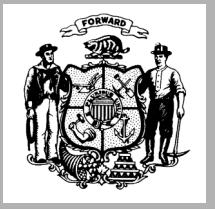


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Additional References:

Wisconsin Statutes § 950.09

Wisconsin Administration Code CVRB 1

For more information contact:

CVRB Operations Director Julie A. Braun

braunja@doj.state.wi.us or 414-227-1865

Crime Victims Rights Board (CVRB) Hearings FAQ's**What is a Crime Victims Rights Board Hearing?**

The CVRB may hold a fact-finding hearing after finding there is probable cause to believe a violation probably has been or is being committed as alleged in a complaint under review by the CVRB. Hearings are not held in every case. The purpose of a hearing is to hear from parties and witnesses about disputed issues relevant to the Board's review of a case. The procedures for a hearing are set forth in the CVRB's administrative rules, Wis. Admin. Code § CVRB 1.07.

Are hearings public? Where are they held?

Hearings are not open to the public. They are conducted in closed session, as provided by law but parties and their counsel or another advocate, including a family member, are permitted to be present during the entire hearing. Hearings are usually held in Madison but are sometimes held in other locations.

Do I need an attorney if I am involved in a case in which there will be a hearing?

Parties may be represented throughout proceedings by an attorney if they choose. The CVRB does not have authority to appoint an attorney or to order payment for the cost of an attorney. Parties may also have an advocate assist them throughout the hearing, whether or not the advocate provides legal representation or legal advice. Hearing proceedings are structured to be accessible to people who might be unfamiliar with legal proceedings.

Does the Board advocate for victims during the hearing?

No. The Board is not a victim advocacy board. It is a quasi-judicial body concerned with fact-finding and applying existing law to individual cases. The Board's process protects the rights of the accused and the victim equally.

What happens at a hearing?

The hearing is presided over by a CVRB member with participation by all five CVRB members. Potential witnesses are determined by the CVRB. Board members ask witnesses questions under oath at the hearing. Case parties may provide a list of witnesses or questions for witnesses for the CVRB to consider prior to the hearing. The CVRB has subpoena power to secure documents and the testimony of witnesses. Parties are allowed to ask questions of witnesses but questioning of a party by another party is not favored and may be limited by the Board. The Board may invite parties to make a brief opening and closing statement.

Will a decision be made at the hearing?

No. At the conclusion of all testimony, parties leave and the CVRB remains in closed session to deliberate to make its final decision, which will be sent in writing to parties later with a notice of the right to request a rehearing or to seek judicial review according to the process under Wis. Stat. § § 227.52 through 227.59.