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## Foreword: Victims' Rights Symposium

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## *Symposium*

### **FOREWORD**

Ten years ago, on June 5 1982, the people of California enacted Proposition 8, The Crime Victims' Bill of Rights. The passage of Proposition 8 foreshadowed great change in California's criminal justice system; if not in actual procedure and practice, at least in terms of the perceptions operating within the system itself. The recent enactment of Proposition 115, The Crime Victims Reform Act, and judicial interpretations of Propositions 8 and 115, are evidence that the struggle continues on whether these perceptions and procedures will become deeply rooted in our jurisprudence. It is the purpose this Victims' Rights Symposium to examine this evolution, with special focus on its origins, and to provide a dialogue as to its causes and effects.

Even a brief examination of this Symposium indicates that powerful emotions endure regarding the provisions of Proposition 8. The debate continues: Was the initiative truly a *victims'* bill of rights, or a frontal attack on the rights of the accused? Were Proposition 8's reforms the cornerstone of a prosecutorial system reacting in knee-jerk fashion to the horrors of increasing violence in our streets and homes, or the first building block in what is now comprehensive recognition of the victim as an individual with inherent rights within the criminal justice system? Clearly, there are no simple answers. This Symposium, and the live debate scheduled to coincide with its publication, attempt to present all sides of the arguments.

Eight years ago, in a victims' rights symposium published by Pepperdine Law Review, Rose Elizabeth Bird, then Chief Justice of the California Supreme Court, noted:

Everyone in our society has a right to life, liberty, and the pursuit of happiness, and the criminal justice system needs to find the means to ensure that these rights are honored and secured for the victims of crime.

That will not be an easy task. It will require patience, good will, and experimentation. Some ideas will work while others will not. But the important thing to note. . . is that this experiment is already well underway.<sup>1</sup>

Chief Justice Bird's remarks carry particular significance today. They are illustrative of the common ground shared by both the proponents and the opponents of Propositions 8 and 115. Indeed, similar words have been the watchwords of the man to whom this Symposium's edition is dedicated, Mr. Frank Carrington.

The authors of this Foreword are singularly unqualified to pay adequate tribute to Frank Carrington. Our exposure to this great man simply came too late. However, it is with great pride that the Board of Editors and staff of the *Pacific Law Journal* dedicate this Victims' Rights Symposium to Frank Carrington; through the *In Memoriam* we take pleasure in allowing others to pay tribute to a man who was respected and loved, and whose advice was sought by lawyers nationwide on the issues surrounding the rights of victims of crime.

A Symposium such as ours is not born overnight. It begins with an idea and ends with many hours of diligent (and sometimes tedious) work. In the middle of its life it requires guidance by those who have vision, and who have the patience to provide direction to those who would make the vision a reality.

The roots of this Symposium originated in many sources. Among them are Stephen Boreman and fellow Board of Editors member Michael Fannon. The visionary and guiding force for the Symposium was Justice George Nicholson of the Third District Court of Appeals of California. Without Justice Nicholson, many opportunities would have been lost and many challenges would have been defeats. Great appreciation is also due to Kevin Washburn, Esq. for his help and guidance on the dedication to Mr. Carrington.

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1. *Letters of Introduction*, 11 PEPPERDINE L. R. viii (1984) (letter of introduction by Chief Justice Rose Bird).

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Special recognition is due to the entire staff of the *Pacific Law Journal*, whose dedication was matched only by their enthusiasm and without whom publication would have been impossible. As always we gratefully acknowledge the support of the entire McGeorge community, especially the continuing leadership of our Faculty Advisor Professor Jerome Curtis, Jr. We also appreciate the assistance provided on this project by Professor Lawrence Levine. Finally, heartfelt thanks is due to Sheri Shuteroff, the secretary for both *The Pacific Law Journal* and *The Transnational Lawyer*, whose hard work made this Symposium a reality.

NANNETTE J. STOMBERG  
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FRANK G. CARRINGTON  
1936 - 1992

Official White House Photograph  
by David Valdez