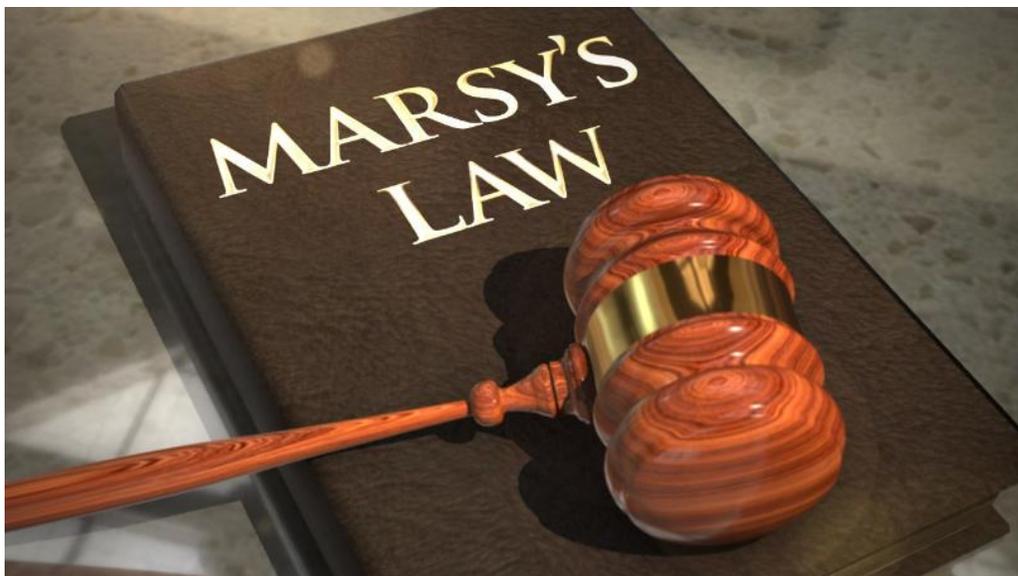


## South Dakota, Marsy's Law campaign reach amendment deal



By Erika Leigh | Posted: Wed 10:27 AM, Feb 14, 2018 | Updated: Wed 10:40 AM, Feb 14, 2018

**PIERRE, S.D. (KSFY)** - South Dakota lawmakers have advanced changes to a constitutional bill of rights for crime victims under an agreement with the group that campaigned to pass the measure.

Marsy's Law for South Dakota and Speaker of the House Mark Mickelson (R-Sioux Falls) announced a compromise to clarify the Marsy's Law amendment that was passed in 2016 by voters.

South Dakota would be the first state to change "Marsy's Law" of the six that have enacted it. The House State Affairs Committee voted Wednesday to approve the proposal.

"Everyone wanted to protect enforceable, constitutional rights for crime victims and the will of the voters," said Mickelson. "We identified some enforcement, implementation, and interpretation issues that required all parties to come together to find a workable solution.

"I applaud the Marsy's Law organization, victims' rights community, states attorneys, and law enforcement involved in forging this solution. South Dakota will be better off because of this collaboration."

Mickelson was planning to introduce additional amendments that back in January, Marsy's Law for South Dakota said were going to undo the measure that was passed overwhelmingly by voters.

Marsy's Law for South Dakota said South Dakota's states attorneys, sheriffs, Mickelson, and the national Marsy's Law organization have been working to clarify some unintended consequences of the way the law was implemented.

The organization said Mickelson will introduce new language this week that clarifies how law enforcement can share information, encourages teamwork to solve cases and creates an opt-in process to help victims and law enforcement achieve the goals of Marsy's Law.

"We appreciate Speaker Mickelson, states attorneys, local law enforcement, and the statewide victim advocacy coalition coming together to turn challenges into solutions," said Erinn Mahathey. "The Marsy's Law organization is committed to equal level, enforceable constitutional rights for victims of crime.

"Once we identified that everyone shared a commitment to enforceable constitutional rights, we quickly found out that we also shared the same desire to make this as efficient as possible for law enforcement, the legal community and, most of all, victims of crime."

Marsy's Law for South Dakota said Mickelson and Sen. Jim Bolin will introduce an amendment that protects every constitutional right passed by South Dakota voters in 2016 while adding in new clarification language to ensure the rights can be carried out efficiently by South Dakota law enforcement.

"We work hard for victims of crime and we had some real concerns about our ability to implement what the voters had passed," said Mark Vargo, Pennington County States Attorney. "This collaborative process maintains the rights voters approved while providing clarity and guidance for law enforcement and states attorneys.

"This is a victory for our state and I'm grateful for the hard work so many people put in to achieve this agreement."

"We owe it to victims of crime to provide services in the most effective way possible and these changes enable us to better do so," Pennington County Sheriff, Kevin Thom said.

"I understood and appreciated the concerns of law enforcement so we all worked together to come to a solution that works for South Dakota," Krista Heeren-Graber, Director of SD Network Against Family Violence and Sexual Assault said.

"I couldn't be more proud that South Dakota will continue to have equal, constitutional rights for victims of crime and the confidence that we've done it in a way that has removed any concerns or clarification necessary for enforcement," Heeren-Graber said.