

THE NATIONAL CENTER FOR  
**Victims of Crime**

**BOARD OF DIRECTORS**

September 3, 2013

Mark Mandell

*Chair*

Philip M. Gerson

*Treasurer*

G. Morris Gurley

*Secretary*

The Honorable Patrick Leahy, Chair  
Senate Judiciary Committee  
United States Senate  
Washington, DC 20510-6275

Dear Senator Leahy:

Alexander Auersperg

Patricia Brown

Denise Forte

Kim Goldman

Michael Haggard

Melvin Hewitt

Ala Isham

Ralph H. Isham

Leonard Klevan

Brian Martin

Donald A. Migliori

Frank M. Ochberg, M.D.

Erin Olson

Kathleen Flynn Peterson

Stephen Rickman

Charles J. Sgro

Hon. Eric Smith

Francisco Acevedo Villarruel

The National Center for Victims of Crime supports the Justice for All Reauthorization Act of 2013. The original Justice for All Act, particularly the Crime Victims' Rights Act contained therein, has had a significant impact on the provision of victims' rights throughout our federal courts. Today, judges, prosecutors, and other players in the federal criminal justice system are more likely to understand and honor the rights owed to victims of crime throughout a criminal case. The CVRA is also serving as a model for states working to improve their own protections of victims' rights.

Your bill would build upon the success of the original CVRA in several important respects. First, it would allow for an extension of time to consider a petition for a writ of mandamus where a victim alleges a violation of rights, where the litigants agree to an extension and the court approves. The law currently requires an appellate court to issue a decision on a writ of mandamus concerning a victim's right within 72 hours. While this time limit was put in place to ensure that criminal proceedings are not unduly delayed, the interests of justice do not always require such speedy resolution. Allowing an extension of time in such cases will permit courts to give full consideration to victims' rights issues before them.

The bill would add to the CVRA the right of victims to be informed of their rights and available services and to be provided contact information for the victims' rights ombudsman. As a 2009 GAO report noted, too often victims are unaware of the existence of the ombudsman or their ability to assert their legal rights. GAO-09-54 p. 36. This change will ensure crime victims are aware of their legal rights and remedies. A final change to the CVRA would make clear that the rights apply to cases in the D.C. Superior Court and clarify the appropriate appellate court to receive petitions for a writ of mandamus alleging a violation of victims' rights in such cases.

We also support the bill's reauthorization of the Debbie Smith DNA Backlog Grant Program, which provides important funding for testing of backlogged sexual

September 3, 2013  
Page two

assault kits (SAK) at crime laboratories. As more jurisdictions realize the extent of their backlogs of SAKs, reauthorization of this program is vital to identifying rapists and bringing justice to their victims. The bill would also reauthorize the Sexual Assault Forensic Exam training grants and the DNA Identification of Missing Persons grants. Both programs are important to the goal of maximizing the potential of DNA and DNA technology to solve crime and bring answers to survivors.

We urge your colleagues to join you in passing this important legislation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Mai Fernandez".

Mai Fernandez