

**Second Supplement to Memorandum 2022-02
Crime Victims' Rights and Services
Panelist Materials**

Memorandum 2022-02 gave an overview of victims' rights in California and discussed areas of law where revisions of the Penal Code could more directly center and address crime victims' needs. This memorandum presents and summarizes an additional written submission from a panelist scheduled to appear before the Committee on February 23, 2022.

Exhibit

Crime Victim and Survivor Rights and Services

Ralph Diaz, President, Stand Up for Victims J

**Discussion Panel 1
Crime Victim and Survivor Rights and Services**

Ralph Diaz, President, Stand Up for Victims

Mr. Diaz's submission reports that many crime victims have had difficulty understanding the impact of recent criminal justice reforms in our state, and that their lack of input in the development of reforms has resulted in them feeling marginalized and ignored. To remedy this, he makes three initial recommendations: give an easy-to-understand document explaining credit earning to crime victims, restructure restitution so that the government pays it to crime victims in full and then recovers the amount from people convicted of crimes, and allow victims to receive rehabilitation progress reports about people in prison who victimized them.

Respectfully submitted,

Rick Owen
Senior Staff Counsel

Exhibit J

Ralph Diaz, President, Stand Up for
Victims

Committee on Revision of the Penal Code

I come before you today representing the organization, Stand Up for Victims. Our organization was established in 2021 with the purpose of helping crime victims and survivors understand the everchanging criminal justice landscape. For the past fifteen months I have come to know victims who shared their pain and how marginalized and ignored they feel as changes are made to the criminal justice system. Their stories have one thing in common, the lack of their input as recommendations are being developed and most importantly how these changes impact victims healing process.

I appreciate the invitation to speak today and have done some research on the committee's work to this point. In preparation for today, I reviewed three reports generated by the Revision Committee. Unfortunately the victims voice is largely missing from all three reports. After today's meeting it my hope more engagement and dialogue with victims and survivors will be sought as recommendations are being made to the legislature.

To assist the committee, I would like to provide some input as a victim's advocacy group member. However I implore the committee to hear directly from crime victims and seek their guidance on recommendations.

In 2019, I had the opportunity to tour Norway and witness how their prison system and country transformed their approached criminal justice. One of the main principles in this change was to engage victims and see to their needs. One innovative example of how victims are treated was in their court ordered restitution process. In Norway if a victim is awarded restitution the victim is made whole up front and does not have to wait for the incarcerated to pay restitution as they earn wages in prison. This seems to be a better way to treat victims rather than to depend on the incarcerated to send the little they earn or receive from loved ones on a monthly basis period.

Another difference that would benefit victims was rehabilitation progress reports. This would give some assurance that the person sent to prison for their crime was being productive and adhering to their rehabilitation plan. This process could be accomplished in California, and I believe some victims would appreciate the information. I believe it would also encourage participation in rehabilitative programs by those incarcerated.

I will be glad to work with this committee to navigate these recommendations in collaboration with the Judicial Council, Victims Compensation Board and the California Department of Corrections and Rehabilitation.

Another area that has become more complex for victims since the passage of proposition 57 is the inmate credit earning system. The various credit earning schemes that exist can hardly be explained by some of the most senior corrections officials. It's imperative everyone understands the credit an inmate will earn based on the crime they committed. To leave victims guessing or to receive a notice of release earlier than anticipated is not acceptable. I would

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recommend the committee work with the California Department of Corrections and Rehabilitation to develop and easy to understand credit earning document. This document would need to be updated on a regular basis to include inmates serving life terms with future parole hearing dates.

In closing I want to thank the committee for the invitation and opportunity to speak today. It is my desire that this not be the only time victims' groups are put on the agenda. The work of the committee and its goals are concerning. I believe the only way to ease these concerns would be to engage victims and survivors and groups that represent them on a regular basis.

Respectfully,

Ralph M. Diaz
President
Stand Up for Victims