP, the coalition for which Twist has volunteered his time.

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However, in April 2004, just before a scheduled floor debate on their amendment proposal, Kyl and Feinstein found they were several votes shy of success, and so transformed their amendment into statutory language, added the enforcement and funding provisions, and won overwhelming support from their colleagues. Their bill was adopted 96 to 1.

The House Judiciary Committee adopted a watered-down version of the Senate bill, which the NVCAP members refused to endorse. Kyl and Feinstein – whose support for the cause can only be described as relentless – then approached Chairman Sensenbrenner about compromise language, and their staffs and his, along with Twist, crafted the bill that was finally adopted.

The enactment of such a major reform in the treatment of victims was done under conditions of rare consensus. It was first adopted by unanimous consent without debate by both houses. Then, President Bush signed it without fanfare during the last stages of his reelection campaign. These were not acts of indifference but of near-unanimous support across both parties and branches of government.

Roberta Roper, president of the Maryland Crime Victim Resource Center and NVCAP's co-chair, said, "This is certainly not the constitutional amendment we fought for but it is the most sweeping Federal victim rights law in the history of the nation."

Roper added, "We have succeeded in getting 33 states to adopt victim rights amendments but few have enacted the enforcement mechanisms of this law. To us, the 'great laboratory of the states' continues to be a disappointment in not keeping its promises to crime victims. Now we can see if the Federal criminal justice system can be the laboratory we need to make victim rights a universally-honored standard."

Her co-chair, Bob Preston, president of Justice for Surviving Victims in Florida – and the acknowledged dean of the nation's victim rights movement – was equally effusive, calling the measure "historic."

Roper and Preston are both survivors of criminal violence. Stephanie Roper and Wendy Preston, their daughters, were both murder victims. The title of the bill carries the names of those young women as well as those of three other murder victims whose survivors are also regarded as heroes within the victims' movement: Louarna Gillis (daughter of John and Patsy), Nila Lynn (wife of Duane), and Scott Campbell (son of Colleen and Gary). In behalf of these family members, Ms. Campbell gave special thanks to the sponsors for so honoring their loved ones.

Other groups involved in the NVCAP coalition: Wendy J. Hamilton, national president of Mothers Against Drunk Driving, Beth Rossman, president of the National Organization for Victim Assistance, and Dan Levey, president of Parents of Murdered Children.

Hamilton said, "Too often victims' rights are ignored in the judicial process, so we are very pleased that the federal government is allocating resources to assist victims of crime in asserting their rights and making their voices heard in the legal system."

Rossman commented, "We will never abandon our quest for a Federal victim rights amendment because there should be a single national standard for the just treatment of victims – just as there is for accused and convicted offenders. But in the meanwhile, Congress has created the gold standard of victim rights laws, one that we will fight to replicate in all 50 states."

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Levey added, “The new victim rights act will surely advance our movement. Either it will prove to be totally effective or it will prove at the Federal level what has been demonstrated repeatedly in the states – that statutes alone do not insure that all victims have their rights recognized and enforced all the time.”

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National Victims Constitutional Amendment Passage (NVCAP) is a 501(c)(4) organization supporting the adoption of an amendment to the U.S. Constitution recognizing the fundamental rights of crime victims to be treated with dignity, fairness and respect by the criminal justice system. NVCAP is the sister organization of the National Victims Constitutional Network, a 501(c)(3) educational organization promoting victim rights. NVCAP’s Board is made up of prominent victim advocates and organizations, three of the most active being MADD, NOVA, and POMC. www.nvcap.org

Mothers Against Drunk Driving (MADD) is the premiere organization working to stop drunk driving, support the victims of this violent crime and prevent underage drinking. MADD is a 501(c) 3 charity with approximately 600 affiliates and 2 million members nationwide. Nearly 270,000 lives have been saved since MADD's founding in 1980. www.madd.org

Founded in 1975, the **National Organization for Victim Assistance (NOVA)** is the oldest membership organization in the worldwide victims’ movement. Its mission is to promote rights and services for victims of crime and crisis everywhere. It has four guiding purposes: to serve as an advocate for victims of crime and crisis so that they are treated with compassion and respect; as needed, to be of direct assistance to victims; to provide training and other services to members of the victim assistance and allied professions; and to be of service to its members. www.trynova.org

Parents of Murdered Children (POMC) is guided by a mission to make a difference through ongoing emotional support, education, prevention, advocacy, and awareness. Its vision is to provide support and assistance to all survivors of homicide victims while working to create a world free of murder. POMC’s membership is open to those who have been cruelly bereaved by the murder of a loved one. Professionals who are in frequent contact with grieving families are also welcome to join. www.pomc.org

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