

July 1, 2019

Why crime victim service providers oppose “Marsy’s Law”

As the state of Iowa’s network of victim service providers who are members of the Iowa Coalition Against Sexual Assault and the Iowa Coalition Against Domestic Violence, we unconditionally support victims and survivors of violent crimes. However, we believe establishing constitutional rights for victims is the wrong mechanism for advancing victims’ rights and effectively meeting the diverse needs of survivors.

Our agencies provide survivors, families, and communities who have been impacted by a violent crime in all 99 counties with 24/7 free and confidential support and services. In addition to providing crisis response, we assist law enforcement at crime scenes and support sexual assault victims at medical facilities. Lawyers and judges rely on us to accompany, guide, and support survivors in court and legal proceedings. We help survivors obtain housing, public services, jobs, and access to safety and services that help them rebuild their lives. Last year, our agencies served 57,801 victims of violent crimeⁱ.

Opposing a constitutional amendment does not mean we oppose victims’ rights. We simply believe a constitutional amendment will not improve access to rights, services, and the ability to find justice and healing. Establishing constitutional rights without meaningful remedy or resources to ensure victims can access these rights is an empty promise. Having a constitutional right to be notified does not mean the state will invest the resources it needs to improve victim notification. A victim cannot exercise their right to be heard in court if they cannot afford a lawyer or a job that allows them time off or if they have no transportation to the courthouse.

Importantly, these proposals *only* elevate the rights of the small number of survivors who pursue remedies in criminal court. What about the vast majority of crime victims who do not or cannot seek remedies in our criminal legal system? Many domestic abuse victims never call the police because the risk of retaliation from the person who harmed them is not worth compromising their individual and family safety. Many sexual assault victims never get their day in court. Out of every 1,000 rapes that occur, only nine will ever get referred to prosecutors in the first placeⁱⁱ. That’s less than 1 percent. Having constitutional rights does nothing to address the needs of the overwhelming majority of crime victims in our state.

Iowa law already includes comprehensive victim rights and protections that aim to meet the needs of all victims. Additionally, our state has a good sense of needs and gaps in services. Victim needs identified in the 2016 Crime Victim Assistance Division’s (CVAD) statewide survey include housing, transportation, employment, health care, childcare, counseling, lack of access to legal services, and lack of awareness of rights and servicesⁱⁱⁱ. Of course, we can do better. But before amending the constitution, we should ensure that victims are aware of their rights, and that the systems and services needed to access and benefit from them are adequately supported.

In Solidarity,

Lisa Ambrose – Waterloo, IA
Executive Director, Amani Community Services
Comprehensive domestic violence and sexual assault services for African American communities.

Ben Brustkern – Waverly, IA
Executive Director, Friends of the Family
Comprehensive shelter services for 14 counties.

Brenda Bash – Oskaloosa, IA
Executive Director, Crisis Intervention Services
Comprehensive sexual assault and emergency shelter services for 12 counties.

Melissa Cano Zelayo – Des Moines, IA
Executive Director, L.U.N.A. (Latinas Unidas Services Por Un Nuevo Amanecer)
Comprehensive Sexual assault and domestic violence services for the Latino communities in Iowa.

Tess Cody – Ames, IA
Executive Director, ACCESS – Assault Care Center Extending Shelter and Support
Comprehensive emergency housing assistance, sexual assault and domestic violence for 6 counties.

Kathleen Davis – Decorah, IA
Director – Helping Services – Domestic Abuse Resource Center
Comprehensive domestic violence services for 7 counties.

Kristi Fortmann-Doser – Iowa City, IA
Executive Director, Domestic Violence Intervention Program
Comprehensive domestic violence and emergency shelter services for 9 counties.

Nelly Hill – Cedar Rapids IA
Director of Domestic Violence Victim Services, Waypoint
Comprehensive domestic violence services for 7 counties.

Mary Ingham – Mason City, IA
Executive Director, Crisis Intervention Service
Comprehensive domestic violence and sexual assault services in 15 counties.

Shari Kastein – Sioux Center, IA
Executive Director, Family Crisis Centers
Comprehensive domestic violence services for 17 counties.

Jacquie Kehoe – Spencer, IA
Executive Director, Centers Against Abuse and Sexual Assault
Comprehensive sexual assault services for 19 counties.

Brenda McBride – Fort Dodge, IA
Executive Director, Domestic/Sexual Assault Outreach Center
Comprehensive sexual assault, domestic violence and emergency shelter services for 20 counties.

Robin McGinty – Sioux City, IA
Executive Director, Council on Sexual Assault & Domestic Violence
Comprehensive domestic violence and emergency shelter services for counties in Iowa, Nebraska and South Dakota.

Diane McKee – Council Bluffs, IA
Executive Director, Catholic Charities Domestic Violence and Sexual Assault Program
Comprehensive sexual assault, domestic violence and emergency shelter services for 9 counties.

Ashley Odom – Davenport, IA
Director of Survivor Services, SafePath Family Resources
Comprehensive sexual assault, domestic violence and emergency shelter services for 5 counties.

Lori Rinehart – Des Moines, IA
Director of Domestic Violence Services, Children and Families of Iowa – Domestic Violence Services
Comprehensive domestic violence and emergency shelter services for 2 counties.

Adam Robinson – Iowa City, IA
Executive Director, Rape Victim Advocacy Program
Comprehensive sexual services for 9 counties.

Lorraine Uehling-Techel – Ottumwa, IA
Executive Director, Crisis Center & Women's Shelter
Comprehensive domestic violence services for 14 counties.

Johna Sullivan – Adel, IA
Executive Director, Crisis Intervention and Advocacy Center
Comprehensive sexual assault and domestic violence services for 10 counties.

Joey Taylor – Dubuque, IA
Executive Director, Riverview Center
Comprehensive sexual assault services for 14 counties.

Mira Yusef – Des Moines, IA
Executive Director, Monsoon Asians & Pacific Islanders in Solidarity
Comprehensive domestic violence and sexual assault services for the Asian/Pacific Islander communities in Iowa.

ⁱ Iowa Attorney General's Crime Victim Assistance Division's State Fiscal Year 2018 Annual Report

ⁱⁱ Federal Bureau of Investigation, National Incident-Based Reporting System, 2012-2016 (2017)

ⁱⁱⁱ Iowa Attorney General's Crime Victim Assistance Division's 2016 Statewide Needs Assessment