

Victims' Voice Law Takes Effect

pa board of probation and parole

September was an historic month for victims and for the Parole Board. As of September 1, a new law went into effect to allow registered victims of crime in Pennsylvania to have another choice as to how they would like to provide their victim impact statement to the Parole Board.

The Victims' Voice Law, signed by Gov. Corbett on June 18, amends the Crime Victims Act to allow a victim or the victim's representative the option to provide testimony on how the crime impacted their life directly to the Board Members who will decide their case.

When Gov. Corbett signed the bill he recognized how far the commonwealth has come in establishing victim's rights since he began his law enforcement career 37 years ago, and that there is still more to be done. This new law is another milestone in Pennsylvania to achieve justice for crime victims.

In addition to in-person testimony, the law allows victims to have their voice heard through a digital recording of their testimony, which will be available for all decision makers on the case to hear.

H. B. 492, sponsored by Rep. Mike Vereb, was signed in the presence of victim advocates and survivors Susan Hooper, Mary Curley, Gary Gregory and their families, who had been advocating for this change in the law.

In Pennsylvania, victims have the right to provide comment on and receive notification of post-sentencing release decisions for state sentenced offenders. However, for victims it was important that they have the option to exercise their right in the same manner as the offender - to tell their story in person to the people who will make a decision in their case.

Hooper and Curley are the sister and mother of deceased Robert Curley who was poisoned to death by his wife Joann Curley. Since her brother's death, Hooper has worked tirelessly to improve victim's rights. She has worked with Sen. Lisa Baker who sponsored legislation for several years to allow in-person victim testimony.

Gregory is the brother of Ellen Robb who was brutally murdered by her husband Rafael Robb, a former University of Pennsylvania economics professor. Since his sister's death, Gregory and his family established the "Every

Great Reason Foundation" to provide services to victims of domestic violence.

For those victims who do not wish to provide in-person testimony, the right to provide written comments, including documents, photographs, or DVD recordings is still available. Importantly, written or oral testimony, and even the knowledge of whether or not a victim is registered, is completely confidential. It is not shared with anyone, including the offender.

At the time of the bill signing, Chairman of the Parole Board Michael C. Potteiger stated, "The board is pleased at the passage of this important legislation by the House and Senate that gives crime victims another choice regarding how they wish to submit personal testimony to the board. We have been working on the implementation of this process for months in preparation of a September start date."

Prior to the passage of this legislation, the Office of Victim Advocate and the Board of Probation and Parole had been developing a process to implement in-person testimony. Board Members visited the New York Parole Board to witness

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their process first hand. Carol Lavery, who was the Commonwealth Victim Advocate at the time of the bill signing and implementation of the law, had convened an advisory group to guide the Board on how best to structure the process to meet the needs of victims. After several months of planning, a process was

developed that was ready for implementation once the law went into effect.

Lavery stated "For some time, victim advocates have been calling for a change to the law on behalf of crime victims to allow them the opportunity to testify directly before Board members. This

amendment to the Crime Victims Act is consistent with the overall rights provided to crime victims within the criminal justice system."

Victims have many rights in Pennsylvania. Some rights require the victim to ask to receive them or register to receive. For more information visit the Office of Victim Advocate at www.ova.state.pa.us.