

Maryland Crime Victims' Resource Center, Inc.

Continuing the Missions of the Stephanie Roper Committee and Foundation, Inc.

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April 7, 2003

Honorable Jon Kyl

730 Hart Senate Office Building

Washington, DC 20510-0304

Dear Senator Kyl:

I am writing to you to express my strong *personal* support for Senate Joint Resolution 1 (SJ RES 1) a United States constitutional amendment for crime victims' rights. I speak on behalf of the two organizations that I have been associated with for the past twenty years: the Maryland Crime Victim Resource Center, Inc. (formally, the Stephanie Roper Committee and Foundation, Inc.) and the National Victims' Constitutional Amendment Network (NVCAN). The time has come for America to fulfill its promises to citizens who become victims of crime. American citizens, no less than the offenders who have committed crimes against them, deserve equal justice under the law.

As you know, our daughter, Stephanie, was a victim of most heinous crimes that ended her innocent life twenty-one years ago this month (April 3, 1982). Our family lost a beloved daughter, sibling, cousin, grandchild, niece, and friend. But in many ways, we lost so much more and were almost destroyed as a family. Being shut out of the trial and denied rights to information, rights to observe the trial, and an opportunity to express the consequences of the crime before sentencing, shattered trust, respect and hope for our four surviving children.

My husband and I have dedicated our lives to advocating for victims' rights and providing support services to crime victims in Maryland. And while Maryland has a good State constitutional amendment and numerous statutes for victims' rights, these laws have failed to adequately provide the protected rights every crime victim needs and deserves. Until the U.S. Congress acts to pass a U.S. Constitutional Amendment for crime victims' rights, victims and survivors will remain *second-class citizens*. The rights of crime victims can and must be considered *in pari materia* or together with the constitutional right of an accused or convicted person.

In my testimony last year for the proposed amendment, I sited a then very timely Maryland case (Sherry Rippeon & John Dobbin v State of Maryland, No. 2554 - #13K0038862) that was an example not only of Maryland's victims' rights laws, but also of its enforcement failures. The Maryland Court of Appeals ruled that the issue of victims' attendance at trial was moot. When the attorney for the family filed for certiorari, the application was denied. The Court had an opportunity to address this issue and *prevent* it from happening again. They did not.

And it *has happened again* ... just barely two weeks ago in the Maryland case of *State v. Trevor Piggott*, (Case # 102123020) in the Circuit Court for Baltimore City, Maryland) Clara Strickland, the mother of a murder victim, Michele Strom, was prevented from attending the trial for the man charged in the murder of her daughter. The prosecutor,

Phil Pickus, attempted to have the victim's mother exercise her right under Maryland law to attend the proceedings, but the judge denied this right. The mother had no testimony relevant to the crime and would have only wished to be an observer at this trial. While Maryland law provides such victims with a right to appeal, the expense, trauma and *failed* history of this right *discourages* any victim from using this right.

So when your colleagues ask why there is little evidence of case law of victims' rights tested in the higher courts, tell them of the unsuccessful efforts in Maryland. Until victims' rights share the protection of our U.S. Constitution, and are given *equal* consideration as those of the accused or convicted, state and federal victims' rights laws will remain *paper promises*.

We strongly urge your colleagues to join you in supporting and adopting SJ RES 1 and to fulfill the promise for America's victims of crime.

Sincerely,

Roberta Roper
CO-Chair, National Victims' Constitutional Amendment Network
Chair, Board of Directors, Maryland Crime Victims' Resource Center, Inc.

cc: Senator Dianne Feinstein
Senator Barbara Mikulski
Senator Paul Sarbanes

