

NCCADV Statement on HB 551 (“Marsy’s Law”)

In November, North Carolinians will vote on six amendments to the NC Constitution. HB 551, which is popularly known as “Marsy’s Law,” impacts the rights of victims of crime in North Carolina, including crimes of domestic violence.

NCCADV is grateful for our legislators who consistently support victims of domestic violence and sexual assault and appreciates the opportunity we had to provide input during the drafting and revisions phase. The work of the Coalition depends on strong partnerships with other agencies, victim advocates, and legislators. NCCADV supports fair and equitable laws that benefit victims of domestic violence within the criminal justice system. At this time, the Coalition is **neutral** on Marsy’s Law as written and neither endorses or opposes the measure. This is because:

- The combination of no new funding, the extension of rights to new victims of crimes, and the uncertainties around how the measure will be implemented could have the effect of siphoning resources from victims of domestic violence and sexual assault or lead to inefficiencies and delays in prosecuting those victims’ cases. This potential consequence can be mitigated with adequate funding and careful implementing legislation.
 - Victims of domestic violence already have many of the rights contemplated in the amendment, because they are already defined as qualifying victims to which many of the rights are afforded under state statute.
 - The constitutional amendment **extends the rights** to victims of crimes that are the equivalent of felony property crimes and to juvenile proceedings. This adds hundreds of new crimes to the covered categories.
 - No additional sources of funding for Marsy’s Law have been identified, although official cost estimates for implementing the measure have varied from 11 million dollars per year to over 30 million dollars per year.¹
- NCCADV is also aware that many victims of abuse are misidentified as the primary aggressor and are also involved in the criminal justice system, and we will be tracking the impact the amendment may have on these victims and supporting measures to mitigate against ways in which HB 551 may cause them additional harm.

For those reasons, the Coalition has determined that, until more details emerge about how the measure will be implemented, the prudent thing to do is to remain **neutral** on the amendment. If the measure passes in November, the Legal Team at the Coalition will be tracking it carefully and communicating with legislators on areas that impact victims in our state.

¹ See Legislative and Judicial Branch fiscal notes on HB 551