State Senate Passes Two Bills to Improve Criminal Justice System for Victims

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Madison—Today, the state Senate approved two bills that victim advocates say will make it easier for domestic violence victims to participate in the criminal justice system and hold perpetrators accountable. While advocates praised the Senate's actions, they also urged passage of important measures to preserve crime victim rights and to prevent inter-state stalking and abuse.

The two bills passed today are Senate Bill 399 (SB 399) and Senate Bill 394 (SB 394). SB 399 allows hearsay testimony at preliminary hearings. SB 394 establishes a pay-grade system for assistant district attorneys, so the state can retain experienced prosecutors.

"The current prohibition against hearsay at preliminary hearings means that victims with fresh wounds, both physical and psychological, are called to face their abusers a matter of days after the attack," said Patti Seger, executive director of the Wisconsin Coalition Against Domestic Violence (WCADV). "The fact is victims' participation at preliminary hearings is not necessary because the hearing serves a very limited purpose. Trial is the point at which a victim's testimony is assessed by the jury."

"Senate Bill 394 will also make the justice system more hospitable to crime victims," said Seger. "Wisconsin is facing a crisis because of severe turnover in district attorneys' offices. If prosecutors don't have the training and experience to handle complex and sensitive cases, there is a high risk that justice will not be done. Victims deserve quality representation; the state's attorney is really their only voice to the judge and jury."

"The Senate still needs to act on the Interstate Abuse Prevention Act (Senate Bill 177) and the Crime Victim Rights Preservation Act (Assembly Bill 232)," added Seger.

The Interstate Abuse Prevention Act gives state courts the ability to protect Wisconsinites from out-of-state abusers, particularly those who are using the internet or text messages to stalk and harass Wisconsin citizens. The Crime Victim Rights Preservation Act provides enforcement for the state constitutional right of victims to be treated with "fairness, dignity and respect for their privacy." The inadequacy of Wisconsin's crime victim rights laws was demonstrated by the Ken Kratz case. Kratz is the former district attorney who sent sexually harassing text messages to a domestic violence victim.

"These bills have wide support and are needed to address clear deficits in our laws that currently leave victims at risk," concluded Seger.

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