

IllinoisVictims.Org
315 Lockwood Avenue
Northfield, Illinois 60093

October 17, 2008

Dear Chief Justice Fitzgerald;

Our statewide victims' rights organization at www.IllinoisVictims.Org congratulates you on your leadership in our state's court system. We turn to you now for help.

National experts in Victims Rights recently advised us that our concern should be addressed to you. We have previously notified the Attorney General's office as well as several States Attorneys in the state, to little avail. Additionally, we have posted our campaign of concern on our website.

We have been surveying the courthouses in various locations throughout Illinois. And though we have not checked them all, nowhere that we saw was there in evidence a statement and explanation of the rights of crime victims as required in Illinois Law and described in the *Rights of Crime Victims and Witnesses Act*. That Act states in Section 4 (b) that:

*"A statement and explanation of the rights of crime victims set forth in paragraph (a) of this Section shall be given to a crime victim at the initial contact with the criminal justice system by the appropriate authorities and shall be **conspicuously posted in all court facilities.**"*

Similarly, we have been surveying crime victims and law enforcement sporadically and are finding that the majority of victims are not receiving statements of and explanation of their rights at their first point of contact with the criminal justice system.

As people who are very concerned with protecting victim rights in Illinois, we are writing to officially and respectfully request that all other courthouses in Illinois be brought into compliance with this law, and that all Law Enforcement statewide be required to give crime victims this notice upon their first encounter with them after a crime. Compliance to this law in Illinois has gone too long ignored or unrecognized.

We often receive sometimes-heartbreaking reports of victims who are marginalized in the legal system. They have had, in some cases, to work very hard to protect their rights and often to no avail and with no consequences. The continued intentional and unintentional violation and abuse of these rights is

often a difficult blow to those who have lost so much already. And it is a violation of their Constitutional Rights, under Section 8.1 of the Illinois Constitution.

Further, the lack of knowledge on the part of many victims with regard to their own rights is often a serious obstacle to their being able to function properly in the criminal justice system and be protected from further traumatization.

We would greatly appreciate a response as to how and when these consistent oversights will be corrected. We have actually heard that a few judges and other officials may actually be deliberately violating this law because, as we were once told, "it is too provocative to the many defendants" to see victims rights posted next to their rights, which are posted everywhere in all Illinois Courts. But whatever their reason for non-compliance - ignorance of the law or objections to these requirements by those who work in the courthouses - they cannot overthrow the law as duly enacted by the State Legislature.

It is common in many courthouses to conspicuously place an explanation of the rights of defendants. We would submit that is not only legally required, it is would send an important message to the public that the rights of the victims belong alongside those of the defendant as our laws are designed to protect all members of our community equally.

Thank you for your attention to this matter and we hope that we will be able to come to a resolution that will be in the best interests of all concerned. We are here to help you in any way we can with this endeavor. We are ready to put our many voices together to help make this happen. Please let us know how to proceed.

Sincerely,

Jennifer Bishop-Jenkins, Director

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