

2021 / SAFER PENNSYLVANIA ACT

REDUCING BARRIERS TO HELP & HEALING

Public safety policies should be shaped around stopping the cycle of crime, reducing recidivism, and meeting the needs of crime victims. Pennsylvania has a strong record of prioritizing smart, commonsense safety policies. The legislature can bolster that legacy by reducing barriers to healing and safety and making more effective investments of state money in programs that are proven to increase safety and support more Pennsylvanians.

THE ISSUE

Crime is a traumatic experience for nearly everyone who has been a victim. For many survivors, this trauma is compounded by significant challenges associated with recovery. **A lack of protections for victims, and excessive barriers to eligibility for the state victim compensation program,** have left many Pennsylvania survivors of crime to choose between their physical or emotional safety and the long-term financial consequences of losing their job or relocating for safety reasons. Strengthening existing policies, which currently support only some victims, will ensure that all people who need to take leave from work or find safe housing in the aftermath of a crime are able to do so.

And at the same time, **Pennsylvania must improve community safety by adopting policies proven to reduce recidivism.** Crime survivors are also invested in reducing recidivism and ensuring that after people have served their time, they are prepared to successfully reenter Pennsylvania communities as productive workers and rehabilitated neighbors. This is especially important for people with learning disabilities, who face additional barriers to success and opportunity which make them more likely to become incarcerated in the first place. No Pennsylvanian, incarcerated or in their community, should be held back by a learning disability.

THE PROPOSED SOLUTION

Increasing access to and support within PA's public safety system, as well as supporting rehabilitation and reducing recidivism, will improve the health, safety, and well-being of crime survivors and communities across the state. The Safer Pennsylvania Act includes six pieces of legislation:

Victims of Violence Employment Leave Act – HB 2027
Sponsored by Rep. Wendi Thomas (R-Bucks)

Victims of Violence Landlord-Tenant Act – HB 2029
Sponsored by Rep. Tracy Pennycuik (R-Montgomery)

Victims of Violence Emergency Relocation Act – HB 2031
Sponsored by Rep. Shelby Labs (R-Bucks)

Victims of Violence Compensation Act – HB 2028
Sponsored by Rep. Natalie Mihalek (R-Allegheny/Washington)

Education Access and Incentivization In Corrections Act – HB 2030
Sponsored by Rep. Natalie Mihalek (R-Allegheny/Washington)

Sexual Assault Testing and Evidence Collection Act – HB 2032
Sponsored by Rep. Meghan Schroeder (R-Bucks)



THE SAFER PENNSYLVANIA ACT IS SUPPORTED BY CRIME SURVIVORS FOR SAFETY AND JUSTICE

The Safer Pennsylvania Act was developed by Rep. Natalie Mihalek (R-Allegheny/Washington) in collaboration with the Pennsylvania chapter of Crime Survivors for Safety and Justice.

CSSJ represents nearly 3,200 Pennsylvanians, from 64 of the Commonwealth's 67 counties, who have joined together to create healing communities and to ensure the needs of victims are represented in Pennsylvania's public safety policies.

The Pennsylvania chapter is part of a national network of more than 55,000 crime survivors organized through Crime Survivors for Safety and Justice, a flagship project of the Alliance for Safety and Justice, CSSJ's chapters, leaders and members promote personal and community healing, conduct research and advance local, state and national policies designed to help communities that are most harmed by cycles of crime and violence yet least helped by current policies and practices.

REDUCING BARRIERS TO HELP & HEALING

THE PROPOSED SOLUTION

The Safer Pennsylvania Act, championed in the PA House by Rep. Natalie Mihalek (R-Allegheny/Washington), makes five primary reforms. It would:

1. Ensure employment protections for all survivors

At least 26 states, and some Pennsylvania cities, have laws to ensure that survivors can take leave from work to recover or to make plans for safety.

The *Victims of Violence Employment Leave Act* will ensure all survivors of violence and their impacted family members can take limited, unpaid time off of work following a crime to recover, seek medical attention, obtain services, grieve, or secure safety. This will ensure economic stability for both impacted families and employers in the aftermath of a violent crime.

2. Enable all victims to access housing protections

After a violent crime, victims and their loved ones often face significant challenges to maintaining a stable, safe home and may need to relocate quickly.

The *Victims of Violence Landlord-Tenant Act* will enable victims of crime to terminate residential leases or to request a lock change within 180 days of the crime or violent incident, without facing a penalty. The *Victims of Violence Emergency Relocation Act* will further expand housing protections by offering relocation assistance to tenants of a county housing authority who are victims of violent crimes, their immediate family or household members, and witnesses to violent crime who are threatened with further violence. These protections already exist for domestic violence and sexual assault survivors.

3. Strengthen victims' access to compensation

Victims of violent crime need both time and support to recover and ensure safety after victimization, and providing that is an essential part of the justice system.

The *Victims of Violence Compensation Act* will streamline access and remove barriers to accessing the state's victim compensation program by eliminating the 72-hour time limit for reporting crimes to authorities, allowing alternative forms of reporting to qualify, and extending the time limit for victims to file for compensation from two to five years. This will ensure that all victims are able to access critical support for expenses like counseling, medical care, funeral expenses as the payor of last resort when there are no other means of covering these expenses.

4. Increase and incentivize rehabilitative programs that are proven to reduce recidivism

Crime victims in Pennsylvania want accountability — and justice system policies that help ensure what happens to them won't happen to someone else. Studies show that educational programming is among most effective interventions to reduce recidivism and improve public safety. The *Education Access and Incentivization In Corrections Act* builds on Pennsylvania's commitment to education in our correctional system as a smart, proven public safety strategy.

It will establish two pilot programs to screen people within Pennsylvania prisons for learning disabilities, as research shows that up to half of people sentenced to prison could have a learning disability like dyslexia. This will enable the state to provide programming responsive to their learning differences that allows them to fully participate in and benefit from educational programs that better prepare them for success upon release and improve public safety outcomes.

This legislation would also strengthen incentives for participating in and completing educational programming, allowing people to earn credits that count toward their sentence and can accelerate parole consideration, while improving outcomes after release from prison.

5. Protect sexual assault victims' anonymity

A current law designed to ensure the right for to sexual assault victims to remain anonymous while also having the evidence of their assault collected, preserved, and tested, conflicts with mandatory crime reporting requirements of healthcare professionals.

The Safer PA Act proposes a fix for this conflict through the *Sexual Assault Testing and Evidence Collection Act*, which will create an exception to mandatory reporting of victims' identifying information specifically in sexual assault cases where victims wish to remain anonymous. It will ensure that victims receive the healthcare they need and are given a critical measure of control over when and how they collect evidence of the assaults committed against them.