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Victim's Rights Amendment to go Before Voters This Fall

By Rep. Dan Moul (R-Adams)

In November, Pennsylvania voters will have the opportunity to decide whether the Commonwealth should establish a victim's bill of rights known as Marsy's Law. I co-sponsored the legislation that will give voters the opportunity to vote on the measure.

Marsy's Law was named for a tragic case in California in which Marsalee "Marsy" Nicholas was stalked and killed by her ex-boyfriend in 1983. Just one week after her tragic death, Marsy's mother and brother were confronted by Marsy's murderer in a grocery store. They were unaware the defendant had been released on bail. What the Nicholas family went through should never happen again.

Pennsylvania is one of only 15 states whose constitution does not enumerate rights for victims and their families. **House Bill 276** could bring about this change.

On Nov. 5, Pennsylvania voters will have the opportunity to amend the state constitution to establish a victim's bill of rights. The measure would require the Commonwealth to protect the rights of victims no less vigorously than the rights of the accused. It would require notice of hearings and other proceedings; physical and emotional protection from the accused; notice in cases of release or escape; proceedings free from unnecessary delay; the ability to confer with the prosecutor in the case; full and timely restitution from the offender; and notification of all of these rights.

For a constitutional amendment to be placed on the ballot, the same bill must pass in two consecutive legislative sessions before it can go before voters in a statewide referendum. Now that the bill has twice made it through the Legislature, the decision now rests with the electorate.