



Sponsor: Representative Lang

## Protecting Crime Victims in Illinois

*Marsy's Law HJRCA 1: A constitutional amendment to expand and enforce crime victims' rights*

### Protect victims of violent crimes

The criminal justice process is supposed to protect innocent citizens and punish those guilty of crime. Yet weak laws in Illinois prevent crime victims from exercising rights that could ensure their safety. These are the people who have been battered, raped, abused, molested, and whose family members have been murdered. They have a right to be protected and have their voices heard. Often, though, these victims are ignored or even excluded from the criminal justice process.

Change is needed to ensure that victims in Illinois have comprehensive, meaningful and enforceable rights, as well as a means of redress when these rights are violated.

### Constitutional amendment is necessary

The Illinois Constitution currently guarantees crime victims certain rights, but these rights are technically unenforceable, making them ineffective and weak. Just as an offender has a remedy when the offender's constitutional or statutory rights are violated, a victim should have a remedy when the victim's constitutional or statutory right is violated.

Marsy's Law for Illinois, known as HJRCA 1 will change this dynamic. It is a constitutional amendment that seeks to protect and give voice to thousands of crime victims in our state. It would reform and provide mechanisms for enforcement of the 1992 version of Victims Rights provisions in Article I, Section 8.1 of the Illinois Constitution. The amendment proposes that crime victims are:

- Guaranteed the right to be informed of court proceedings
- Guaranteed the right to be present at trials and hearings regarding their case
- Guaranteed the right to present a written statement to the court about the impact a violent crime has had on them
- Provided greater access to post trial proceedings
- Guaranteed timely action on victims' request
- Allowed to appeal decisions that affect the exercise of their personal rights

## About Marsy's Law for Illinois

Modeled after Marsy's Law in California, which passed as a state constitutional amendment in 2008 and is among the strongest protections of crime victims' rights in the country, and the Federal Crime Victims Rights Act, the Illinois initiative is backed by the Illinois Coalition for Enforceable Victims Rights, led by Attorney General Lisa Madigan and various other law enforcement, victims and community organizations. Other states, including Arizona, New Jersey, and Oregon, have followed suit, recently passing similar constitutional amendments and statutes making victims' rights enforceable.

## Support Resolution HJRCA 1

HJRCA 1 gives these victims the ability to go to court and ask that the rights they were denied be enforced. The resolution also requires the court to act promptly on such requests. For example, if a victim is not allowed to make a victim impact statement at a sentencing hearing, the court could order that the hearing be held again.

Marsy's Law is a long-term investment in Illinois victims and their families. Long after HJRCA 1 is passed by voters in November 2014, the Marsy's Law team will be committed to seeing through the implementation of this legislation to make it a reality.

The system is broken, but you can help fix it. Please join us in standing up for crime victims and their rights. Support HJRCA 1.

## Supporters of Marsy's Law for Illinois

Attorney General Lisa Madigan

Children's Advocacy Centers of Illinois

Mothers Against Drunk Driving (MADD)

Rainbow PUSH Coalition

AIM (Alliance Against Intoxicated Motorists)

Illinois Coalition Against Domestic Violence

National Crime Victims' Law Institute (NCVLI)

Support for Homicide Survivors

Chicago Alliance Against Sexual Exploitation

Illinois Coalition Against Sexual Assault

National Gun Victims Action Council (NGAC)

Survivors Network of Those Abused by Priests (SNAP)

Chicago Citizens for Change

Illinois Council Against Handgun Violence

National Organization of Parents of Murdered Children, Inc. (POMC)

Violence Prevention Center of Southwestern Illinois

Chicago Coalition for the Homeless

IllinoisVictims.Org

Prevent Child Abuse Illinois

Chicagoland Voice of the Faithful

Illinois Victim Assistance Network (IVAN)

Project IRENE

Purpose Over Pain



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