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CRIME VICTIMS' RIGHTS AMENDMENT CLEARS SENATE "Marsy's Law" Strengthens Wisconsin's Crime Victims' Rights

A constitutional amendment strengthening and broadening the legal rights of Wisconsin crime victims passed the State Senate today on an overwhelmingly bipartisan 29-4 vote. Senate Joint Resolution 53, known as "Marsy's Law," is scheduled for a vote in the State Assembly on Thursday.

"As a former law enforcement officer and crime victim myself, I know firsthand how overwhelming the criminal justice process can be," said the amendment's author, Senator Van Wanggaard (R-Racine). "Victims deserve to have a voice in the process. They deserve to know that Wisconsin's judicial system is giving their rights the same weight as a defendant's."

Marsy's Law updates Wisconsin's existing crime victims' rights amendment to reflect the case law and jurisprudence that has developed since the amendment was first adopted in 1993. Among the rights granted in Senate Joint Resolution 53 are the rights to attend and be heard in all proceedings, to full restitution, and to refuse any interview or discovery request. Defendant rights continue to be specifically protected by stating that the victim's rights do not supersede a defendant's constitutional rights.

"All a victim wants is to be treated like a criminal," Wanggaard said. "Everyone can recite a defendant's rights, but when it comes to victims, their rights are too often an afterthought. Not anymore. Victims deserve equal rights."

Senate Joint Resolution 53 has the support of over 200 groups and individuals involved in the criminal justice process, including prosecutors, law enforcement, legislators, victim advocates and legal experts. As a proposed constitutional amendment, the exact resolution will have to pass again during the 2019-21 legislative session. If the resolution passes in two consecutive legislative sessions, it will be placed before voters for approval.

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