

FAQS FOR LD 178

VICTIMS



1. Would the parole board have a victim representative on it?

The bill states that the Parole Board will be **composed of experts in relevant fields** that reflect the diverse demographics of the incarcerated population. It is possible that one or more of the experts on the board has experience **advocating for victims**. For example, Dr. Arthur Jones, who served on the Parole Study Commission, was also a Victims' Advocate. Additionally, there will be at least 1 professional with expertise and experience in the **clinical treatment and rehabilitation of people who commit sexual violence offenses**.

2. What is the national data/research/studies/stats on crime victims' views on parole?

Alliance for Safety and Justice — **Survivor Survey:**

- By a margin of 2 to 1, **victims prefer more investment in community supervision, such as probation and parole, to more investment in prisons and jails.**
- By a 2 to 1 margin, victims prefer that the criminal justice system **focus more on rehabilitating people** who commit crimes than punishing them.
- 6 out of 10 victims **prefer shorter prison sentences** and more spending on prevention and rehabilitation to sentences that keep people in prison for as long as possible.

Note: These results were consistent across all demographic groups, including race, gender, age, income and political party affiliation. They were also consistent between victims of violent crime and victims of nonviolent crime.

Significant barriers exist for victims to receive victim compensation. This report states that for every 1 victim who received crime victim compensation (to cover therapy, expenses, etc) there were 11 victims who did not receive this compensation. This same set of victims interviewed also stated that 3/4 victims did not report to law enforcement.

One of the primary barriers to receiving victim compensation is that victims are only eligible if they file a police report (within a certain number of days) and if they "comply" with investigators, prosecutors, etc. So, many of the victims cited in this study who do not receive this compensation are victims who are not participating in the criminal legal system. In other words, **victims who will not be impacted by a parole bill.**

3. What material support is there in this bill for victims and would this bill extend cost-free access to mental health treatments or therapies to victims?

Material support goes beyond the scope of this bill, although it is our hope that funding for such programs would come from the savings created by the parole program.

This support is already available to victims through the Victims of Crime Act (VOCA) Fund (non-taxpayer money) and the State of Maine. Victim compensation covers the costs of mental health counseling, lost wages, loss of support, and burial and funeral expenses. In addition, counseling expenses are covered for certain family and household members of certain victims.

Also, counseling services and funds to support other needs are provided to victims who access services at nonprofits (for example, DV/SA organizations provide free counseling, advocacy, and other supports, sometimes even including financial support for attending hearings, etc).

4. How would this bill acknowledge and lessen the potential negative impact of the parole hearing on victims?

Parole offers **more consideration to victims** than Maine's Supervised Community Confinement Program (SCCP). In order for incarcerated people to be transitioned to SCCP, the DOC needs to reach out and notify victims.

Parole would use the same model, with the addition of creating space for victims to be heard in a parole hearing if they desire. Victims who feel empowered to say that the person who harmed them should be transitioned to parole will have the forum to do so. This process is **much healthier than what is currently allowed** under SCCP, as it offers more support as well as more choice for how a victim gets involved.

LD 178 expands support for victims in several ways as requested by victim's rights organizations.

- Victims will receive prior notice of a hearing
- Victims will have the right to be heard
- Victims will have the right not to appear
- Victims will have the right to participate remotely
- Victims will have the right to submit a statement at the first hearing and request that statement to stay on record in lieu of attending any future parole hearings.

If the applicant is denied parole, the board could set the next hearing date at a time longer than the minimum 30 months if the board deemed this necessary. The parole process would require adequate staffing for victim services. Victim hearings can be held virtually or at any government, state, county or local facility, such as: a prosecutor's office, police department, library, or the Department of Health and Human Services.

THE BOARD WILL NOTIFY CRIME VICTIMS ABOUT ADVOCACY AND THERAPEUTIC SUPPORT AVAILABLE IN THEIR AREA AND WILL PROVIDE CONTACT INFORMATION AND INSTRUCTIONS FOR ACCESSING THESE RESOURCES.