

Senate approves crime victims' constitutional amendment

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The state Senate voted 29-4 Tuesday to enshrine in the Wisconsin Constitution additional rights for crime victims such as being treated with dignity, respect, courtesy, sensitivity and fairness in criminal proceedings and to have “reasonable protections” from the accused during proceedings.

Backers argued it would ensure victims have rights that are on the same plane as those afforded the accused in criminal proceedings. Opponents, though, countered some of the rights outline could conflict with protections in the U.S. Constitution for those charged with a crime. That includes giving crime victims the right to refuse any interview, deposition or other discovery request from the accused.

State Sen. Van Wanggaard, R-Racine, insisted the amendment simply made sure victim's rights carry equal weight in court with those of criminals.

“Victims only want to be treated like a criminal,” Wanggaard said. “We give all these right to criminals, and the victim comes last.”

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The amendment is part of a national push called “Marsy's Law.” Montana voters approved the amendment with 66 percent of the vote, but it was struck down by that state's Supreme Court because multiple questions were included in one referendum. The court found the provisions should have been presented to voters separately, according to local media.

Wisconsin has already approved a crime victim bill of rights and a separate constitutional amendment laying out some rights for victims.

The amendment, which is on the Assembly's calendar for Thursday, has to pass

both houses this session and during the 2019-20 session before it could go to voters for a referendum.