



DEPARTMENT OF SOCIAL  
AND REHABILITATION SERVICES

Don Jordan, Secretary

**Senate Judiciary Committee**

**March 8, 2010**

**HB 2440 – Victim Notification**

**Disability & Behavioral Health Services**

**Deputy Secretary Ray Dalton**

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## **HB 2440 – Victim Notification**

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Chairman Owens, and members of the Committee, the Department of Social and Rehabilitation Services (SRS), would like to provide the following written testimony in regards to House Bill 2440. House Bill 2440 would require the State Mental Health Hospitals to report to the Department of Corrections, Victim Services Division, admissions, discharges, movements of patients between facilities, and hearings, for the purpose of victim notification.

These changes to the forensic statutes will allow for the notification of victims who are not currently being notified of a change in status of a person who has victimized them, because the offender is no longer “in the criminal justice system.” This occurs when an individual is being evaluated or treated for competency, found not guilty for lack of mental state, or involuntarily committed. Under these proposed changes notification will start when an offender enters the custody of the state hospital, either at a §3302 competency evaluation or a §3303 treatment order.

Notification to the victim will be provided by the Department of Corrections Office of Victims Services, with status information provided by the state hospitals, and victim information provided by the District Attorney.

The SRS Forensics Coordinator, representatives from the State Mental Health Hospitals, and the Deputy Secretary for Disability and Behavioral Health Services participated in a workgroup which looked at the issues and gaps around the notification of victims of persons who were committed to the state hospitals under the forensic commitment statutes. These new notification requirements will have a minimal impact on the State Hospitals.

SRS provided testimony in support of the original bill, but since that testimony the bill has been amended to include the notification of a defendant’s family who are not crime victims. We do not feel this is in keeping with the intent of the original bill, and is not consistent with the mission of the Department of Corrections’ Victims Services Division.

Therefore, the Department of Social and Rehabilitation Services urges that HB 2440 be passed as it was originally introduced.

Thank you for the opportunity to provide information to the Committee on HB 2440.