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Marsy's Law for Wisconsin: Bipartisan constitutional amendment to create equal rights for crime victims introduced in Wisconsin State Legislature

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Madison, Wisconsin – Marsy's Law for Wisconsin's bipartisan legislation to amend the state Constitution to ensure equal rights for crime victims was officially introduced in the Wisconsin State Legislature with identical companion bills in each House. The State Senate version, Senate Joint Resolution 53, was referred to the Committee on Judiciary and Public Safety and the State Assembly referred Assembly Joint Resolution 47 to the Committee on Criminal Justice and Public Safety. The legislation – which was authored by State Sen. Van Wanggaard (R-Racine) and State Rep. Todd Novak (R-Dodgeville), has the support of 42 Republicans and Democrats, and is now being endorsed by Children's Hospital of Wisconsin – would update Wisconsin's Constitution to build on our state's proud tradition of leading on victims' rights.

State Sen. Van Wanggaard, Chairman of the State Senate Committee on Judiciary and Public Safety, said: "As a former law enforcement officer, I know firsthand the effects of crime on our communities and the impacted victims. Our focus needs to be on caring for and protecting those victims, not coddling criminals,

and we'll work hard in my committee and with the rest of the state Legislature to build on Wisconsin's history on victims' rights by making them truly equal."

State Rep. Todd Novak, a key member of the State Assembly Committee on Criminal Justice and Public Safety, said: "As someone who resides in rural Wisconsin, I know Marsy's Law can make the difference between a victim feeling safe and seeing their attacker at the gas station. Victims of crime deserve equal rights, and I'm proud that our bipartisan legislation will give them a permanent guarantee of equality under our state Constitution."

Christina Traub, a survivor of violent crime from Madison, said: "Anyone who has watched an episode of COPS knows what the rights of the accused are, but almost no one can name the rights of victims. I saw firsthand after I was brutally attacked how easy it is to feel left out of our justice system, and I'd like to thank the bipartisan coalition of legislators fighting to make sure victims of crime have a stronger voice in the process and the equal rights we deserve."

Since first unveiling its legislation April 4, Marsy's Law for Wisconsin has been co-sponsored by 40 members of the Legislature, in addition to Wanggaard and Novak. Marsy's Law for Wisconsin's growing statewide coalition includes victims' rights groups like Wisconsin Coalition Against Sexual Assault, Mothers Against Drunk Driving, Children's Hospital of Wisconsin, Sojourner Family Peace Center in Milwaukee, and Golden House in Green Bay; Attorney General Brad Schimel and District Attorneys across the state; and law enforcement including the Wisconsin Professional Police Association, The Wisconsin Troopers' Association, the Wisconsin Chiefs of Police Association, The Badger State Sheriffs' Association, Wisconsin Sheriffs and Deputy Sheriffs Association, the Milwaukee Police Association, and local sheriffs such as Racine County Sheriff Chris Schmaling, and Brown County Sheriff John Gossage.

You can read Christina's story of survival here, and more facts on her fight for equal rights here. Below are key facts on our legislation:

· **Marsy's Law for Wisconsin follows a proud tradition in our state, unlike many other states.** Wisconsin already has a constitutional amendment on victims' rights that passed in 1993, and was the first state in the nation to pass a Crime Victims' Bill of Rights. The state also is recognized as having some of the strongest statutory rights for victims in the country. This means the changes we are proposing are about making sure victims' rights are truly equal alongside the

constitutional rights of the accused – nothing more, nothing less – not introducing new rights as has been done in other states across the country.

· **Marsy's Law for Wisconsin strengthens rights that already exist in Wisconsin.** The proposed amendment would do two things: Elevate certain rights currently under state statute to be fully constitutional rights, and strengthen other rights that are already part of the Constitution. An example of a right that is the law under state statute but needs to be elevated to the Constitution is the right to put victim restitution payments ahead of any dollars owed to the government. An example of a current constitutional right that needs clarification is the right to be heard throughout the legal process, including release, plea, sentencing, disposition, parole, revocation, expungement, or pardon – as opposed to just disposition.

· **Marsy's Law for Wisconsin is building a statewide legislative and campaign effort.** In order to amend the state Constitution, the proposal must pass two consecutive state Legislatures, then be put to the voters on the ballot. It is currently possible for Marsy's Law for Wisconsin's proposal to be on the ballot in 2019. A **statewide digital ad** and billboard advertising have accompanied Marsy's Law for Wisconsin's efforts building support in the state Legislature and with allies across the state.

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About Marsy's Law for Wisconsin

Marsy's Law for Wisconsin is a grassroots coalition that has developed a unique proposal to give victims of crime equal rights in our state, building on Wisconsin's laws and history of leading on this issue. Marsy's Law is named after Marsalee "Marsy" Nicholas of California who was stalked and killed by her ex-boyfriend in 1983. Only one week after her death, Marsy's mother and brother, Henry T. Nicholas, walked into a grocery store where they were confronted by the accused murderer. The family, who had just come from a visit to Marsy's grave, was unaware that the accused had been released on bail. In an effort to honor his sister, Dr. Nicholas has made it his life's mission to give victims and their families constitutional protections and equal rights.

Victims and supporters interested in sharing their stories can email **Wisconsin@marsyslaw.us**.