

COURIER'S VIEW

State Issue 1

Crime victims deserve rights, too

Criminal defendants have certain rights under the Ohio Constitution, some dating to 1851. Victims do, too, but not so many, and none for as long.

Those who commit crimes have a right to a speedy trial, bail, counsel, and to confront witnesses face to face. They are also protected from having to take the witness stand themselves, from cruel and unusual punishment, and from being prosecuted for the same crime twice.

The rights of victims, on the other hand, were contained in a single amendment to the state Constitution in 1994.

It reads: "Victims of criminal offenses shall be accorded fairness, dignity, and respect in the criminal justice process, and, as the general assembly shall define and provide by law, shall be accorded rights to reasonable and appropriate notice, information, access, and protection and to a meaningful role in the criminal justice process."

Victims' rights, however, would be strengthened if Ohio voters approve Issue 1, also known as Marsy's Law, on Nov. 7. We believe passage will provide important protections for victims.

Under the amendment, crime victims would have the right to be notified of all proceedings and are guaranteed the right to be heard at every step of the process. They would have a right to provide input on plea deals for offenders, and the right of refusal when it comes to being interviewed by the defense for a deposition or other pretrial matters.

Victims would also have a right to restitution, and could go before a judge to ask that their rights be protected if they are denied.

Marsy's Law was championed by Henry Nicholas in memory of his sister, Marsy, a University of California Santa Barbara student who was stalked and killed by her ex-boyfriend in 1983. A week after her murder, Marsy's mother and brother walked into a grocery store where they saw the accused murderer. The family, who had just visited Marsy's grave, had no idea the accused had been released on bail.

The law was first passed in California in 2008, and similar ballot issues have been approved in Illinois, Montana, North Dakota and South Dakota. Next year Marsy's Law will be on ballots in Nevada and Oklahoma.

Our Constitution should only be amended in certain circumstances. Victims' rights is one of those issues.

Those opposing the bill argue that there will be significant costs to implement the new protections to victims. Certainly, prosecutors' staffs will have to pick up additional duties, but many already have full-time crime victim advocates.

Criminal justice already carries a high price tag, but neither the accused nor victims should ever be shortchanged in the system. It's time for Ohio to join others in recognizing that victims deserve to have full protections under the law. Vote yes on Issue 1.