



March— April 2003

New Mexico Victims' Rights Bulletin

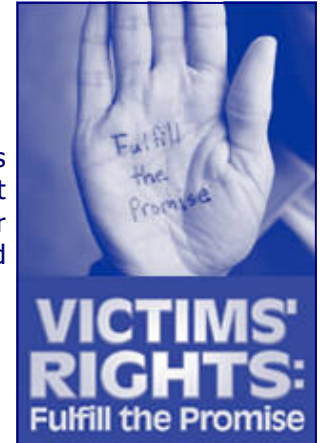
NATIONAL CRIME VICTIMS' RIGHTS WEEK

APRIL 6 to 12, 2003

Crime brings trauma, pain, and insecurity into the lives of too many Americans each year. During National Crime Victims' Rights Week, those who have suffered as a result of crime are remembered. Various groups gathered in the capital and all over the country to raise awareness of the plight of victims of crimes.

A rally, hosted by the Victims' Rights Project, a project of the DWI Resource Center, was held at Civic Plaza in Albuquerque on April 8, 2003 at 12:00 noon. The event introduced the New Mexico Victims' Rights Project and the pro-bono legal team for victims. Governor Richardson and Mayor Chavez inaugurated Victims' Rights Week and representatives from local and statewide advocate agencies attended.

Crime touches each and every one of us either directly or indirectly. We are all affected by acts of crime whether we are the victim, whether we know the victim or not. No one is immune. Most of us just see it on TV or read about it in the newspaper, but then there are those who live with the aftermath of crime for the rest of their lives. Crime Victims' Rights week is an opportunity to promote the rights of crime victims.



NEW MEXICO VICTIMS' RIGHTS PROJECT

The Victims Rights Project is a joint effort of the DWI Resource Center and other victim organizations.

(505) 292-2838

E-MAIL: vrp@nm-victimrights.org
Website: www.nm-victimrights.org

The New Mexico Victims Rights' Bulletin is published every other month by the New Mexico Victims' Rights Project. The goal in distributing information, news and updated legislation is to promote justice and healing for crime victims by sharing information and fostering sensitivity within the justice system. Questions regarding content can be directed to Linda Atkinson, Executive Director at (505) 292-2838. To learn more about victims' rights via the internet, visit us at www.nm-victimrights.org.

STEVE TWIST, A HERO FOR VICTIM'S RIGHTS

Steve Twist has spent 27 years advocating for stronger legal protections for crime victims. He is the Vice President of National Organization for Victim Assistance (NOVA).

Steve drafted Arizona's first victims' rights law and established the first Victim Witness Division based in an Attorney General's Office. He is responsible for the passage of several victims' rights laws. He founded the Arizona's Victims Legal Assistance Project in partnership with the Arizona State University College of Law.

He established a statewide coalition of victim advocates called Arizona Voices for Crime Victims.

Steve has actively campaigned in the country's capital and across the country in support of an amendment to the federal constitution providing constitutional rights to victims. On April 12 he was the recipient of the Crime Victim Service Award presented by Attorney General Ashcroft on behalf of himself and President Bush.

TRAINING FOR PRO BONO ATTORNEYS



The Victims' Rights Education and Enforcement Project has created a pro bono team of attorneys to assist victims in asserting their rights.

The first training session was April 25, 2003. The training was a joint effort of the New Mexico Victim's Rights Project, The National Crime Victim Law Institute (NCVLI) and Steve Twist, a national advocate for victims rights.

If you are an attorney and interested in volunteering, please contact the Victims' Rights Project at (505) 292-2838.

VICTIMS' RIGHTS PROJECT

People victimized by crimes are often victimized twice. First by the crime, then by the judicial system when they learn that the rights of defendants are vigorously enforced while the rights of victims are ignored. Since 1987 there has been a law on the books in New Mexico providing specific rights to victims. A law passed in 1987 gave rights to victims and witnesses. In 1992 the New Mexico Constitution was amended to add the Bill of Rights for victims of violent crimes. In 1994 the Victims of Crime Act was passed to implement the constitutional provision. That law replaced the 1987 statute. The purpose of the act was to assure that: "the full impact of a crime is brought to the attention of a court; victims of violent crimes are treated with dignity, respect and sensitivity at all stages of the criminal justice process; and victims' rights are protected by law enforcement agencies, prosecutors and judges as vigorously as are the rights of criminal defendants."

Law enforcement agencies, the District Attorneys, the Judges, The Corrections Department and the Probation and Parole Office are all required by law to provide certain information and hearing notification to victims of crime. A study by the National Institute of Justice found that "large numbers of victims are being denied their rights." Even in states that offer "strong protection" for victims rights, less than 60% of victims were notified when defendants were sentenced and less than 40% were notified of a defendant's pretrial release. In the past when rights of victims are violated, there was not a standard process or agency assigned to address what happened, no tracking mechanism to investigate or evaluate similar violations in order to recommend ways to alleviate violations of victims' rights.

The Victims' Rights Education and Enforcement Project was created to raise awareness of victims rights by providing educational materials to victims, communities and the agencies entrusted to provide victims rights. Also, to establish an information and tracking system on victims' rights violations and provide a pro-bono legal team to assist victims in asserting their rights within the criminal justice system. The project hopes to collaborate and coordinate with crime victims and victim's advocacy organizations throughout the state, to help strengthen and enforce our victims' rights laws. Members of the project intend to work with the various agencies of the judicial system to protect the rights of victims. Eleanor Roosevelt once said, "justice cannot be for one side alone, but must be for both."



New Mexico Victims' Rights

As a victim of crime you have the right to:

- Be provided by the responding law enforcement agency the name, phone number and address of the District Attorneys' office.
- Be treated with fairness and respect.
- Timely disposition of the case.
- Be reasonably protected from the accused.
- Be notified of court proceedings.
- Attend all public court proceedings.
- Confer with the prosecuting attorney.
- Request restitution (any out-of-pocket expenses).
- Make a statement to the court at sentencing and any post-sentencing hearings.
- Information about the conviction, sentencing, imprisonment, escape or release of the accused.
- Promptly receive any property that is being held for evidence.
- Be informed by the court at sentencing that the defendant may earn merits to reduce his/her sentence.

**If you have questions,
please call the Victims' Rights Project.**

Albuquerque: (505) 292-2838

Toll Free: 1-888-410-1084

Crime Victim Resources (Bernalillo County)

Albuquerque Police Department	242-2677
Bernalillo County Sheriff's Dept.	798-7000
NM State Police, Albuquerque area	841-9256
District Attorney's Office	841-7100
District Attorney's Victim Impact	841-7020
NM Crime Victims' Reparations	841-9432
MADD	255-2955
DWI Resource Center	881-1084
UNM Crisis Center	277-3013
Rape Crisis Center	266-7711
Hopeline national suicide hotline	(800) 247-1121
Child Protective Services	841-7800
Adult Protective Services	841-4500
Survivors of Homicide	232-4099
Women Community Association	247-4219

For resources in your community visit our website at www.nm-victimsrights.org