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Question on Apr 7 ballot, innocuously seeking expansion of crime victims' rights, masks an amendment twice as long as the Bill of Rights that will alter protections at the foundation of our criminal justice system, says Senator Fred Risser.

MADISON - Wisconsin's April ballot contains a so called victims' rights question that merits a resounding "NO" answer.

The question, innocuously seeking expansion of crime victims' rights, masks an amendment twice as long as the Bill of Rights that will alter protections at the foundation of our criminal justice system.

Don't let the question's statement that the amendment leaves federal rights intact fool you. The proposed amendment will eliminate rights under the state constitution and statutes.

If passed, the amendment would diminish the rights of those accused of crime and chip away at the presumption of innocence. "Victims" are determined prior to any crime even being proved. Those alleged victims could be allowed to withhold evidence that may prove a defendant's innocence, which could encourage and protect false accusers. Alleged victims could demand attendance at proceedings even when fairness to the defendant requires separation of witnesses. Alleged victims may interfere with the role of the public prosecutor with unlimited

conferences and input.



If passed, the amendment could hinder crime-solving and reduce public safety. Under the amendment, an alleged victim may claim a right to privacy that prevents police from disclosing the location of a crime or particular facts that could generate public tips leading to the perpetrators.

If passed, the amendment's notice provisions will likely increase court administrative costs and delay court proceedings. Courts will need to track down potential victims, provide them with notice, and probably halt proceedings (even trials) if an alleged victim enforces the right to attend but the schedule doesn't work for him or her. In South Dakota, a similar amendment swamped court staff with paperwork and delayed proceedings.

Not only is this drastic amendment unwise, but it is completely unnecessary in Wisconsin. The language is not tailored to our state. Our state constitution and statutes already provide numerous victims' rights, including the right to be treated with fairness, dignity, and respect for privacy.

While helping victims is laudable, this amendment is not the way to do it. Victims are better served by provision of additional resources for victims than by altering the balance between an accused and the state.

Fred Risser, State Senator
MADISON