



DEPARTMENT OF SOCIAL
AND REHABILITATION SERVICES

Don Jordan, Secretary

House Corrections and Juvenile Justice Committee

January 21, 2010

HB 2440 – Victim Notification

Disability & Behavioral Health Services

Deputy Secretary Ray Dalton

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Madame Chair, and members of the Committee, I am Ray Dalton, Deputy Secretary of Disability and Behavioral Health Services (DBHS) with the Department of Social and Rehabilitation Services (SRS), and I thank you for the opportunity to testify today in support of House Bill 2440. House Bill 2440 would require the State Mental Health Hospitals to report to the Department of Corrections, Victim Notification Unit, 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 I 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. SRS is in agreement with the proposed changes to the statutes. These new notification requirements will have a minimal impact on the State Hospitals.

Thank you for the opportunity to testify. I would be happy to answer any questions.