

Committee on the Judiciary and Public Safety
Bill 25-0537, “Whole Government Response to Crime Act of 2023.”
Oral Testimony of Naida Henao, Network for Victim Recovery of DC’s Head of Engagement
December 11, 2023

Thank you for considering my testimony today. My name is Naida Henao, and I am testifying on behalf of Network for Victim Recovery of DC as the Head of Engagement. Since 2012, NVRDC has supported over 9,000 crime victims and survivors in the District through its free advocacy, legal, and therapeutic services.

First, NVRDC wants to express its gratitude for Councilmember Robert White’s approach to this bill and to public safety. While we frequently hear about the District’s rising crime rates, we have not seen a similar amount of conversation about supporting the folks harmed by these crimes. We appreciate Bill 25-0537’s efforts to address the current gaps in support for crime victims, and for aiming to centralize and coordinate the District’s existing resources to improve public safety response.

Our main focus of feedback for the bill concerns the role of the Victim Services Coordinator. To be clear, we are fully supportive of the intent behind the creation of this role. NVRDC strongly believes that survivors in the District would be aided by having a central entity that they could turn to to provide information about the many community resource programs available. One of the biggest challenges facing survivors of crime in the District is knowing about the resources available to help them. Some folks are referred to national hotlines who route them through 2-3 different entities. For the folks who are able to connect to a local organization, they may have to contact several providers to find one that serves their particular victimization, identity, income, etc. This is a burdensome ask for a survivor who may still be in a moment of crisis after their victimization.

While there is also support for victims through the MPD Victim Services Branch or the US Attorney’s Office, these roles have some limitations. First, this support is only available for survivors who feel safe reporting to the police. Second, and of particular importance in this bill, is that these roles, while beneficial in many ways, are very limited in the protections they offer survivors in their communications with them since they are subject to Brady v. Maryland. While

in theory this means that only incriminating information about the survivor would be turned over to the Defense, it is common practice to share information that goes beyond this scope to err on the side of caution, despite it being a violation of the victims' privacy. Information about the survivor's emotional state, family life, mental health access, etc could all be turned over based on conversations with an advocate from these offices. This can often be confusing to survivors and feel like a betrayal of trust. Placing the proposed Victim Services Coordinator role within a government agency, like the Office of Victim Services and Justice Grants (OVSJG) as proposed in this bill, would create a similar Brady obligation and therefore inherently limit the role's ability to support without endangering the survivor's privacy.

If the Council wishes to create a role that can assist survivors with connecting to the resources that they need within a safe and confidential space, NVRDC suggests that the Victim Services Coordinator role within an existing community-based provider that has the infrastructure, expertise and experience to provide navigation services to all types of DC crime victims. Because community-based providers can meet the legal requirements to ensure confidential and legally protected communications with victims, residents can feel comfortable calling and sharing whatever information is necessary to be connected to supportive resources without fearing that information can be used against them. Furthermore, if the goal is to have survivors be able to call one number and be connected to the wealth of District resources, one option could be to place the Victim Service Coordinator role within the DC Victim Hotline, which has the benefit of operating as a 24/7 resource.

An option for a similar model using a community service provider would be to use a wraparound navigation structure. NVRDC's Victim Legal Network of DC is the oldest and largest legal services network in DC that connects victims of any type of crime to civil legal aid needs to 28 providers across the District through a single entrypoint. If a survivor has 3 legal needs, instead of calling a list of providers to match every single need to an organization's criteria, the Victim Navigator does that for them. The Navigator is a role that is a trauma-informed and trained position in screening survivors' needs, and matching them to the eligibility criteria of DC's community-based organizations. This could also meet the needs of the bill's goal and goes further than a hotline that would simply provide a list of possible

organizations without verifying if a survivor is eligible. However, that would require funding support, and does not address that all community-based organizations may not have the capacity to take on all referrals.

To be clear, NVRDC does not oppose a role living within OVSJG that works with providers to collect feedback about survivors' experiences with victim services and coordination efforts. We simply oppose placing a direct victim-facing service role that provides any information or advice within the government agency, and greatly encourage this Committee to work with existing HVIPs on what is needed to support and strengthen their efforts.

Furthermore, we applaud the bill's proposal of a PSA promoting the District's resources for survivors, since lack of awareness about these services is one of the greatest issues plaguing DC.¹

Thank you again for considering a bill that seeks to address the needs and supports available to the District's survivors. I am happy to answer any questions you have.

¹ In a survey conducted with Choice Research Associates (CRA) in 2008 46% of the community members surveyed indicated not being sure of where to start when in came their awareness of Sexual Assault Nurse Examiner Program resources in the District. Survey available upon request.