

# VICTIMS OF CRIME CONSTITUTIONAL AMENDMENT RIGHTS

On April 7, 2020, Wisconsin voters ratified an amendment to the Wisconsin State Constitution entitling rights to crime victims. In addition to all other rights previously available to victims, these rights apply to crime victims at the time of their victimization and throughout the criminal and juvenile justice processes. These rights are effective as of May 4, 2020 and apply to all current and future victims.

## VICTIMS' RIGHTS THAT MIGHT APPLY AT ANY TIME

---

- To be treated with dignity, respect, courtesy, sensitivity, and fairness.
- To privacy.
- To timely disposition of the case, free from unreasonable delay.
- To reasonable protection from the accused throughout the criminal and juvenile justice process.
- Upon request, to timely notice of any release or escape of the accused or death of the accused if the accused is in custody or on supervision at the time of death.
- To refuse an interview, deposition, or other discovery request made by the accused or any person acting on behalf of the accused.
- To compensation as provided by law.
- Upon request, to reasonable and timely information about the status of the investigation and the outcome of the case. To timely notice about all rights under this section and all other rights, privileges, or protections of the victim provided by law, including how such rights, privileges, or protections are enforced.

## VICTIMS' RIGHTS THAT APPLY TO PROCEEDINGS

---

- To proceedings free from unreasonable delay.
- Upon request, to attend all proceedings involving the case.
- Upon request, to reasonable and timely notification of proceedings.
- Upon request, to be heard in any proceeding during which a right of the victim is implicated, including release, plea, sentencing, disposition, parole, revocation, expungement, or pardon.

## VICTIMS' RIGHTS THAT APPLY AFTER AN ACCUSED HAS BEEN CHARGED AND/OR RELATED TO SENTENCING OF THE ACCUSED

---

- Upon request, to confer with the attorney for the government.
- To have information pertaining to the economic, physical, and psychological effect upon the victim of the offense submitted to the authority with jurisdiction over the case and to have that information considered by that authority.
- To full restitution from any person who has been ordered to pay restitution to the victim and to be provided with assistance collecting restitution.

## VICTIMS' RIGHTS ENFORCEMENT

---

- To assert and seek in circuit court or before any other authority of competent jurisdiction, enforcement of the rights in this section and any other right, privilege, or protection afforded to the victim by law.
- To obtain review of all adverse decisions concerning their rights as victims by courts or other authorities by filing petitions for supervisory writ in the court of appeals and supreme court.

**Please note:** It is not always clear to whom victims' rights apply at different stages of a case. Use the information on this form to discuss and clarify your rights with the agencies you are in contact with regarding the case.