

---

# SENATE COMMITTEE ON PUBLIC SAFETY

Senator Aisha Wahab, Chair

2023 - 2024 Regular

---

**Bill No:** SB 86                      **Hearing Date:** March 14, 2023  
**Author:** Seyarto  
**Version:** January 17, 2023  
**Urgency:** No                              **Fiscal:** Yes  
**Consultant:** HM

**Subject:** *Crime victims: resource center*

## HISTORY

**Source:** Author

**Prior Legislation:** SB 2428 (Alquist), Ch. 1135, Stats. of 1988

**Support:** California District Attorneys Association; Crime Victim's United; Riverside County Sheriff's Department

**Opposition:** None known

## PURPOSE

***The purpose of this bill is to require the statewide victim resource center to provide an internet website for crime victims and victim service providers. This bill also requires that the internet website include a summary of victims' rights and resources.***

*Existing law* establishes a resource center which is required to operate a statewide toll-free information service, consisting of legal and other information for crime victims and providers of services to crime victims. (Pen. Code, § 13897.1.)

*Existing law* requires the center to provide information and educational material discussing victims' legal rights and requires the center to distribute these materials to administrative agencies, law enforcement agencies, victim-service programs, local, regional, and statewide education systems, appropriate human service agencies, and political, social, civic, and religious leaders and organizations. (Pen. Code, § 13897.1.)

*Existing law* defines "providers of services to crime victims" as any "hospital, doctor, attorney, local or statewide rape crisis center, domestic violence center, child abuse counseling center, or victims' witness center that seeks to assist crime victims in understanding and exercising their legal rights..." (Pen. Code, § 13897.1.)

*Existing law* states that the Office of Emergency Services shall grant an award to an appropriate private, nonprofit organization, to provide a statewide resource center. (Pen. Code, § 13897.2, subd. (a).)

*Existing law* provides that awarded resource centers shall:

- Provide callers with information about victims' legal rights to compensation and, where appropriate, provide victims with guidance in exercising these rights.
- Provide callers who provide services to victims of crime with legal information regarding the legal rights of victims of crime.
- Advise callers about any potential civil causes of action and, where appropriate, provide callers with references to local legal aid and lawyer referral services.
- Advise and assist callers in understanding and implementing their rights to participate in sentencing and parole eligibility hearings as provided by statute.
- Refer callers, as appropriate, to local programs, which include victim-witness programs, rape crisis units, domestic violence projects, and child sexual abuse centers.
- Refer callers to local resources for information about appropriate public and private benefits and the means of obtaining aid.
- Publicize the existence of the toll-free service through the print and electronic media, including public service announcements, brochures, press announcements, various other educational materials, and agreements for the provision of publicity, by private entities.
- Compile comprehensive referral lists of local resources that include the following: victims' assistance resources, including legal and medical services, financial assistance, personal counseling and support services, and victims' support groups.
- Produce promotional materials for distribution to law enforcement agencies, state and local agencies, print, radio, and television media outlets, and the general public. These materials shall include placards, video and audio training materials, written handbooks, and brochures for public distribution. Distribution of these materials shall be coordinated with the local victims' service programs.
- Research, compile, and maintain a library of legal information concerning crime victims and their rights.
- Provide a 20-percent minimum cash match for all funds appropriated pursuant to this chapter which match may include federal and private funds in order to supplement any funds appropriated by the Legislature. (Pen. Code, § 13897.2, subd. (b).)

*Existing law* states that the resource center be located with convenient and regular access between the center and those state agencies most concerned with crime victims. (Pen. Code, § 13897.2, subd. (c).)

*Existing law* provides that the entity receiving the grant shall be a private, nonprofit organization, independent of law enforcement agencies, and have qualified staff knowledgeable in the legal rights of crime victims and the programs and services available to victims throughout the state. (Pen. Code, § 13897.2, subd. (c).)

*Existing law* specifies that a subgrantee shall have an existing statewide, toll-free information service and have demonstrated substantial capacity and experience serving crime victims. (Pen. Code, § 13897.2, subd. (c).)

*Existing law* states that resource services shall not duplicate victim service activities of the Office of Emergency Services or those of other local programs funded through the Office of Emergency Services. (Pen. Code, § 13897.2, subd. (d).)

*This bill* requires resource centers to establish an additional internet website service for crime victims and providers to crime victims.

*This bill* provides that the internet website shall include a summary of victims' rights and resources in plain language including:

- Information about victims' rights, including specific disclosures
- Links to victim resources offered by the state and by each county.
- Additional links or resources from public or private entities that the center determines are relevant and appropriate.
- A summary of the California criminal justice process.
- Information on obtaining restitution from the California Victims Compensation Board.
- Information on obtaining legal protections for victims and their families.

## COMMENTS

### 1. Need for This Bill

According to the author:

While California has some of the broadest crime victims' rights in the United States, without guidance, many victims struggle to understand these rights and the complicated legal process which they often face alone. This bill will ensure that information is easier to access, providing clarity and relief to those dealing with trauma associated with being the victim of a crime.

### 2. Crime Victim Resources

In 1982, in response to the Victims' Rights Movement of the 1970s and 1980s, California voters approved Proposition 8 that recognized the hardships of victims in the criminal justice process and established the Victims' Bill of Rights in the California Constitution. This section was then substantially altered by the addition of Proposition 9 in 2008, also known as Marsy's Law, which included several new provisions such as the right to notification of criminal proceedings, restitution, and expanded power in parole hearings, to name a few. Since the passage of Marsy's Law, the California Attorney General's office has created and published, in 17 different

languages, “Marsy’s Cards” that list 17 Marsy’s Rights along with additional website and phone number resources (See Office of the Attorney General’s website, <https://oag.ca.gov/victimservices/marsy>). Physical cards are given to victims once contacted by law enforcement. A state-funded and maintained internet service known as “Marsy’s Page” was never established in the penal code since the corresponding initiative, Proposition 6 of 2008, was rejected by voters.

In 1988, SB 2428 (Alquist) established the statewide toll-free victim resource center and specified funding requirements and the information and resources that shall be provided to victims and service providers. This bill requires the statewide victim resource center to establish an internet website accessible by victims, their families and service providers with the same information required by SB 2428. The author states that this bill will provide “a single governmental source in “plain language” that more fully explains their constitutional rights, the criminal process and what they are entitled to.”

### 3. Internet Website

Under the existing statutory framework, crime victims may obtain informational resources through a state-funded toll-free informational service. The Office of Emergency Services is mandated to distribute awarded funds to appropriate organizations that disseminate information about victims' rights, legal options, local programs, and other aid resources.

However, the organization that provides the toll-free informational service appears to already operate an internet website that meets all requirements in Penal Code section 13897.2. (See <https://1800victims.org/>).

According to their website,

The California Victims Resource Center is located in Sacramento, California. The Center has operated the State of California's confidential, toll-free 1-800-VICTIMS line since 1984. Students at the McGeorge School of law, under attorney supervision, provide information and referrals statewide to victims, their families, victim service providers, and victim advocates.

Callers receive information on such matters as victims' compensation, victims' rights in the Justice System, restitution, civil suits, right to speak at sentencing and parole board hearings, as well as information on specific rights of victims of domestic violence, elder abuse, child abuse, and abuse against disabled.

The Center is mandated by legislation, California Penal Code Section 13897, and is funded through the California Governor's Office of Emergency Services (CAL OES).

(See <https://1800victims.org/about>).

The author recognizes that 1800victims.org already exists but states that “[p]roviding a reference for this resource in the California Penal Code not only affirms the importance of funding this vital resource but reaffirms California’s commitment to preserving victims’ rights.”

Providing crime victims' resource information through a website, in addition to the toll-free phone service, may allow victims and their families to skip the toll-free phone service and save them from the potential embarrassment of sharing sensitive information.

#### **4. Argument in Support**

According to Riverside County Sheriff's Department:

On behalf of the Riverside County Sheriff's Office, I am proud to extend our support for SB 86, a measure to strengthen Marsy's Law by providing crime victims more resources and access to the justice system.

On behalf of the Riverside County Sheriff's Office, I am proud to extend our support for SB 86, a measure to strengthen Marsy's Law by providing crime victims more resources and access to the justice system. Currently, California operates a state-wide resource center for victims under Penal Code §13897.1 et al., but it's only available through a toll-free service. This bill mandates the state to expand this service by establishing a website where crime victims can easily access information about their constitutional rights and connect with an attorney who can help guide them through the complex legal process. This bill also fills some gaps in existing law, such as extending these resources to victims' families and not restricting them to only victims, will provide a summary of crime victims' rights and resources in plain English (or other languages in simple terms), provide links to victim services offered by the state and each individual county, will provide users a summary of the California criminal justice system, will provide information about obtaining legal protections for victims and families, and equally important, will offer information on obtaining restitution from the California Victim Compensation Board.

In today's digital age, most people prefer to obtain their information via the web rather than calling a toll-free number. SB 86 updates outdated statutes and provides victims more resources and improved access to the justice system.

**-- END --**