

# Marsy's Law

## a list of resources

By Jaime Healy-Plotkin

In April 2020, Wisconsin voters approved an amendment to the Wisconsin Constitution aimed at increasing rights to crime victims in the judicial process. This measure was approved in two consecutive sessions of the state Legislature, 2017 Enrolled Joint Resolution 13, followed by 2019 Enrolled Joint Resolution 3, and became section 9m (1) of article I of the Wisconsin Constitution. This resource guide gathers information related to this amendment and articles about Marsy's Law in Wisconsin and in other states.

### Wisconsin Legislative Documents

- [Wisconsin Constitution: Victims of crime. Article I. Section 9m](#)
- [2019 Enrolled Joint Resolution 3](#)
- [2019 Senate Joint Resolution 2](#): To renumber and amend section 9m of article I; and to create section 9m (1) of article I, section 9m (4) of article I, section 9m (5) of article I and section 9m (6) of article I of the constitution; Relating to: the rights of crime victims (second consideration).
- [2017 Senate Joint Resolution 53](#): To renumber and amend section 9m of article I; and to create section 9m (1) of article I, section 9m (4) of article I and section 9m (5) of article I of the constitution; Relating to: the rights of crime victims (first consideration).

### Wisconsin Legislative Analysis

- [Constitutional amendment relating to crime victims' rights](#). Jillian Slaight, Wisconsin Legislative Reference Bureau, 2020.
- [2017 Enrolled Joint Resolution 13: constitutional amendment approved on first consideration relating to the rights of crime victims](#). Renae Milford, Wisconsin Legislative Reference Bureau, 2018.
- ["Marsy's Law": the proposed crime victims' rights constitutional amendment](#). Melissa Schmidt, Wisconsin Legislative Council, 2020.  
KFW 2418 .L43 2019-2020 IM 20-04

### State Agency Information

Wisconsin State Law Library  
[wilawlibrary.gov](http://wilawlibrary.gov)

updated April 7, 2022



# Marsy's Law

## a list of resources

- [A review of proposed changes to Wisconsin's victims of crime constitutional amendment](#). Christine Nolan and Julie Braun, Office of Crime Victim Service, Wisconsin Department of Justice, 2020
- [Wisconsin Department of Justice Marsy's Law resources](#)
- [Testimony related to 2019 Senate Joint Resolution 2](#)

### Wisconsin Court System Information

- [Wisconsin Judicial Conference materials, 2017](#): session titled Victim Rights Update. KFW 2908 .A75 W5 2017
- Criminal Law – Sentencing Institute, Director of State Courts, Judicial Education, 2020. Session titled Marsy's Law by Amber Peterson. KFW 2961 .A75 C74 2020

### Cases

- Wisconsin Justice Initiative, Inc. v. Wisconsin Elections Commission, 2019-CV-3485, Dane County

### Articles

- Donaldson, Becca, et al., [Marsy's Law: Changes for Crime Victims?](#) 93-SEPT Wis. Law Wisconsin Lawyer  
Available in the library, online and in Westlaw
- Wisconsin Association of Criminal Defense Lawyers: [Marsy's Law creates unfunded government mandates that jeopardize constitutional rights](#)
- Ballotpedia, [Wisconsin Marsy's Law Crime Victims Rights Amendment](#) (April 2020)

### General Information

Wisconsin State Law Library  
[wilawlibrary.gov](http://wilawlibrary.gov)

updated April 7, 2022



# Marsy's Law

## a list of resources

- Marsy's Law For All: <https://act.marsyslaw.us/faq>
- Jason Moon, [How One Group Is Pushing Victims' Rights Laws Across the Country](#), National Public Radio. (Mar. 29, 2018, 2:24 PM)
- The Marshall Project: [Marsy's Law, a curated collection of links](#)

### Marsy's Law in Other States

- Mary E. Adkins, What Florida's Constitution Revision Commission Can Teach and Learn from Those of Other States, 71 Rutgers U.L. Rev. 1177 (2019). Rutgers University Law Available in Westlaw.
- Ryan S. Appleby, [Proposition 9, Marsy's Law: An Ill-Suited Ballot Initiative and the \(Predictably\) Unsatisfactory Results](#), 86 S. Cal. L. Rev. 321 (2013). Southern California law review in HeinOnline, Index to Legal Periodicals and Westlaw.
- Lara Bazelon & Bruce A. Green, [Victims' Rights from A Restorative Perspective](#), 17 Ohio St. J. Crim. L. 293 (2020) Ohio State Journal of Criminal Law in HeinOnline and Westlaw.
- Paul G. Cassell, Margaret Garvin, [Protecting Crime Victims in State Constitutions: The Example of the New Marsy's Law for Florida](#), 110 J. Crim. L. & Criminology 99 (2020) Journal of Criminal Law and Criminology in HeinOnline, Index to Legal Periodicals and Westlaw.
- Ryan Douglas, [From the Coils of the Anaconda, Restriction of Constitutional Amendment by Popular Initiative in Montana Association of Counties v. State](#), 80 Mont. L. Rev. 269 (2019) Montana Law Review in HeinOnline and Westlaw.
- Adriana C. Heffley, Allison S. Kim, [Criminal Procedure](#), 35 Ga. St. U. L. Rev. 31 (2018) Georgia State University Law Review in HeinOnline, Index to Legal Periodicals and Westlaw.
- Jessica Jackson, Clemency, Pardons, and Reform: When People Released Return to Prison, 16 U. St. Thomas L.J. 373 (2020) Available in Westlaw
- Kayla Lasswell Otano, [Victimizing the Victim Again: Weaponizing Continuances in Criminal Cases](#), 18 Ave Maria L. Rev. 110 (2020) Ave Maria Law Review lawyer in HeinOnline and Westlaw.

Wisconsin State Law Library  
wilawlibrary.gov

updated April 7, 2022



# Marsy's Law

## a list of resources

- Deanna K. Shullman, Giselle M. Girones, [Overbroad Victims' Rights Laws Impede Access to Public Records](#), Comm. Law., Summer 2019, at 12. Communications lawyer in HeinOnline and Westlaw.
- Kathryne M. Young, [Parole Hearings and Victims' Rights: Implementation, Ambiguity, and Reform](#), 49 Conn. L. Rev. 431 (2016) Connecticut Law Review in HeinOnline, Index to Legal Periodicals and Westlaw.
- Jay M. Zitter, Validity, [Construction, and Application of State Constitutional or Statutory Victims' Bill of Rights](#). 91 A.L.R.5th 343. American Law Reports 5<sup>th</sup> KF 132 .A55 and in Westlaw

Wisconsin State Law Library  
[wilawlibrary.gov](http://wilawlibrary.gov)

updated April 7, 2022

