

SENATE FILE 2185  
BY KREIMAN

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act to establish a crime victim and witness notification  
2 system and advisory council in the department of justice and  
3 providing an effective date.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 2185  
JUDICIARY

1 Section 1. Section 331.756, subsection 83A, Code  
2 Supplement 2003, is amended to read as follows:

3 83A. Carry out the duties imposed under ~~sections-915-12~~  
4 and section 915.13.

5 Sec. 2. Section 915.10, subsections 1 and 2, Code 2003,  
6 are amended to read as follows:

7 1. "Notification" means mailing by regular mail or  
8 providing for hand delivery of appropriate information or  
9 papers. However, this notification procedure does not  
10 prohibit an office, agency, or department from also providing  
11 appropriate information to a registered victim by telephone,  
12 electronic mail, or other means.

13 2. "Registered" means having provided the **county** attorney  
14 general with the victim's written request for registration and  
15 current mailing address and telephone number.

16 Sec. 3. NEW SECTION. 915.10A CRIME VICTIM AND WITNESS  
17 NOTIFICATION SYSTEM.

18 1. There is established in the department of justice under  
19 the direction of the attorney general a crime victim and  
20 witness notification system to assist public officials in  
21 informing crime victims and witnesses as provided in this  
22 subchapter and where otherwise specifically provided. The  
23 system shall receive necessary information from participating  
24 officials and agencies and disseminate the information to  
25 registered victims and witnesses through telephonic,  
26 electronic, or other means of access established by the crime  
27 victim and witness notification advisory council. The  
28 attorney general may enter into necessary contracts and  
29 arrangements to implement and operate the system.

30 2. The department of corrections, department of human  
31 services, board of parole, clerks of the district court,  
32 county attorneys, and local correctional facilities shall  
33 assist the attorney general with the implementation of the  
34 system and provide information as necessary for the effective  
35 operation of the system.

1 3. An office, agency, or department may satisfy a  
2 notification obligation to registered victims required by this  
3 subchapter through participation in the system to the extent  
4 information is available for dissemination through the system.  
5 Nothing in this section shall relieve a notification  
6 obligation under this subchapter due to the unavailability of  
7 information for dissemination through the system.

8 4. The attorney general may provide necessary equipment,  
9 software, or training necessary to implement the system to  
10 those entities participating in the system.

11 5. The attorney general may adopt rules to provide for the  
12 registration of certain witnesses of crime and any other rules  
13 necessary to implement the crime victim and witness  
14 notification system.

15 Sec. 4. NEW SECTION. 915.10B CRIME VICTIM AND WITNESS  
16 NOTIFICATION ADVISORY COUNCIL.

17 1. A crime victim and witness notification advisory  
18 council is established in the department of justice. The  
19 council shall advise the attorney general on matters  
20 pertaining to the implementation and operation of the crime  
21 victim and witness notification system.

22 2. The council shall consist of seven voting members  
23 appointed by the attorney general. The members shall be  
24 persons representing victim advocates, juvenile officers,  
25 sheriffs and local law enforcement, the department of  
26 corrections, the board of parole, and any other interested  
27 persons appointed by the attorney general. Each member shall  
28 serve a two-year term or a length of time as adopted by rule  
29 pursuant to this section. The attorney general shall serve as  
30 an ex officio, nonvoting member.

31 3. The council, with the assistance of the attorney  
32 general, may establish rules regarding terms of office, the  
33 election of council officers, meeting dates and locations, and  
34 any other procedural requirements necessary to maintain the  
35 council.

1 Sec. 5. Section 915.11, Code 2003, is amended to read as  
2 follows:

3 915.11 INITIAL NOTIFICATION BY LAW ENFORCEMENT.

4 A local police department or county sheriff's department  
5 shall advise a victim of the right to register with the county  
6 attorney general, and shall provide a request-for-registration  
7 form to each victim.

8 Sec. 6. Section 915.12, Code 2003, is amended to read as  
9 follows:

10 915.12 REGISTRATION.

11 1. The county attorney general shall be the sole registrar  
12 of victims under this subchapter.

13 2. A victim may register by filing a written request-for-  
14 registration form with the county attorney general or by any  
15 other method approved by the attorney general. ~~The county~~  
16 ~~attorney shall notify the victims in writing and advise them~~  
17 ~~of their registration and rights under this subchapter.~~

18 3. The county attorney general shall provide a registered  
19 victim list to the offices, agencies, and departments required  
20 to provide information under this subchapter for notification  
21 purposes.

22 4. Notwithstanding chapter 22 or any other contrary  
23 provision of law, a victim's registration shall be strictly  
24 maintained in a separate confidential file or other medium,  
25 and shall be available only to the offices, agencies, and  
26 departments required to provide information under this  
27 subchapter.

28 Sec. 7. Section 915.13, subsection 1, unnumbered paragraph  
29 1, Code Supplement 2003, is amended to read as follows:

30 The county attorney shall notify a victim registered with  
31 the ~~county attorney's~~ office of the attorney general of the  
32 following:

33 Sec. 8. Section 915.18, subsection 2, Code 2003, is  
34 amended to read as follows:

35 2. Offenders who are being considered for release on

1 parole may be informed of a victim's registration with the  
2 county attorney general and the substance of any opinion  
3 submitted by the victim regarding the release of the offender.

4 Sec. 9. Section 915.19, subsection 2, Code 2003, is  
5 amended to read as follows:

6 2. The county attorney may notify an offender being  
7 considered for a reprieve, pardon, or commutation of sentence  
8 of a victim's registration with the county attorney general  
9 and the substance of any opinion submitted by the victim  
10 concerning the reprieve, pardon, or commutation of sentence.

11 Sec. 10. Section 915.29, Code 2003, is amended by adding  
12 the following new unnumbered paragraph:

13 NEW UNNUMBERED PARAGRAPH. The notification required  
14 pursuant to this section may occur through the crime victim  
15 and witness notification system established in section 915.10A  
16 to the extent such information is available for dissemination  
17 through the system.

18 Sec. 11. Section 915.45, Code 2003, is amended by adding  
19 the following new unnumbered paragraph:

20 NEW UNNUMBERED PARAGRAPH. The notification required  
21 pursuant to this section may occur through the crime victim  
22 and witness notification system established in section 915.10A  
23 to the extent such information is available for dissemination  
24 through the system.

25 Sec. 12. TRANSITIONAL PROVISION. The attorney general  
26 shall establish a schedule by which each county attorney shall  
27 transfer all registrations under section 915.12 existing prior  
28 to the effective date of this Act to the attorney general.

29 Sec. 13. EFFECTIVE DATE. This Act takes effect July 1,  
30 2005.

31 EXPLANATION

32 This bill establishes a crime victim and witness  
33 notification system and advisory council in the department of  
34 justice under the direction of the attorney general. The  
35 purpose of the system is to assist public officials in

1 informing crime victims of information required to be provided  
2 to the victim which may include a schedule of court  
3 proceedings or parole hearings, and the release, escape,  
4 transfer, or pardon of an offender. Notifications required to  
5 victims of juvenile and sexual offenders are also permitted  
6 through the system. The attorney general may permit certain  
7 witnesses access to the system by rule and may enter into  
8 necessary contracts to implement and operate the system.

9 A crime victim and witness notification advisory council is  
10 established to advise the attorney general regarding the  
11 implementation and operation of the system. The attorney  
12 general shall appoint seven voting members and participate as  
13 a nonvoting member. The council may establish by rule  
14 provisions regarding terms of office, election of officers,  
15 and other requirements necessary to maintain the council. The  
16 bill transfers current victim registration authority from the  
17 county attorneys to the attorney general and requires the  
18 attorney general to establish a schedule by which to make the  
19 transition.

20 The bill has an effective date of July 1, 2005.

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