Van H. Wanggaard

Wisconsin State Senator

TESTIMONY ON SENATE JOINT RESOLUTION 2 AND ASSEMBLY JOINT RESOLUTION 2

Thank you Chairman Spiros and Committee members for today's hearing on SJR 2 and AJR 1, which updates Wisconsin's crime victims' rights amendment. These resolutions are the second consideration of last session's SJR53, which passed both houses with overwhelming bipartisan support.

As a former police officer and a crime victim myself, I know how overwhelming the judicial system can be. When you become a crime victim, it can be even more daunting. Victims often feel like a second class citizen. Unwillingly thrown into an unfamiliar setting, victims find themselves at the mercy of the whims of the court, or even worse, the potential harassment by the alleged criminal.

Wisconsin was one of the first states to recognize that crime victims deserve rights in court. Almost 30 years ago, we adopted one of the first victims' rights amendments in the country. Eight years ago, we supplemented the amendment by adding additional statutory rights.

In the 30 years since we passed our victims' right amendment and the last eight years since we updated our statutes, we have learned that more has to be done to protect crime victims. Other states have passed us by giving additional constitutional rights to victims. Courts are providing more weight to the constitutional rights of alleged criminals than actual crime victims.

SJR2 and AJR1 seek to remedy this scenario by putting victims' rights on the same legal playing field as criminal rights. By elevating victims' rights to a constitutional level, those rights will be properly balanced against a defendant's rights.

Let me emphasize that point, because it is important. Victims' rights will NOT be given more weight than a defendant's rights. They will be BALANCED with a defendant's rights. And to further ensure that a defendant's rights are not undermined, both SJR2 and AJR 1 contain language that states that the victim's rights are to not supersede the constitutional rights of defendants.

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It's important to know which rights we're talking about. Victims will be treated with dignity, respect, courtesy, and privacy. They will have the right to be notified of, and to attend all proceedings if they wish, and to be protected from the accused. A victim can be heard if their rights are implicated, including during proceedings about sentencing and pleas, or a criminal's release, parole, revocation, or pardon. A victim will have to be informed about an investigation, and about their rights. To prevent harassment by defendants, they will be able to refuse interviews and discovery requests.

And I want to emphasize this again, because it is important. These rights do NOT supersede any rights of a defendant. They are put on the same legal playing field with a defendant's rights.

SJR2 and AJR1 went through a thorough vetting process last session. It's fair to say we went through the resolutions with a fine-tooth comb. This was done before, during, and after the committee process. We took suggestions from the defense bar and public defender, victim rights organizations, law enforcement, prosecutors and crime victims. No group got everything they wanted, but no group can say they weren't included or listened to in this effort. In fact, over 200 organizations and individuals have publicly supported our effort, including every major law enforcement group.

I recognize it is unusual for a bill to be heard in committee on the third day of session. Unfortunately, restraints on scheduling constitutional amendments require that SJR2 or AJR1 pass BEFORE January 23 in order to be on the April 2019 ballot. If the bill does not pass before January 23, victims will have to wait more than a year for the next opportunity to be on a ballot – the next opportunity would not be until February of 2020.

I'm sure you will have questions, and there are many more people to speak, so I will stop my comments here, and turn it over to Representative Novak.

TODD NOVAK

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January 9, 2019

AJR 1

Thank you chairman and members of the committee for holding a hearing on Assembly Joint Resolution 1 and Senate Joint Resolution 2, also known as Marsy's Law, which elevates the rights of the victim to a level more equal to that of the defendant by updating the victims' rights amendment to Wisconsin's constitution. As we all know, this identical proposal passed the Legislature last session on a combined vote of 110-14 -- overwhelming bipartisan support. Prior to serving in the State Assembly, I was a newspaper editor for a local paper in my hometown of Dodgeville, WI. Too often, terrible stories of violent crimes would come across my desk and I would follow the progress as the case moved through the criminal justice system.

In a small town, victims of violent crimes can feel trapped. They quickly become a sort of local intrigue where suddenly, everyone knows their name. Rumors run rampant and the truth is stretched. The victim is no longer a human being, but a name printed on the page of a newspaper; a character in a story. Through no fault of their own, they are thrust into the spotlight. It is only fair that they have the right to be present and the right to be heard throughout the criminal proceedings that are only happening because of the harm done to them.

Marsy's Law does just this. This legislation guarantees that the victim of a crime has the right to, among others and upon request, be notified of court proceedings, be heard at court proceedings, and confer with the prosecution. It is also key to understand that the rights of the defendant are equally as important, which is why this legislation explicitly states that any rights granted to the victim may not be interpreted to supersede a defendant's federal constitutional rights. We are simply leveling the playing field.

I would like to thank Sen. Wanggaard for all of his hard work on this legislation. I also want to thank Representative Crowley for his input and strong support. This is the kind of bipartisan legislation that we can all feel good about supporting.

There were countless other people involved who helped identify ways that we could improve this legislation and I am very grateful for their help and expertise. Last session, we took a lot of time to make sure we got the language of the bill right. We heard from a diverse group of stakeholders and made multiple changes to the bill to reflect that feedback. I believe we have produced a complete and well thought out proposal that we can be proud of.

The Marsy's Law effort has earned wide support across the country from voices as diverse as Jesse Jackson and Rand Paul. Our bill has over 350 endorsements from victims, advocates, and

agencies that work with victims and law enforcement. We know we are asking the Legislature to move at an unusually fast pace. But, we also know that if we can move quickly we can put the amendment to the voters this April for them to make the final choice on whether or not to adopt it. Helping victims of crime, some of which you are soon to hear from, seems like a great reason to me to move quickly.

Thank you for your time.

Todd Novak

To: Members, Senate Committee on Judiciary & Public Safety and
Assembly Committee on Criminal Justice and Public Safety
From: Badger State Sheriffs' Association (BSSA)
Wisconsin Sheriffs and Deputy Sheriffs Association (WS&DSA)
Date: January 9, 2019
RE: Support for Senate Joint Resolution 2 and Assembly Joint Resolution 1

Chairmen Wanggaard and Spiros and committee members. Thank you for the opportunity to testify today in support of Senate Joint Resolution (SJR) 2 and Assembly Joint Resolution (AJR) 1. My name is Sheriff Jim Johnson of Ozaukee County, Past President of the Wisconsin Sheriffs and Deputy Sheriffs Association (WS&DSA), and current Board Member of Badger State Sheriffs' Association (BSSA). WS&DSA is a statewide organization representing over 1,000 members, including Sheriffs, Deputies, and jail officers and BSSA is a statewide organization representing all of Wisconsin's 72 Sheriffs. BSSA and WS&DSA have a joint legislative committee and work closely on public safety issues of concern to our members.

As you are aware, this important initiative, also known as Marsy's Law, was passed last session by the Wisconsin legislature and received broad bipartisan support. On behalf of BSSA and WS&DSA, I again ask you to support this effort to strengthen the rights of crime victims and urge prompt legislative action so that this proposed Constitutional amendment can go to the voters of Wisconsin for ratification in April.

As Sheriffs, our job is to keep our communities' safe. This resolution would give victims the rights they deserve and ensure that they are safe in their own communities. Over 18,500 violent crimes occurred in Wisconsin in 2017, not to mention the amount of crimes that go unreported because victims are too afraid to speak up. This resolution would reassure victims that they have rights and protections in the criminal justice system to empower them to come forward.

Critics say this legislation would harm the rights of the accused, but this proposal does not change any of the accused's Constitutional rights. Instead, it ensures that legal rights apply *equally* to victims and defendants, by elevating certain victims' rights statutes to the Constitution and strengthening those that are already part of the Constitution. Under current law, the defendant's rights often trump the victim's, causing more stress, fear and danger for the victim throughout legal proceedings. Passage of this legislation would prevent victims from having to disclose such personal information to their attackers and would also keep safe the victim's home address, contacts and other personal records. Among other protections, this legislation would also guarantee victims and defendants alike the right to a speedy trial, so the defense would no longer be able to purposefully delay proceedings, causing more fear and vulnerability for the victim.

Victims deserve to have the same rights as their attackers, to be notified of these rights, and to be heard throughout the legal process. We need this legislation to support victims, keep them safe, and give them the rights they deserve within Wisconsin's criminal justice system.

In addition to BSSA and WS&DSA, over 250 law enforcement leaders have individually endorsed this proposal. Also, over 80 percent of Wisconsinites support Marsy's Law. I urge you to support this legislation to ensure safety, protection and rights for victims and their families in Wisconsin. Thank you for your time and consideration.

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Kelli S. Thompson
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Michael Tobin
Deputy State Public Defender

Assembly Committee on Criminal Justice & Public Safety
Senate Committee on Judiciary & Public Safety
Wednesday, January 9, 2019
Senate Joint Resolution 2/Assembly Joint Resolution 1

Chairmen and committee members,

Thank you for the opportunity to provide feedback on Senate Joint Resolution (SJR) 2/Assembly Joint Resolution (AJR) 1, otherwise known as Marsy's Law.

The State Public Defender (SPD) provides representation to financially eligible individuals accused of a crime or facing certain civil proceedings in Wisconsin. The importance of the due process protections and presumption of innocence guarantees enshrined in the United States and Wisconsin Constitutions are vital to serving as a check on the government's power to investigate and deprive its citizens of their liberty. They serve to provide fair process to individuals who are accused of committing a crime.

Although Marsy's Law is intended to provide rights to victims of crime, it undermines fundamental protections for those accused by the state of crimes by offering the government's power in support of some citizens and at the expense of others. The legislature can continue to provide robust protection for victims though the state's long-standing victim rights statute without making unnecessary changes to the state's constitution.

Constitutional language is intended to be a general statement of principle further outlined by statute. This proposal puts a significant amount of statutory language into the Constitution. If there are unintended issues that arise as a result of these changes, it will take another constitutional amendment and 3-4 years to correct the issue. Other states that have passed versions of Marsy's Law but which have a less ungainly amendment process have already made changes to the law that was enacted. Both Montana and South Dakota made changes such as limiting the scope by adding an opt-in provision and changing the definition of victim. While some of that learned experience is reflected in the Wisconsin version of Marsy's Law, several of the most significant specific concerns have not yet been fully litigated in those other states.

In Florida, Kentucky, and Montana, courts have ruled that the scope of Marsy's Law is greater than reflected by the ballot question. While Wisconsin doesn't have the same kind of criteria for amendment referenda, it does suggest that the scope of the changes alone will be the subject of future litigation.

In addition, the Idaho legislature has twice failed to pass the resolution necessary to place Marsy's Law on the ballot. I have attached to our material an article from *The Spokesman Review* which includes comments from several Idaho legislators about the reasons they either support or oppose Marsy's Law. Issues cited include a fiscal impact (estimated by an outside evaluator at $553,000), the role of the constitution as a check on the government's power, and how it may dilute the current resources available for victim services by expanding the definition of victim.

Another unintended consequence has been occuring in South Dakota where law enforcement officers who are part of an officer-involved shooting incident are asserting their rights as victims to prevent the release of their name publicly. I have attached an article detailing a recent incident of this. Similarly, law enforcement in South Dakota are reluctant to ask the public for assistance in solving crimes because it would require the release of some measure of information that the Marsy's Law provisions would deem protected.

While the definition of victim in SJR 2 refers to a "person," it is important to highlight the open question on the legal definition of a person. One of the initial issues in South Dakota was that a corporation could be considered a person, which was significantly delaying court cases as corporations were trying to be noticed of their right as a victim to be included in the proceeding. While South Dakota changed the language, there is a long and robust history of United States Supreme Court cases related to the definition of person in the context of the 14th Amendment related to due process in which a corporation is defined as a person. In addition, more recent jurisprudence has included corporations as people in the context of the 1st Amendment. While this is an unanswered and an arguable point, it does leave open the possibility that a large corporate entity with an obvious economic interest in prosecuting retail theft cases could assert its rights as a victim.

I have also attached a copy of our testimony from 2017 on first consideration of the Marsy's Law amendment but did want to highlight here one of the most significant specific provisions in SJR 2. Language allowing the victim to refuse an interview, deposition, or other discovery request made by the accused raises serious questions. First, it is worth clarifying that criminal depositions in Wisconsin can only be conducted in highly unusual circumstances, meaning that they very rarely take place. Second, there is a concern that by allowing a victim to refuse a discovery request, that this may prevent a defendant from obtaining discovery material vital to the constitutional right to present a defense. While advocates say that access to necessary evidence has not been restricted in other states with this provision, the way Arizona's system of providing discovery operates and the way that state's courts interpret this provision does not guarantee that Wisconsin courts will reach the same conclusion. In fact, in a recent case in Arizona, attorneys for a defendant there highlighted that as a result of Marsy's Law they were barred from accessing medical records when the entire case centered on the medical records documenting the sustained physical injuries.

To be clear, the SPD supports the fair and respectful treatment of crime victims, and opposing Marsy's Law does not mean opposing victims' rights. Many of our clients have been, and are, victims. Our concern stems from the potential to shift the balance of rights within the justice system; not only between defendants and victims, but also between courts and victims. The defendant is already at a comparative disadvantage in the justice system. Every criminal case is filed as State versus defendant, and the State's power as a litigant is supported by significant resources at the municipal, county, and state level for law enforcement and prosecution.

If the perceived need is to provide victims with greater support and guidance through the criminal justice system, that goal can be achieved by providing additional resources to supplement the procedures already in statute. Concerns about the operation of Chapter 950 and the practical role of victim support in the criminal justice system can be addressed collaboratively and in the context of statute and the budget.

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Assembly Committee on Criminal Justice & Public Safety
Senate Committee on Judiciary & Public Safety
Thursday, June 16, 2017
Senate Joint Resolution 53/Assembly Joint Resolution 47

Chairmen and committee members,

Thank you for the opportunity to speak on Senate Joint Resolution (SJR) 53 and Assembly Joint Resolution (AJR) 47.

The State Public Defender (SPD) strongly believes in the principle of procedural justice. This principle is an evidence-based concept that includes treating victims, defendants, and other citizens involved in the judicial process with fairness and respect. Fair treatment of all participants also supports the theory that every interaction within the criminal justice system is an opportunity to reduce harm. That said, the SPD has both general concerns with the concept of adding this extensive language to the state Constitution as well as specific concerns about the language in the proposed amendment.

In practice, the Constitution is generally reserved for broader statements preserving the rights of citizens. Additional context is provided by the legislature through statute and courts through case law. For instance, the current constitutional provision regarding victim rights is a broad but thorough list of protections. These protections have been well defined and expanded in Chapter 950 of Wisconsin statutes. To our knowledge, there have been very few issues with this structure. Any concerns that arise seem to be based more on resource availability and practical issues of applying these existing rights.

In addition, a process already exists for victims to file complaints about allegations they were mistreated. The Crime Victims' Rights Board (CVRB) has received 58 complaints since it was established in 1999. The top three respondents named in the complaints were prosecutors, law enforcement, and judges. The CVRB found that probable cause existed for at least one allegation in 67% of the complaints filed. It has conducted 34 investigations and 13 evidentiary hearings. To provide remedy, the Board issued 12 private reprimands and has been involved in judicial appeals.

This proposal makes fundamental changes to core principles of the American system of justice. In general, the constitutional amendment could have serious repercussions on the criminal justice system and the constitutional protections afforded defendants who, under the United States and Wisconsin Constitutions, are considered innocent until proven guilty. The totality of the changes contemplated by the amendment create several due process concerns. In addition, these changes are likely to have practical implications as courts and other justice agencies are required to interpret and apply these provisions across the criminal justice system.

The other states that have passed similar constitutional amendments have struggled in practical implementation. While there are some differences, the language is substantially similar to this proposal. Most significantly, the cost to implement and abide by the provisions has impacted counties and law enforcement agencies. There are costs associated with providing notification and services required from the time the rights vest. Within 4 months of passing the amendment in Montana, the legislature began

working on changes based on the unintended practical applications of the law. If the same thing happens in Wisconsin, it will take a minimum of four to five years to correct any issues based on the process to amend our constitution.

We appreciate the opportunity to have talked with the authors and advocates for this resolution before the hearing today. We were invited to provide suggested changes to the language. While the substitute amendment makes changes to ameliorate some of the specific language concerns, a majority of the suggestions were not adopted in the substitute version of the resolution.

The due process rights of a defendant and the presumption of innocence are presently reflected in Wisconsin's Victims of Crime constitutional provision at Article I, Section 9m ("Nothing in this section...shall limit any right of the accused which may be provided by law.") That language is stricken by the proposed constitutional amendment and replaced in Section 5 of the substitute amendment with new language that is less precise and more open to future litigation. While this concept was added back at our request, the actual language is not an adequate substitute for the current provision. Stating that these provisions shouldn't be interpreted to "supersede a defendant's federal constitutional rights" implies that defendant's rights in the Wisconsin constitution and rights set forth in state statutes have been compromised.

Language allowing the victim to refuse an interview, deposition, or other discovery request made by the accused also raises questions in practice. First, it is worth clarifying that criminal depositions in Wisconsin can only be conducted in highly unusual circumstances meaning that they very rarely take place. Second, there is a concern that by allowing a victim to refuse a discovery request, that this may prevent a defendant from obtaining discovery material vital to the constitutional right to present a defense. While advocates say that access to necessary evidence has not been restricted in other states with this provision, the way Arizona's system of providing discovery operates and the way that state's courts interpret this provision does not guarantee that Wisconsin courts will reach the same conclusion.

For example, consider an employer which accuses a former employee of taking money from the cash register. The defense may attempt to subpoena records that could show that the employee was not on duty when the theft occurred. This proposal may prevent defense from obtaining this critical evidence.

Language in Sections 3 and 4 of the substitute resolution appears to be in conflict. Section 3 generally indicates that a victim can ask a court to "afford a remedy for the violation of any right of the victim." Section 4 rules out any cause of action for damages against the state. In addition, the end of Section 3 allows a victim to ask any court - circuit, appeals, or Supreme - to review any adverse decision regarding their rights. While Section 5 states that the victim is not a party, "any adverse decision" could be interpreted very broadly to include nearly every decision by the circuit court judge. This provision could have a significant impact on the workload of courts throughout Wisconsin.
The appeal-of-right provision also appears to allow an unlimited number of pretrial appeals that could delay cases. This provision is an example of a provision that creates ambiguity about the balance between prosecutors and victims in determining how a case proceeds.

To reiterate, SPD supports the fair and respectful treatment of crime victims in the criminal justice system. Our concern stems from the potential to shift the balance of rights within the justice system: not only between defendants and victims, but also between courts and victims. The defendant is already at a comparative disadvantage in the justice system. Every criminal case is filed as State versus defendant, and power of the State as a litigant is supported by significant resources at the municipal, county, and state level for law enforcement and prosecution.

If the perceived need is to provide victims with greater support and guidance through the criminal justice system, that goal can be achieved by providing additional resources to supplement the procedures already in statute. Concerns about the operation of Chapter 950 and the practical role of victim support in the criminal justice system can be addressed collaboratively and in the context of statute and the budget.

Thank you for the opportunity to speak today. We look forward to answering any questions you may have now or in the future.

THE SPOKESMAN-REVIEW

Mon., March 5, 2018, 1:50 p.m.

'Marsy's Law for Idaho' fails; 42-28 House vote is short of required two-thirds

Rep. Crane, R-Nampa, argues in favor of "Marsy's Law for Idaho," a proposed victims rights amendment to the Idaho Constitution. (Betsy Z. Russell)

HJR 8, the "Marsy's Law for Idaho" proposed constitutional amendment on victim's rights, has failed in the House by falling short of the required two-thirds, or 47 votes to pass – the vote was 42-28 in favor of it, and came after more than an hour and a half of heartfelt debate.

Here's how the vote broke down:

Voting in favor: Reps. Amador, Anderson, Anderst, Armstrong, Bedke, Bell, Blanksma, Boyle, Burtenshaw, Chaney, Cheatham, Collins, Crane, DeMordaunt, Dixon, Erpelding, Gannon(5), Gestrin, Harris, Holtzclaw, Kauffman, Kerby, Kloc, Loertscher, Malek, McDonald, Mendive, Miller, Monks, Moyle, Packer, Palmer, Raybould, Redman, Smith, Thompson, Toone, VanOrden, VanderWoude, Wagoner, Youngblood and Zollinger.

Voting against: Reps. Barbieri, Chew, Clow, Dayley, Ehardt, Gannon(17), Gibbs, Giddings, Hanks, Hartgen, Horman, King, Kingsley, Luker, Manwaring, McCrostie, Moon, Nate, Perry, Rubel, Scott, Shepherd, Stevenson, Syme, Troy, Wintrow, Wood and Zito.

Rep. Brent Crane, R-Nampa, the bill's lead sponsor in the House, noted that Idahoans enacted a victims rights amendment to the state Constitution in 1994. "Today what we're asking to do is to update those rights," he said.

Rep. Lynn Luker, R-Boise, said, "There is a lot of good intention and well meaning behind this bill. We all want to help victims." But he said he believed the measure would dilute the assistance available now to victims of serious crime in Idaho, by expanding the definition of a crime victim.

"There's also another concern," Luker told the House, "and that is the tremendous amount of money that has been poured into this campaign by the sponsor, who is a billionaire from California and has gone from state to state ... trying to pass these types of laws. I'm sure that it is well-motivated and well-intended, because of a loss in his life. But we're here, we're in Idaho, we're in the Idaho Legislature ... and outside money shouldn't dictate what we do."

Marsy's Law is the name for a California constitutional amendment enacted in 2008, named for a woman who was stalked and killed by her ex-boyfriend in 1983. A week later, the victim's brother and mother, after visiting her grave, were confronted by the accused murderer in a grocery store; they hadn't been notified that he'd been released on bail. That prompted the brother, Henry Nicholas, to form a foundation for victims rights and push for Marsy's Law and similar provisions in other states. Illinois, Montana, North Dakota and South Dakota are among states that have since adopted similar amendments.

Idaho's existing constitutional provision, Article I, Section 22, declares that victims of crime in Idaho have a series of rights, from the right "to be treated with fairness, respect, dignity and privacy throughout the criminal justice process" to rights to prior notification of criminal proceedings, to be present at and heard upon request at sentencing or release hearings, to refuse contact with the defendant or the defendant's agent unless authorized by law, and to read pre-sentence reports.

The proposed amendment would expand that to require "reasonable and timely" notification to victims of all proceedings and of news that the offender has escaped or absconded; an opportunity both to be present and to be heard upon request at all proceedings; expanded restitution guarantees; expanded protection from contact with victims or their agents, even when otherwise legally required; and a guarantee of "reasonable and timely" access to pre-sentence reports. It also allows victims to assert their rights in court, and requires courts to respond "promptly."

A study commissioned by backers of the bill estimated that implementing the change would cost the state of Idaho $553,000 a year. To amend the Idaho Constitution, the measure needed two-thirds support in both the House and the Senate, plus majority support from voters at the next general election. An earlier version of it passed the Senate unanimously last year, but died in a House committee.

Rep. Heather Scott, R-Blanchard, told the House, "Marsy's Law is not an Idaho solution. It's a billionaire from California's solution to put new constitutional language into our Idaho Constitution. And as we know, this is a national campaign. The money that's being pumped into these states is astronomical." She said she objected to "bullying from another out-of-state lobbying group," drawing an objection from Rep. Stephen Hartgen, R-Twin Falls, who said she was attacking other lawmakers. Scott said, "I don't appreciate being pressured or intimidated into a vote that I feel is wrong. ... There's more to this than we are seeing. I can't imagine one person in this room does not want to help a victim."

Rep. Bryan Zollinger, R-Idaho Falls, spoke in favor of the measure. "I've gone back and forth," he said. "These rights are already here – the language is currently in the Constitution already. This is not a great departure. ... I think what this resolution does is actually clarify things."

Rep. Fred Wood, R-Burley, said, "There is no court in the state of Idaho, there is no federal court, that has ever found that Idaho's Constitution is insufficient or deficient with respect to crime victims rights. They've never ruled that, no court has ever said anything about that. So if we don't have those kinds of deficiencies, doesn't just simple common sense ask: Why are we going down the road of amending the Constitution? ... We don't need someone from California to tell us that we have a deficiency," he said. "We can figure that out in Idaho."

Rep. Randy Armstrong, R-Inkom, said, "It's been said that there's been no victims rights abuse in the state. I was in the committee hearing. ... Last year they had person after person who expressed their concern because their rights were being ignored in this whole process. I went to several meetings this summer where they had victims there, and every one of their rights as a victim were ignored by the court. ... People would be outraged that we're not protecting every possible right of the defendants, and yet we seem to be so quick to not be giving victims any kind of consideration."

Rep. Luke Malek, R-Coeur d'Alene, said when he was a prosecutor, "We walked on eggshells around the 6th Amendment rights of those who are accused of crimes." And yet, he said, "We are not doing everything for victims that we could be doing. This sets a new floor, not a ceiling." He said when he was a prosecutor, the idea of victims having rights wasn't part of the culture or vocabulary. "I was fully invested in making sure we could do everything we could for crime victims," he told the House. "But the reality is that if we put this into the Constitution, we will be doing a great service to victims of crime in Idaho."

Rep. Patrick McDonald, R-Boise, said his 43-year law enforcement career, "I never heard the expression of concern for the victim that I have for the perpetrator or the alleged perpetrator of the crime. ... I just feel that the victim needs to have some standing here, just like the perpetrator."

Luker, debating for the second time, said, "They're not really the rights of criminals – they're the rights of the accused. You can just ask the Bundys about that. We have the rights in the 6th Amendment because of government power. ... We have those protections to protect us from the government, not to dispense rights from the government." He added, "We have a robust protection in the law that's not actually being followed, and putting it in the Constitution will not make it better – it will actually make it worse."

Crane, in his closing debate, said, "The criminal's rights are protected in the Constitution, but if your rights as a victim are below that in statute, you don't have equal standing – you're not on the playing field." He shared a personal story, of how, about eight years ago, his wife saw a neighbor across the street exposing himself just as neighborhood school students were getting off a nearby school bus. She grabbed a video camera and documented it, then called the police. "From that day forward, my family has been in the criminal justice system," Crane said. "So I wanted to know when this guy got out. And believe it or not, three months ago, you know what arrived in the mail? Notice that this guy got out." Crane said he has young children. "And I want to know when this creep is out – I want to know when he's crawling around Nampa again."

"Victims never ask to be injected into the criminal justice system," he said. "Most of the time, they're there against their own will. That was the case with my family."

POSTED MARCH 5, 2018, 1:50 P.M.
in: 2018 Idaho Legislature, Marsy's Law, Marsy's Law for Idaho, victims rights

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2 Comments Sort by Oldest

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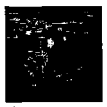

John Tomkinson

Well, you see about the same myopic thinkers in every No vote.....my goodness!

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Larry Ross

"There's also another concern," Luker told the House, "and that is the tremendous amount of money that has been poured into this campaign by the sponsor, who is a billionaire from California and has gone from state to state ... trying to pass these types of laws. I'm sure that it is well-motivated and well-intended, because of a loss in his life. But we're here, we're in Idaho, we're in the Idaho Legislature ... and outside money shouldn't dictate what we do."

Representative Luker's comments illustrate that our Idaho Legislature believes they alone have a corner on good thinking, good ideas and good legislation! By even mentioning "outside money" as a qualifier (disqualifier) in your and other's thinking on this issue, Mr. Luker proved that many in Idaho's legislature are incapable of thinking critically.....and acting to do what is best for all of us in the long run.

Like · Reply · 43w

https://rapidcityjournal.com/news/local/marsy-s-law-shields-name-of-deputy-who-shot-suspect/article_789f446f-c936-51fd-ad39-75f1e8d601a3.html

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Seth Tupper Journal staff Dec 7, 2018

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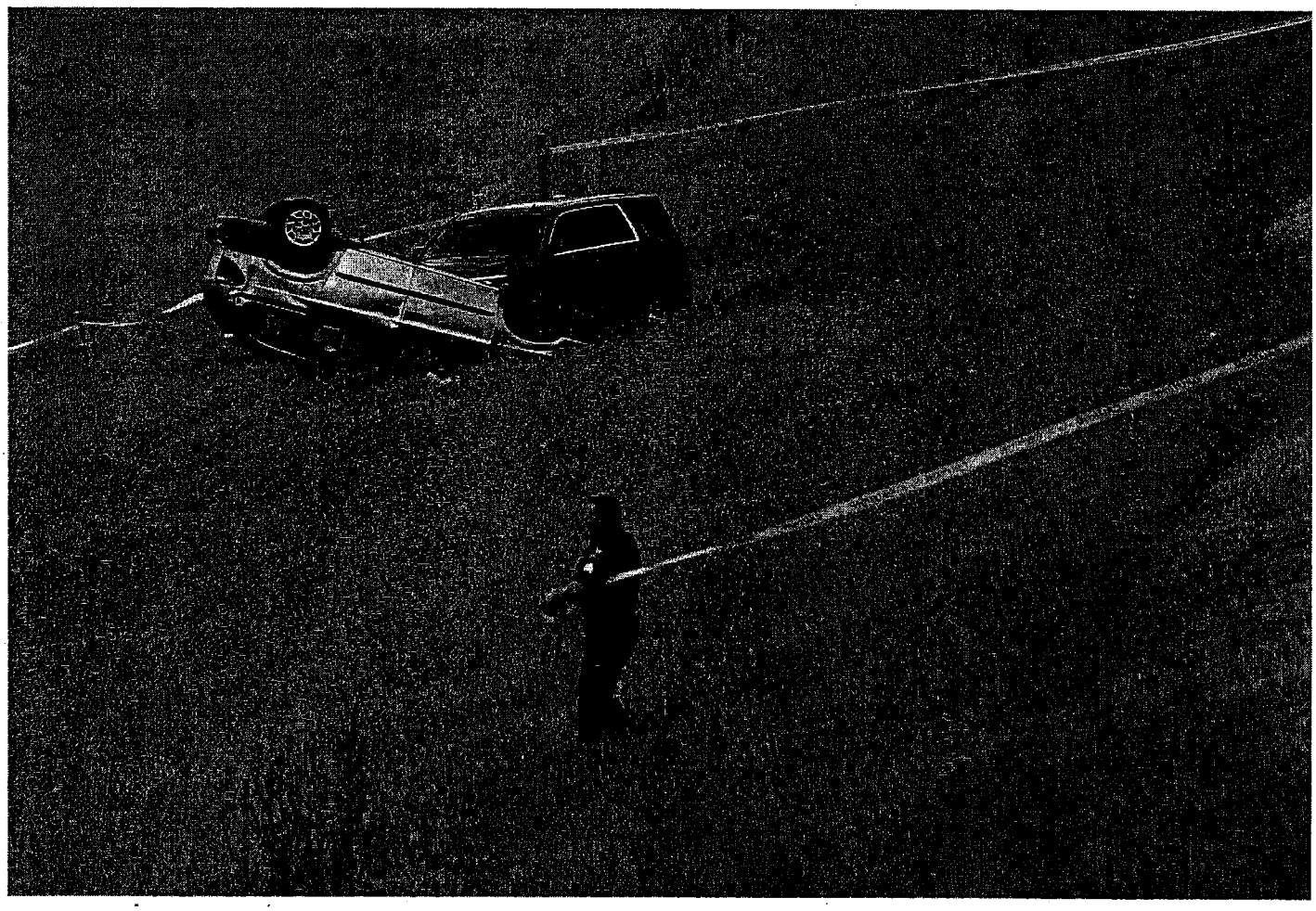

Law enforcement install police tape around the site where a chase ended and a suspect was shot by a sheriff's deputy Nov. 30 near New Underwood.

BUY NOW

Journal file photo

The name of the Pennington County sheriff's deputy who shot and killed a fleeing suspect Nov. 30 near New Underwood will not be released to the public, the Sheriff's Office said Thursday.

"The deputy is invoking his protections under Marsy's Law," said the office's spokeswoman, Helene Duhamel. "The new constitutional amendment affords him protections as it does any victim of crime."

Previously, Marsy's Law was used to withhold a South Dakota Highway Patrol trooper's name after the trooper was allegedly attacked before shooting and wounding a suspect during a September incident in Union County.

Marsy's Law was approved by South Dakota voters in 2016 and amended by voters in June. It was proposed by California billionaire Henry Nicholas as part of his nationwide effort to pass victims' rights legislation in honor of his murdered sister.

Nicholas contributed $2.09 million in campaign funds to support passage of Marsy's Law by South Dakota voters in 2016 and another $450,000 in support of amendments to the law passed in June.

Last month, six more states adopted Marsy's Law with encouragement from $72 million of total campaign spending by Nicholas, following five states that had previously implemented the law. Meanwhile, Nicholas was arrested in August on suspicion of drug trafficking after police allegedly discovered him with heroin, cocaine, meth and ecstasy at a Las Vegas casino-resort.

Duhamel said that because the suspect in the Nov. 30 chase — 19-year-old Matthew John Lorenzen — allegedly fired shots at pursuing authorities, the deputy is a victim as defined under Marsy's Law.

The law, which is in South Dakota's Constitution, defines a victim as "a person against whom a crime or delinquent act is committed." Among the many rights granted to victims in the law is a right to privacy and "The right, upon request, to prevent the disclosure to the public ... of information or records that could be used to locate or harass the victim or the victim's family."

As is standard procedure in the case of any shooting by a South Dakota police officer, the Pennington County deputy's actions are under investigation by the state's Division of Criminal Investigation. Per the policy of the Pennington County Sheriff's Office, the deputy has been placed on administrative leave.

Contact Seth Tupper at seth.tupper@rapidcityjournal.com

MORE INFORMATION

ACLU Wisconsin

January 9, 2019

Testimony of ACLU of Wisconsin
In Opposition to Assembly Joint Resolution 1 and Senate Joint Resolution 2
Joint Hearing: Assembly Committee on Criminal Justice and Public Safety & Senate Committee on Judiciary and Public Safety

Chair Wanggaard and members of the committees:

Thank you for the opportunity to provide testimony in opposition to Assembly Joint Resolution 1 and Senate Joint Resolution 2.

In 1980, Wisconsin became the first state in the country to adopt a "crime victim bill of rights," and the State Constitution as well as Chapter 950 of Wisconsin law enumerates these rights.

Victims deserve to be protected and consulted during criminal proceedings, but adjustments to our current robust protections should be done through statutory provisions and without overburdening our criminal justice system and undermining defendants' constitutional rights. AJR1/SJR2 impedes justice and jeopardizes the right to a swift and fair trial by inserting victims - and a wide and uncertain array of other individuals – into stages of the process beyond sentencing.

The ACLU of Wisconsin disputes any claim that the only way to support victims is to support Marsy's Law, and that if you oppose Marsy's Law then you oppose victims. This is an erroneous and unfair characterization. I do not think anyone here today opposes victims or victims' rights. This is not about who supports victims most, but rather about how we protect victims' rights as a state and balance those rights with the rights of the accused.

Much of the campaign in support of Marsy's Law is premised on this notion that victims should have rights equal to those of the accused, and that that can only be achieved through this constitutional amendment. Victim's rights cannot be equated to the rights of the accused because they serve very different roles.

Defendants' rights are in the constitution because they are rights against the state, not because they are valued more by society than are those of victims. Defendants' rights are checks against government abuse. They prevent the government from arresting and imprisoning anyone, for any reason, and at any time.

Protecting the rights of the accused is core to the rule of law and the American system of justice. These restrictions on government power are enshrined in the Bill of Rights for a reason, and they predated the U.S. Constitution. One of our founding fathers, John Adams, said:

It is more important that innocence should be protected, than it is, that guilt be punished; for guilt and crimes are so frequent in this world, that all of them cannot be punished.... when innocence itself, is brought to the bar and condemned, especially to die, the subject will exclaim, 'it is immaterial to me whether I behave well or ill, for virtue itself is no security.' And if such a sentiment as this were to take hold in the mind of the subject that would be the end of all security whatsoever

Victims' rights, on the other hand, are not rights against the state. They are rights that are enforced primarily against the defendant. They are one individual's rights against another individual.

Our legal system manages rights between individuals through statute because they do not relate to the power of the state. The inclusion of rights in statute rather than in the Constitution is not a value judgment. It is a reflection of the role those rights serve.

Marsy's Law was promoted and funded by an out-of-state organization and is not tailored to Wisconsin. Its negative effects will likely be felt by prosecutors, defense attorneys, defendants, and even victims. Other states that have amended their constitutions with similar provisions have had significant operational issues which have created unintended consequences. Issues have included increased costs, delays in court proceedings, conflicts with open records laws, court scheduling conflicts, litigation related to conflicts with U.S. Constitutional provisions, definitions of victims that have been expanded to include retailers such as Walmart, and litigation from victims for unequal application or violations of the new constitutional provisions.

In South Dakota, the implementation of Marsy's Law swamped county staff with paperwork and led to longer jail stays while courts waited for victims to be notified — even for minor crimes such as vandalism. We don't need to, and should not, pass these types of costs on to our local county governments, because that would be irresponsible.

A constitutional amendment does not bring resources. Counties will not suddenly be able to hire more victims' advocates because victims' rights are in the constitution as opposed to in statute. Any problems with enforcement related to insufficient resources will persist and very likely increase if AJR1/SJR2 is added to our constitution.

Protecting victim's rights should not be a zero sum game. We do not have to take away defendants' rights in order to protect victims' rights. We can and should do both. The alternative is to jeopardize the integrity and efficacy of our judicial system.

All Wisconsinites deserve a criminal justice system that is fair, prompt, and adequately resourced. AJR1/SJR2 flies in the face of these goals, and if we run into the same implementation difficulties that other states have seen, it will take at least three years to remedy those problems. Please vote no on AJR1/SJR2.

Wisconsin Democracy Campaign

203 South Paterson Street, Suite 100 / Madison, WI 53703-3689 / 608 255-4260 / www.wisdc.org

Testimony of Executive Director Matt Rothschild Before the Joint Public Hearing of the Assembly Committee on Criminal Justice and Public Safety and the Senate Committee on Judiciary and Public Safety In Opposition to 2019 Assembly Joint Resolution 1 and Senate Joint Resolution 2, Relating to the Rights of Crime Victims

January 9, 2019

Good afternoon, honorable Committee chairs, and honorable members of the Assembly and Senate Committees.

I'm Matt Rothschild, the executive director of the Wisconsin Democracy Campaign, which since 1995 now has stood for clean and open government, where everyone has an equal say and where our rights and liberties are protected.

We oppose these joint resolutions for one simple reason. They contain a poisonous item that interferes with the fundamental right of the accused, which is guaranteed by the U.S. Constitution.

I refer you to the item marked "L" that says that victims shall be entitled "to refuse an interview, deposition, or other discovery request made by the accused or any person acting on behalf of the accused."

This would be a facial violation of the Sixth Amendment to the U.S. Constitution, which states: "In all criminal prosecutions, the accused shall enjoy the right … to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor…"

The U.S. Constitution, under the Fifth and Fourteenth Amendments, also guarantees defendants "due process of law," and by denying them the ability to confront their witnesses, these resolutions would be depriving them of due process and thus violating these amendments, as well.

This legislature does not have the power, nor should it have the power, to override the Constitution of the United States or to amend the Bill of Rights.

Increasingly, our legislatures and our courts have stripped away at the fundamental due process rights of the accused. The government has immense and growing powers to deprive people of life, liberty, and property. These resolutions would only increase those powers.

For this reason, the Wisconsin Democracy Campaign urges you to vote against these resolutions.

2019-2020 Legislative Session

To: Senate Committee on Judiciary and Public Safety
and Assembly Committee on Criminal Justice and Public Safety
From: Chase Tarrier, Public Policy Coordinator, End Domestic Abuse WI
Re: Senate Joint Resolution 53 - Marsy's Law
Date: January 9, 2019

Dear Chairman Wanggaard, Chairman Spiros, and the members of the Senate Committee on Judiciary and Public Safety and Assembly Committee on Criminal Justice and Public Safety,

Thank you for the opportunity to provide testimony today regarding Senate Joint Resolution 53/Assembly Joint Resolution 47 relating to the constitutional rights of victims of crime. End Domestic Abuse WI (End Abuse) is the statewide voice for survivors of domestic violence and the membership organization representing local domestic violence victim service providers throughout the state.

While the intent of the legislation before you today is laudable, and in many ways aligns with our coalition's goal to protect and empower victims, End Abuse remains neutral on the resolutions and this testimony is intended for informational purposes only. Before proceeding, I would like to thank the Marsy's Law organization and its representatives with whom the End Abuse Policy Team had many conversations during the previous session in which the concerns below were relayed.

The apparent contradiction between the stated goals of Marsy's Law and End Abuse's lack of support can be explained in several ways. First, we have concerns about the potential unintended consequences that could arise from such a constitutional amendment, and the inability to rectify those consequences for years should the amendment be finalized on such a short timeline. Several states around the country passed Marsy's Law in the past six months alone; we would do well to examine the experience of these other states and their implementation of Marsy's Law before rushing forward with an amendment of our own. This is particularly true given that, unlike many other states that have passed Marsy's Law or similar legislation, we already have clearly defined victim's rights both in statute and in the current constitution. Furthermore, without a serious commitment to large increases in funding for various aspects of the criminal justice system, many of the requirements in this proposal could result in an increased strain on the court system. As we have now seen in other states that have passed Marsy's Law, this is likely to result in new administrative burdens and longer delays for trials as the system attempts to comply with new constitutional provisions, an issue that already plagues victims of crime in Wisconsin today.

Second, while End Abuse is focused on the empowerment of victims of domestic violence, we recognize that due process is a fundamental right that in many ways serves as the foundation of the criminal justice system. The assertion that victims of crime need rights of equal weight to those of the accused is a mischaracterization of how the American criminal justice system functions. Any legislation that trades expanded victim's rights for potential limits on due process could result in a wide array of problems that are as of now unforeseen. Additionally, the impacts of restructuring the courts in this way will not just

negatively impact defendants, but also crime victims as well. While we traditionally think of victims and defendants as existing totally separate from one another, in reality, the lines between them are often murky. The two categories may seem diametrically opposed, but numerous survivors of domestic violence across the state will find themselves sitting in court both as victims and defendants over the course of their journey to safety and empowerment. With these considerations in mind, reforming the criminal justice system does not necessarily mean simply leveling the playing field between victim and accused, but rather making the entire process trauma informed, training the court's representatives to better understand the experience of survivors and ensuring that currently existing resources are adequately funded to better serve victims. This is particularly true given that Wisconsin has some of the most racially disparate criminal justice outcomes in the nation. Changes of this magnitude are bound to affect some communities more than others.

While we appreciate the efforts of the parties involved and the intent of this legislation, we are an organization that represents and responds to the needs of survivors and advocates across the state. The focus on victim's rights is commendable, but what we hear most often from victims and advocates is not that they wish the constitution would be amended, but rather that they are in dire need of a more holistic approach to criminal justice. Victims and advocates talk frequently about lack of access to legal aid, underfunding of county victim witness units, chronically overworked and underpaid DAs and public defenders, restrictions on access to Medicaid and other lifesaving benefits, sparse or nonexistent affordable housing in their area, insufficient focus on interpersonal violence in our education system, and many other issues. If this broad coalition really wants to improve the lives of victims, these are some of the issues we would be thrilled to collaborate on. Although this legislation is a positive step towards recognizing victims' experience in the court system, we would rather work on pressing issues that have been flagged to us by advocates and victims as the ones that are impacting survivors directly every day.

At this time, we are not urging the Legislature to vote against this legislation per se, but rather to take the necessary time to examine its effects in other states before moving forward with such a drastic measure as an amendment to the constitution. With a full two-year session available to watch the implementation of Marsy's Law in other states, proceeding with caution is the right choice for victims. We appreciate the Committee's consideration, feel free to reach out to Chase Tarrier, Public Policy Coordinator at 608 237 3985 or chaset@endabusewi.org with any further questions.

Wisconsin Troopers' Association

Executive Director – Ryan Zukowski Glen Jones – President
4230 East Towne Blvd. #284
Madison, WI 53704
www.wisconsintrooper.org

To: Chairpersons Wanggaard and Spiros
Members, Senate Committee on Judiciary and Public Safety and
Assembly Committee on Criminal Justice and Public Safety

From: Glen Jones, President
Wisconsin Troopers' Association

Date: January 9, 2019

RE: Assembly Joint Resolution 1 and Senate Joint Resolution 2, relating to the rights of crime victims

Good morning Chairmen and committee members,

Thank you for the opportunity to submit testimony in support of Assembly Joint Resolution 1/Senate Joint Resolution 2, the update to Wisconsin's constitution which provides equal rights for victims of crime, also known as Marsy's Law for Wisconsin. Due to the change in schedule for today's hearing I was no longer able to be present.

My name is Glen Jones and I am submitting testimony on behalf of the Wisconsin Troopers' Association (WTA), which proudly represents 500 troopers, inspectors, police communication operators and retirees that share the common mission of promoting law enforcement, public safety and the overall good of the community. Marsy's Law for Wisconsin received strong bipartisan support during its first consideration by the legislature, passing by a combined vote of 110-14 in November of 2017. Today, we urge you to again support the timely passage of Assembly Joint Resolution 1/Senate Joint Resolution 2, so that it can be put before the voters for a ratification vote during the April, 2019 election.

The final language of the amendment was the result of a year-long process of input, consideration and consensus building that incorporated the viewpoints, comments and concerns of a wide variety of stakeholders including, but not limited to, survivor advocacy groups, prosecutors, victims, law enforcement and defense attorneys. The proposed amendment will elevate certain statutory rights to be fully constitutional rights while also strengthening the existing constitutional rights of victims. However, it does so in a way that does not lessen the rights of the accused or cause additional burden on our criminal justice system.

State troopers and inspectors encounter victims every day and have seen the impact that violence and other crime has on Wisconsin families and communities. Elevating the rights of crime victims by updating our constitution will ensure that Wisconsin's legal system treats victims fairly throughout the judicial process.

On behalf of the Wisconsin Troopers' Association, we would like to thank Senator Wanggaard and Representatives Novak and Crowley for their efforts in introducing Assembly Joint Resolution 1/Senate Joint Resolution 2 this session. The WTA urges passage by the committees.

If you have any questions, please contact Annie Early at Schreiber GR Group at 414-405-1050. Thank you.

WAUKESHA COUNTY POLICE CHIEFS' ASSOCIATION

WCPCA

DATE: January 8, 2019

TO: Chairpersons Wanggaard and Spiros
Members, Senate Committee on Judiciary and Public Safety and
Assembly Committee on Criminal Justice and Public Safety

FROM: Waukesha County Police Chiefs' Association

RE: **Support of LRB-0299/1 relating to the rights of crime victims**

The Waukesha County Police Chiefs' Association supports LRB-0299/1, better known as Marsy's Law for Wisconsin, and we are honored to stand with victims of crime. First consideration of the measure passed overwhelmingly with broad bi-partisan support totaling a combined 110-14 votes.

To date, at least 200 individual police chiefs have officially endorsed Marsy's Law for Wisconsin. The WCPCA is proud to stand with other law enforcement associations in the state in support of this vital victims' rights law.

The WCPCA represents the chief executives of all law enforcement agencies in Waukesha County (twenty-three Chiefs of Police and the Waukesha County Sheriff), state/federal law enforcement agencies that we partner with (FBI, US Marshals, Wisconsin Department of Justice, Wisconsin State Patrol, etc.), and agencies providing support tour work (Waukesha County Communications Center, Waukesha County Emergency Management, Waukesha County technical College). Our associates are devoted to public safety and interact with victims of crimes and their family members daily in Waukesha County.

Respectfully,

Chief Thomas Czarnecki
President, Waukesha County Police Chiefs' Association

WISCONSIN PROFESSIONAL POLICE ASSOCIATION

Law Enforcement Employee Relations Division • Supervisory Officers Relations Division • Civilian Employees Relations Division

Written Testimony of:

Jim Palmer, Executive Director
WISCONSIN PROFESSIONAL POLICE ASSOCIATION

Before the:

Senate Committee on Judicary and Public Safety
WISCONSIN STATE LEGISLATURE

January 9, 2019

Senator Wanggaard and Esteemed Committee Members:

Thank you for the opportunity to testify this morning on behalf of the WPPA in support of **2019 Senate Joint Resolution 2** and Assembly Joint Resolution 1, also known as "Marsy's Law for Wisconsin."

With more than 10,000 members from nearly 300 local affiliates, the WPPA is the Wisconsin's largest law enforcement group. Our mission is to protect and promote public safety, as well as the interests of the dedicated men and women that serve to provide it. We believe that Marsy's Law effectively furthers that interest, and we were pleased to be the first law enforcement association in the state to endorse this effort to amend our state constitution. Additionally, we are encouraged to see this measure garner the bipartisan support of lawmakers dedicated to coming together to strengthen the rights of crime victims in Wisconsin.

Our great state has been a national leader in defining and protecting victims' rights for many years. Most notably, Wisconsin was the first state in the country to adopt a "bill of rights" for the victims and witnesses of crime in 1980. In 1993, Wisconsin's voters approved a constitutional amendment to further strengthen some of those rights. Given this state's well-established leadership and legacy, Marsy's Law for Wisconsin will further enhance the rights of crime victims in a way that does not burden our criminal justice system or dampen the rights of the accused.

The WPPA has established long record of supporting bipartisan measures to improve public safety in Wisconsin, and we are proud to support this important measure to safeguard those most-affected by criminal activity and ensure that they have a meaningful voice in the legal process. In largely elevating the current statutory language regarding the rights of victims to the level of the state constitution, Marsy's Law will elevate the prominence of those rights in the courtroom as well. In short, this measure sends the powerful and important message that

660 John Nolen Drive • Suite 300 • Madison, WI 53713 • (608) 273-3840 • 1-800-362-8838 • Fax (608) 273-3904

the rights of the victims of crime should be no less than the rights afforded those accused of perpetrating crime. Marsy's Law in Wisconsin will serve to strike that necessary balance.

Oftentimes, law enforcement officers are the first to interact with the victims of crime, and they frequently have to fulfill a variety of roles in doing so, including making the victim feel safe, listening to their concerns, providing them with resources when needed, explaining "what comes next" in the investigation that will follow their ordeal, and informing them of their rights under the law. All of the good that can come from this crucial, albeit underrecognized, form of policework can be easily undone if victims feel that they are at-risk for being revictimized by the court system and the criminal process. Marsy's Law will not only enhance the protections that we afford the victims of crime, but it will give them a degree of engagement in the process that, quite frankly, they deserve. It can empower them and help them to heal.

More pragmatically, Marsy's Law will make crime victims feel secure, not only in terms of their own personal safety, but in the credibility of the criminal justice system as well. For the law enforcement officers that often represent the face of criminal justice system, and who at times bear the brunt for that system's shortcomings and inequities, Marsy's Law can play an especially meaningful role. If the victims of crime are more engaged and feel as though their voice is being heard, Wisconsin's criminal justice system will be more effective in delivering justice. Marsy's Law will not only represent an important extension of law enforcement's fundamental duty to protect the public, but the state's proud legacy as a national leader in advancing the interests of crime victims as well.

The WPPA is honored to join every major law enforcement association in the state as well as the majority of duly elected sheriffs – Republicans and Democrats alike – in supporting this amendment, and we respectfully urge the members of these committees to support them as well.

Thank you for your consideration.

WISCONSIN CHIEFS OF POLICE ASSOCIATION, INC.

Senate Judiciary & Public Safety and Assembly Criminal Justice & Public Safety Committees
January 9, 2019

Good morning Chairs Wanggaard and Sprios, and greetings to all members of the Joint Committee.

My name is Greg Leck, and thank you for hearing my testimony this morning. I am the Chief of Police in Stoughton, Wisconsin and the current Chair of the Legislative Committee for the Wisconsin Chiefs of Police Association.

The WCPA is proud to have endorsed Marsy's Law for Wisconsin and to support victims of crime all across our great state.

As you know, Marsy's Law for Wisconsin enjoys a very long list of law enforcement endorsements ranging from the state's FOP, Sheriffs, WPPA, prosecutors and the Wisconsin Chiefs' of Police Association.

The WCPA represents over 600 of police chiefs and Command staff officers of Wisconsin municipal police departments. In addition to the endorsement of the WCPA, more than 200 individual police chiefs have stepped forward to officially endorse Marsy's Law for Wisconsin as have regional police chief organizations in Wisconsin's two largest counties; the Dane County Chiefs of Police Association and the Milwaukee County Chiefs. Marsy's Law for Wisconsin has deep support among chiefs of police across the state.

As you know, our judicial system has three main parts; the courts, the prosecution and defense, and law enforcement agencies. Police officers are routinely the first interaction a crime victim has with the judicial system, and officers often play a role beyond their official capacities in assisting a victim of crime in assessing the situation and providing guidance.

We see firsthand the devastating effects crime can have on individuals and the lasting impact it can have on families and communities.

It is in keeping with our mission to protect and serve that the WCPA supports Marsy's Law for Wisconsin.

While not dampening the rights of the accused, protecting the rights of crime victims by enshrining them in the Constitution is allowing those who have been harmed a more level playing field in dealing with our judicial system, and to not be lost in the shuffle of the system, while in the pursuit of justice.

Marsy's Law for Wisconsin adds to our state's tradition of being on the forefront of recognizing the rights of victims, and the measure builds on our proud history as being one of the nation's first states to constitutionally recognize crime victims' rights.

Marsy's Law for Wisconsin received broad, bipartisan support in its first consideration, and I urge this Committee to pass this measure in a timely manner to allow the people of Wisconsin to vote on the proposed Amendment in April of this year.

Thank you for your time and consideration.

Gregory W. Leck
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Co-Chair, Legislative Committee, Wisconsin Chiefs of Police Association