

Board votes to support Marsy's Law

By Katherine R. Dougan

Imagine you just buried your college-age daughter, a lovely, vibrant student who was murdered by an ex-boyfriend. You and your son, Henry, are walking down the aisle of the grocery store, in a state of shock and grief, and you push your shopping cart around a corner. In front of you stands the man who murdered your daughter and your son's sister.

He is out on bail, and you didn't know he was released from jail. There is a horrible confrontation which leaves you angry and confused and deepens your sense of loss and mourning.

This happened in 1983 in Santa Barbara, California, and prompted the formation of Marsy's Law, named for Marsalee "Marsy" Nicholas. As unbelievable as it may sound, Marsy's mother, Marcella Leach's experience is not uncommon for the survivors of murder victims. She was not informed because the courts and law enforcement, though well-meaning, had no obligation to keep her informed of the whereabouts or status of her daughter's killer. She had no idea he had been released on bail.

Mrs. Leach's story is typical of the pain and suffering the family members of murder victims have endured. While criminals have more than twenty individuals' rights spelled out in the U.S. Constitution, the surviving family members of murder victims have none, explained representatives from the Jackson, Mississippi, group, Marsy's Law for Mississippi, when they addressed Mayor Phil Fisher and the Board of Aldermen at the August 20 Board meeting. The group was seeking support to put Marsy's Law on a referendum for vote by the Mississippi legislature.

Dr. Henry T. Nicholas, Marsy's brother, started the group to create Marsy's Law in order to inform victims and survivors of their rights, and to ensure that what happened to him and his mother never happened to a victim again. The law simply ensures "that victims have the same co-equal rights as the accused and convicted — nothing more, nothing less," according to the Marsy's Law for Mississippi website.

The language of the law differs from state to state, according to City Attorney Chelsea Brannon. By voting to allow a referendum to become part of the Constitution, there must first be a vote to allow the referendum, which in no way puts a city or state that supports allowing the referendum in legal jeopardy.

"If it passes, will it be a requirement for them [victims] to be told?" Alderwoman-at-Large Ricki Garrett asked. Sometimes victims chose not to get information about the perpetrator.

"So, it's not compulsory for a state to act on it unless the victim gives



Special to The Clinton Courier

Clinton Police Chief Ford Hayman and Clinton Mayor Phil Fisher show support of Marsy's Law. Clinton's Board of Aldermen voted unanimously to support a referendum to bring the law before legislators in Mississippi.

them the option," Ward 1 Alderman Dave Ellis commented. "Here are your victims' right if you wish to exercise them."

Brannon confirmed that Ellis's interpretation was correct.

Brannon explained that, if the Board decided to support the referendum, then she would follow the legislation when the bill becomes law.

After representatives spoke to the Board on August 19, the Board unanimously voted to support Marsy's Law. Brannon will add watching for the legislation in order to let the Board know as "soon as it drops" to make sure the Board is comfortable with it.

Marsy's Law is basically a law that provides equal right to crime victims to ensure they are informed of their right to be present at parole hearings and to be informed of the status of the accuser's status.

"It is a nonpartisan bill and has bipartisan supporters, which is the reason we are here," a representative of Marsy's Law for Mississippi explained.

"I saw that there was a problem

[like this] that was happening in the city," Mayor Fisher said, voicing his support for the referendum.

Congressman John Lewis-R, MS, has endorsed the referendum for passage of Marsy's Law, and other Mississippi mayors who have voiced support include Mayor George Flaggs, Jr. of Vicksburg, Mayor Hope Magee Jones of Collins, Mayor Quordiniah Lockley of McComb, Mayor Johnny Magee of Laurel, Mayor Carolyn McAdams of Greenwood, Mayor Steve Rosenthal of Indianola and Hat-

Marsy's Law has passed to the legislature in California, Illinois, North Dakota, South Dakota and Ohio. Victims of crime in all of these states must, by law, be treated with respect and dignity by the criminal justice system. Courts must consider the safety of victims and families when setting bail and release conditions. Family members have legal standing in bail hearings, pleas, sentencing and parole hearings.

"If any good can come of something this horrible — the loss of my sister and the losses of other families of crime victims — it is that these violent acts served as a catalyst for change," Dr. Nicholas said. "Marsy's Law will provide for a more compassionate justice system for crime victims in California and make that a constitutional guarantee. Now the momentum can

be put behind a U.S. Constitutional Amendment so that the rights of all crime victims, anywhere in America, can be protected."

For more information about Marsy's Law for Mississippi, visit victimsrightsms.com.



tiesburg Mayor Toby Barker.

"The safety, dignity and privacy of crime victims should undoubtedly be a constitutional right," Mayor Flaggs said. "Victims should certainly have equal protections as the accused and convicted."