

Section by Section Summary:
Courtney Wild Crime Victims' Rights Reform Act of 2019

Reps. Speier, Perry, Frankel & Brooks

SECTION 1. SHORT TITLE.

- Names the bill as the “Courtney Wild Crime Victims’ Rights Reform Act of 2019.”

SECTION 2. CRIME VICTIMS’ RIGHTS.

- This section revises 18 U.S.C. § 3771, the Crime Victims’ Rights Act (CVRA).
- Clarifies that victims have the right to confer with prosecutors about any plea bargain or other resolution before it becomes final.
- Clarifies that victims must be notified of deferred prosecution agreements, non-prosecution agreements, and referrals to state and local authorities, with limited confidentiality obligations on victims to protect ongoing criminal matters.
- Requires the Department of Justice to produce relevant documents when their obligations under the CVRA are in dispute.
- Requires the Government to obtain the informed consent of the victim before advocating for the victim’s rights.
- Expands the ability of victims to re-open pleas and sentences by extending the period to appeal to 30 days (as is standard for other appeals) and allowing victims to challenge when they were not able to assert their rights before the district court.
- Expressly authorizes motions to annul or rescind prosecutorial agreements (deferred prosecution agreements or non-prosecution agreements).
- Requires courts to give victims an opportunity to be heard when their CVRA rights are violated and empowers the court to give further just and appropriate relief based on the victim’s testimony.
- Allows the Department of Justice’s National Coordinator of Victims’ Rights to appear to advocate for victims.
- Provides attorneys’ fees and expenses for successful actions or motions brought under this section.

SECTION 3. DEPARTMENT OF JUSTICE OFFICIALS RESPONSIBLE FOR ENSURING VICTIMS’ RIGHTS.

- This section applies specific legal requirements on how the Department of Justice ensures victims’ rights, which was left open to the Attorney General’s discretion under prior law.
- Establishes a National Coordinator for Victims’ Rights, which is placed within the Office of the Deputy Attorney General to ensure that the official has the authority to impose disciplinary sanctions for violations of victims’ rights.
- Allows the National Coordinator to award up to \$15,000 (out of Treasury’s account for tort judgments) to victims whose rights are intentionally violated.

CVRA Reform Act Summary

- Provides due process for victims who submit complaints to DOJ of violations of CVRA rights, including a right to be heard, an opportunity to respond to determinations, and a longer period to submit complaints.
- Requires a mandatory course of training for all DOJ employees that interact with victims.
- Requires reporting to Congress on outcomes of complaints and significant steps taken to improve DOJ's best efforts to accord victims their rights.
- Requires the Federal Judicial Center to create a guidebook for victims' rights and update their training.

SECTION 4. CRIME VICTIM LEGAL ASSISTANCE GRANTS.

- Re-authorizes grants to organizations providing legal assistance to victims of up to \$13 million per year for five years.

SECTION 5. NATIONAL RESOURCE CENTER ON CRIME VICTIMS' RIGHTS.

- Authorizes a grant to establish a national resource center on crime victims' rights of up to \$1.5 million a year for five years.

SECTION 6. STREAMLINING VICTIM NOTIFICATION.

- Streamlines victim notification requirements to reduce the burden on victims and increase governmental efficiency, by eliminating certain duplicative notifications to victims. (Based on a recommendation from the Judicial Conference of the United States.)

SECTION 7. IMPROVEMENTS FOR ORDERS OF RESTITUTION.

- Provides for orders of restitution in criminal offenses to be treated as civil debts, payable immediately and collectable by the Department of Justice or the victim. Under current law, victims rely on the Department of Justice to collect restitution they are owed. (Based on a recommendation from the Judicial Conference of the United States.)

For questions about the bill, please contact Ryan Galisewski in Rep. Speier's office at (202) 225-3531 or ryan.galisewski@mail.house.gov.