

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## SENATE BILL

No. 508 Session of  
2013

INTRODUCED BY BAKER, TOMLINSON, TEPLITZ, WARD, YUDICHAK,  
FONTANA, RAFFERTY, FOLMER, WASHINGTON, BREWSTER, BLAKE,  
ERICKSON, WAUGH, BROWNE, SOLOBAY, COSTA, McILHINNEY,  
TARTAGLIONE, FARNESE AND BOSCOLA, FEBRUARY 14, 2013

AS REPORTED FROM COMMITTEE ON JUDICIARY, HOUSE OF  
REPRESENTATIVES, AS AMENDED, OCTOBER 6, 2014

## AN ACT

1 Amending the act of November 24, 1998 (P.L.882, No.111),  
2 entitled "An act providing for victims' rights; imposing  
3 penalties; establishing remedies; establishing the Office of  
4 Victim Advocate, the Bureau of Victims' Services, the  
5 Victims' Services Advisory Committee, the State Offender  
6 Supervision Fund and other funds; and making repeals,"  
7 ~~further providing for petitions to deny parole upon~~ <--  
8 ~~expiration of minimum sentence.~~ PROVIDING FOR REVICTIMIZATION <--  
9 RELIEF.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 ~~Section 1. Section 502(b) of the act of November 24, 1998~~ <--  
13 ~~(P.L.882, No.111), known as the Crime Victims Act, amended~~  
14 ~~October 2, 2002 (P.L.839, No.121), is amended to read:~~  
15 ~~Section 502. Petitions to deny parole upon expiration of~~  
16 ~~minimum sentence.~~

17 \* \* \*

18 ~~(b) Appearance. The victim or the victim's representative~~  
19 ~~shall be permitted to appear in person and provide testimony~~

1 ~~before the [board or hearing examiner] panel or the majority of~~  
2 ~~those board members charged with making the parole release~~  
3 ~~decision or, in the alternative, the victim's or the victim's~~  
4 ~~representative's testimony may be presented by [conference call]~~  
5 ~~electronic means as provided by the board. The testimony of a~~  
6 ~~victim [before the board] or a victim's representative shall be~~  
7 ~~confidential. Records maintained by the department and the board~~  
8 ~~pertaining to victims shall be kept separate[. Current] from~~  
9 ~~other records and these victim records, including current~~  
10 ~~address, telephone number and any other personal information of~~  
11 ~~the victim and family members, shall be deemed confidential.~~

12 \* \* \*

13 ~~Section 2. This act shall take effect September 1, 2013, or~~  
14 ~~immediately, whichever is later.~~

15 SECTION 1. THE ACT OF NOVEMBER 24, 1998 (P.L.882, NO.111), <--  
16 KNOWN AS THE CRIME VICTIMS ACT, IS AMENDED BY ADDING A SECTION  
17 TO READ:

18 SECTION 1304. REVICTIMIZATION RELIEF.

19 (A) ACTION.--IN ADDITION TO ANY OTHER RIGHT OF ACTION AND  
20 ANY OTHER REMEDY PROVIDED BY LAW, A VICTIM OF A PERSONAL INJURY  
21 CRIME MAY BRING A CIVIL ACTION AGAINST AN OFFENDER IN ANY COURT  
22 OF COMPETENT JURISDICTION TO OBTAIN INJUNCTIVE AND OTHER  
23 APPROPRIATE RELIEF, INCLUDING REASONABLE ATTORNEY FEES AND OTHER  
24 COSTS ASSOCIATED WITH THE LITIGATION, FOR CONDUCT WHICH  
25 PERPETUATES THE CONTINUING EFFECT OF THE CRIME ON THE VICTIM.

26 (B) REDRESS ON BEHALF OF VICTIM.--THE DISTRICT ATTORNEY OF  
27 THE COUNTY IN WHICH A PERSONAL INJURY CRIME TOOK PLACE OR THE  
28 ATTORNEY GENERAL, AFTER CONSULTING WITH THE DISTRICT ATTORNEY,  
29 MAY INSTITUTE A CIVIL ACTION AGAINST AN OFFENDER FOR INJUNCTIVE  
30 OR OTHER APPROPRIATE RELIEF FOR CONDUCT WHICH PERPETUATES THE

1 CONTINUING EFFECT OF THE CRIME ON THE VICTIM.

2 (C) INJUNCTIVE RELIEF.--UPON A SHOWING OF CAUSE FOR THE  
3 ISSUANCE OF INJUNCTIVE RELIEF, A COURT MAY ISSUE SPECIAL,  
4 PRELIMINARY, PERMANENT OR ANY OTHER INJUNCTIVE RELIEF AS MAY BE  
5 APPROPRIATE UNDER THIS SECTION.

6 (D) DEFINITION.--AS USED IN THIS SECTION, THE TERM "CONDUCT  
7 WHICH PERPETUATES THE CONTINUING EFFECT OF THE CRIME ON THE  
8 VICTIM" INCLUDES CONDUCT WHICH CAUSES A TEMPORARY OR PERMANENT  
9 STATE OF MENTAL ANGUISH.

10 SECTION 2. THIS ACT SHALL TAKE EFFECT IMMEDIATELY.