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Victims call for more sensitivity from criminal justice system

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SACRAMENTO — Greater sensitivity by the criminal justice system to the financial and emotional needs of crime victims was the theme Wednesday of testimony before the Victims' Rights Task Force of the California Council on Criminal Justice.

The task force, which is studying Proposition 8, the 1982 Victims' Bill of Rights, is exploring the effectiveness of victims' right to restitution and to access to sentencing and parole hearings.

Wednesday's hearing was the second of three such hearings around the state, with the final hearing May 11 in Los Angeles.

The task force will recommend improvements in victims' involvement in criminal proceedings.

"California has led the way in victim restitution," said council chairman Robert Philibosian, a former Los Angeles County District Attorney who heads the task force.

"We've given out millions of dollars in state restitution funds, increased our victim/witness programs and increased the sensitivity of the judicial system in dealing with crime victims," said Philibosian, who is now with Los Angeles' MacDonald, Halsted & Laybourne. "We've done well, but not well enough. There is still a need to involve victims in all stages of the criminal justice process."

The task force is comprised of nine members from the council, which is a statutory advisory body to advise the governor and the Legislature on criminal justice issues. Members of the task force include representatives of the judiciary, prosecutors, correctional and law enforcement officials and the general public.

Assemblywoman Jackie Speier, D-South San Francisco — who was severely wounded in 1978 in Guyana, in the People's Temple massacre in which her boss, Rep. Leo Ryan, was killed — said

her experience as a crime victim has affected her professional views. Speier was Ryan's legal counsel. She was elected to the Legislature last year.

"It's made me far more discouraged and frustrated," Speier said. "It's made me recognize how inequitable the system is. To be

Philibosian: 'There is still a need to involve victims in all stages of the criminal justice process.'

forced to testify as many times as I've had to testify and to see the conclusion be what it is — it makes me think twice about testifying."

Because of the lengthy and sometimes cumbersome nature of the criminal justice system, Speier said crime victims "become victims twice over."

Therese Sorrentino of Sacramento, who with her two young sons was the victim of an armed robbery nearly two years ago, told the task force that "victims need more support, both emotional and financial."

"I had to dig to get information on victims' assistance so that I was able to secure counseling and medical assistance," she said.

Assemblywoman Marian La Follette, R-Norridge, urged task force members to review provisions of the Minnesota Direct Restitution Program, which she said successfully provides "intensive parole supervision" as well as "bringing together perpetrator and victim to work out how restitution will be made."

La Follette also suggested improvements in notification of victims that convicted defendants

are coming up for parole review.

Judith Embree, deputy executive officer of the state Board of Control, which administers the state's compensation fund for crime victims, said there has been "an enormous increase" in the number of claims filed in recent years.

In 1984, the program received \$27.2 million from fines and penalties and paid \$15.2 million in claims for victims' unreimbursed expenses. By contrast, she said, this year the program received \$42.4 million, while claim payments are projected to be \$48 million. A supplemental budget request of \$24 million is pending in the Legislature.

Asked by task force member Alice Lytle, a Sacramento Municipal Court judge, whether all victims are aware of the program, Embree said, "I'm sure there are [some who aren't served], but we're just not staffed for public relations."

Some task force members criticized the state Department of Corrections, which was asked by the Legislature to take 20 per cent of inmate wages for victim restitution. Debra Sherman, a program administrator for the department, said the program cost more to administer than it would provide in benefits. Inmates with jobs in state prisons earn 8 to 37 cents an hour.

"I have trouble understanding how this would cost a half a million dollars a year to administer," Philibosian said.

But task force members appeared supportive of a pilot program to place low-risk inmates serving relatively short sentences to work in a "restitution center." The inmates would hold paying jobs, repay one third of their salaries to their victims and one third to the state for costs of administering the program.

A key feature of the program, Ellison said, is that "they have to work — otherwise, if they don't find a job, they would have to go to an institution. We know that if they go out and work, they can put money back into the state."