



Hon. Pedro R. Pierluisi
Statement on the Crime Victims Rights Act of 2004
Committee on the Judiciary
Subcommittee on Crime, Terrorism, and Homeland Security
Tuesday, September 28, 2009

Thank you, Mr. Chairman. I am grateful that you have convened this hearing today.

In our criminal justice system, the person who has been most affected by a crime—the victim—plays no formal role in the legal proceeding connected to his or her case. While the government prosecutes the case and the alleged offender defends against the charges, the victim is left in a legal “no man’s land.”

When I was Attorney General of Puerto Rico, I often met with victims who felt disconnected from the prosecution of their cases. Although I tried to involve victims as much as possible, it was clear to me that more formal mechanisms were needed to promote their participation.

At the federal level, Congress recognized this problem and passed the Crime Victims Rights Act in 2004. The law provided federal crime victims with eight rights, including the right to be protected from the accused; the right to be notified of, and to participate in, court proceedings; and the right to confer with the prosecution. These rights re-oriented the relationship between victims and our criminal justice system by providing victims with an opportunity to be involved with the prosecution of their cases if they so chose.

The GAO released a report last December that evaluated the implementation of the Crime Victims Act. That report found that the Justice Department and the federal courts have made significant efforts to implement the Act, and I applaud the Department and the courts for the steps it has taken to date. That said, there appears to be room for improvement both in the Act's implementation and in designing methods to monitor compliance with the Act. For example, a number of victims were not aware of their rights or of their ability to file an internal grievance when their rights were not being respected.

I welcome our witnesses' thoughts on the GAO's recommendations and, more broadly, on how we can improve implementation of the Act and better ensure that all victims are able to assert their rights. I look forward to having a productive dialogue today, and I appreciate the witnesses' testimony.