

LEGISLATIVE DIGEST

[Administrative Code - Clarifying Duties of Office of Victim and Witness Rights (OVWR); Moving Office of Sexual Harassment and Assault Response and Prevention to OVWR]

Ordinance amending the Administrative Code to provide for the confidentiality of client information received by the Office of Victim and Witness Rights (“OVWR”); establish and clarify the responsibilities of OVWR; move the Office of Sexual Harassment and Assault Response and Prevention (“SHARP”) from the Human Rights Commission to OVWR, and require SHARP to offer trauma-informed assistance to victims in navigating City processes, including by supporting victims in non-custodial law enforcement interviews, provided a SHARP employee’s presence does not obstruct a police investigation or interfere with the District Attorney’s investigative or prosecutorial function.

Existing Law

The Office of Victim and Witness Rights (“OVWR”) is a City department that was created to provide and/or coordinate the provision of, comprehensive City services for victims and witnesses of crime.

The Office of Sexual Harassment and Assault Response and Prevention (“SHARP”) is an office currently under the direction and oversight of the Human Rights Commission (“HRC”). SHARP is responsible for receiving complaints from members of the public concerning the manner in which City departments have handled allegations of sexual assault or sexual harassment, and providing assistance to complainants in navigating City government to resolve those complaints.

Amendments to Current Law

The proposed ordinance would make the following changes to Administrative Code Section 2A.430 regarding OVWR:

1. OVWR would become the “Mayor’s Office of Victim and Witness Rights”;
2. OVWR would assist with implementation of Marsy’s Law (Victim’s Bill of Rights);
3. OVWR would oversee, or itself perform the functions of, SHARP;
4. OVWR would keep client information confidential to the fullest extent permitted by law;
5. City departments would be required to cooperate with OVWR; and
6. OVWR could subpoena witnesses and documents from third parties.

The proposed ordinance would make the following changes to Administrative Code Section 12A.18 regarding SHARP:

1. SHARP would move from being under HRC to OVWR;

2. SHARP would be required to make available to any victim of sexual assault or sexual harassment trauma-informed assistance in navigating any relevant City processes, including submitting a police report, participating in criminal cases filed by the District Attorney, and obtaining City services. SHARP would also make staff available to accompany a victim to interviews with law enforcement agencies.

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