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Criminal Injuries Compensation Act of 1972 S. 75

Mike Mansfield 1903-2001

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STATEMENT OF SENATOR MIKE MANSFIELD (D-MONT)

CRIMINAL INJURIES COMPENSATION ACT OF 1977

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Mr. President, the United States Senate in the past Congress, in my estimation, accomplished a great deal in the area of crime control. We took the initiative and passed a number of measures on our own, as well as gave expeditious consideration to recommendations from the Administration on matters of crime.

In 1969 I introduced legislation which would increase penalties and make them mandatory for all persons convicted of crimes involving the use of guns. I believed that this was one of the basic issues in the discussion of gun control and I was very pleased that these provisions were included in the Omnibus Crime Control Act of 1970 which was sent to the President and signed into law.

In recent years, Congress and the man on the street have given a great deal of attention to how we can best combat the alarming rise in the crime rate. Up to now, our concern has focused mainly on the criminal and how best to penalize him and prohibit further infringement upon the individual. I think we have now come to the point where we must give some consideration to the victim---the one who suffers because of crime. Society has given grossly inadequate consideration to the protection of the victim.

At the very least, the victim of the crime should be made whole and under my proposal he would be. Provided is a form of compensation for those who suffer from criminal violence. Any person who is personally injured in the perpetration of any crime would receive pecuniary compensation. There would be established a Federal Violent Crimes Compensation Commission which would make direct awards to the victim for injuries suffered in the course of the crime committed within the narrow Federal jurisdiction. In addition, a system of block grants to the States would underwrite similar State compensation commissions for the victims who suffer from crimes within the State and local criminal jurisdictions.

I would say further that, when the protection of society is not sufficient to prevent a person from being victimized, society then has the obligation to compensate the victim for that failure of protection. The measure I introduced covers everyone. The unsuspecting victim of rape. The policeman ambushed answering a routine call. The fireman shot by a sniper when responding to an alarm. The ghetto dweller. The suburbanite. In short, the measure I introduced provides for all who suffer from criminal violence.

Mr. President, this is a time for bold action. This is a time for Congress to demonstrate to the people of America that it is as interested in the problems and suffering of victims of criminal acts as it is in protecting rights of accused criminals.

The time has come to give these matters early attention and I hope that the Judiciary Committee can schedule early consideration of this and other measures which are designed to give long overdue consideration to the victim.

I ask unanimous consent to have the text of this legislation printed at this point in my remarks.