

September 14, 2021

While any of these events alone could have severely impacted the Dane County District Attorney's Victim Witness Unit and Dane County victim services providers ability to deliver necessary services to crime victims, the combination has overwhelmed existing resources.

Marsy's Law. Marsy's Law has significantly increased the duties of victim-witness professionals with no accompanying allocation of funds. Among other provisions, Marsy's Law states that victim's rights, "shall vest at the time of victimization and be protected by law in a manner no less vigorous than the protections afforded to the accused". While Chapter 950 already guaranteed many victims rights within the criminal justice system, victims did not have the right to notification until after an initial appearance occurred and did not have the right to be heard in court until a sentencing hearing. This new early notice requirement, coupled with every single victim's new right to be present and to speak at all proceeding, has significantly increased the workload of the VWU because it means victims now have immediate rights in cases referred to the District Attorney's Office for charging when those cases arrive. Marsy's Law went into effect on May 4, 2020. The most significant aspects of the increased workload include thousands of new case letters sent to crime victims upon police referral, substantial increase in intake responsibilities, and increase in court accompaniment.

COVID-19. The pandemic has created a backlog of cases that from a victim-witness perspective means case managers with caseloads that have tripled. Furthermore, the pandemic has highlighted the challenges domestic and sexual abuse victims, including children, face each day. Survivors of violence and their children are experiencing significantly higher amounts of distress and have more complex needs as a result of the pandemic. Just as COVID-19 has disproportionately affected Black, Indigenous, and other people of color, the pandemic has inequitably impacted BIPOC survivors of sexual and domestic violence.

Reduction in Victim of Crime Act funding. The federal VOCA allocation to Wisconsin will be cut by 30% over two years. This reduction is due to shrinking deposits in the Crime Victims Fund. Congress has attempted to stabilize VOCA funding, but even with the VOCA Fix passage, victim-witness programs and victim services programs will still experience cuts due to decreased need and increased funding.

Solutions:

1. Support at least \$4,000,000 GPR annually in a new state appropriation to reimburse counties for services provided to victims and witnesses of crime.
2. Support the priority positions in the District Attorney's 2022 county budget due to constitutional mandates:
 - 1FTE Victim-Witness Case Manager
 - 1 FTE Crime Response Trauma Specialist
 - .10 increase (to .6FTE) current Administrative Legal Assistant
 - .50 increase (to 1FTE) current Administrative Legal Assistant
 - 1 FTE Paralegal
3. Support WI Coalition Against Sexual Assault, End Domestic Abuse WI, and WI Department of Justice request to Governor Tony Evers to direct \$135 million dollars from American Rescue Plan funds to support victim services statewide due to 30% reduction in Victim of Crime Act funding over the next two years.