

Legislation Text

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Urging the Pennsylvania General Assembly to pass Marsy's Law, which will enable Pennsylvania voters to codify the rights of crime victims and their families in the Pennsylvania Constitution.

WHEREAS, Marsy's Law was first proposed in 2009 by Dr. Henry Nicholas in memory of his sister, Marsy, who was murdered in 1983 at the hands of her ex-boyfriend. Marsy's Law statutes codify constitutional rights for crime victims and their families. Pennsylvania is just one of nine states that does not provide constitutional protections for crime victims; and

WHEREAS, Marsy's Law elevates statutory and common law rights currently afforded to crime victims in Pennsylvania, including the right to: receive information about their rights and available services; receive notification of proceedings and major developments in the criminal case; receive timely notifications/changes to the offender's custodial status; be present at court proceedings; provide input to the prosecutor before a plea agreement is finalized; be heard at plea, sentencing proceedings or any process that may result in the offender's release; and restitution; and

WHEREAS, Marsy's Law does not change the role of the victim, the role of the prosecutor, or the rights of the accused and convicted.

WHEREAS, Marsy's Law has support from law enforcement, prosecutors and the victim service communities, including the Office of the Victim Advocate, Pennsylvania Coalition Against Domestic Violence, Pennsylvania Coalition Against Rape, Pennsylvania District Attorneys Association, Pennsylvania State Troopers Association, and Pennsylvania Chiefs of Police Association; and

WHEREAS, In April of 2018, Governor Tom Wolf issued a statement, saying that "It is important for us all to reflect on how we can improve the lives of crime victims in Pennsylvania. Marsy's Law will amend the state constitution to provide crime victims with equal protections and participation in the process. Victims and their families deserve equity"; and

WHEREAS, Marsy's Law passed unanimously in both the Pennsylvania House and Senate during the 2017-18 legislative session; and

WHEREAS, The bill has been reintroduced and must be passed in both chambers of the General Assembly in this legislative session, as is required for constitutional amendments in the Commonwealth. If approved in consecutive sessions, the constitutional amendment would then require approval by Pennsylvania voters before taking effect; now, therefore, be it

RESOLVED, BY THE COUNCIL OF THE CITY OF PHILADELPHIA, That it hereby urges the Pennsylvania General Assembly to continue to work towards addressing victims' rights and vote for the passage of Marsy's Law in Pennsylvania, which seeks to better promote and protect the rights of crime victims and their families through an amendment to the Pennsylvania Constitution.

