

COMMITTEE BILL ANALYSIS

Bill: Senate Bill 816

Printer's No.: 834

Sponsor: Senator Baker

Prepared by: Gregg Warner

Synopsis: This bill amends the Crime Victims Act, 1998 Act 111, requiring the Victim Advocate to represent and advocate for the interests of victims of juvenile crime.

Summary: The bill amends sections 301 and 302 of the Crime Victims Act governing the establishment of the Office of Victim Advocate and the powers and duties of the Victim Advocate, respectively.

Office of Victim Advocate

Section 301 of the Crime Victims Act provides that the Office of Victim Advocate is established to represent the interests of crime victims before the Pennsylvania Board of Probation and Parole and the Department of Corrections. This legislation amends the section to further direct the office to “advocate for” the interests of crime victims and to delete the references to the parole board and department. As a result, the office will represent and advocate for the interests of crime victims generally.

Powers and duties of Victim Advocate

Section 302 provides that the Victim Advocate has the power and duty to represent the interests of individual crime victims before the parole board, department or hearing examiner. This legislation adds “other government officials.”

In addition, a provision is added providing that the Victim Advocate has the power and duty to represent and advocate for the interests of crime victims generally, including the victims of juvenile crime.

Effective date

This act takes effect in 60 days.

Background: In addition to the Office of Victim Advocate, the Crime Victims Act includes a “Bill of Rights” for crime victims and establishes the Office of Victims’ Services in the Pennsylvania Commission on Crime and Delinquency. The Office of Victims’ Services administers the victim compensation program.

Interbranch Commission on Juvenile Justice

In its report investigating Luzerne County’s juvenile justice system, the Interbranch Commission stated “that Pennsylvania must give additional attention to victim restoration.” The commission pointed out that “there is no statewide advocate for victims of juvenile crime” and recommended the “creation of a statewide office of Juvenile Justice Victim Advocate. This position would be affiliated with the Office of Victim Advocate.”

Legislative history

During the 2009-2010 session this legislation was introduced as House Bill 2571.