



Dear Chief Justice Melton:

As you know, the unprecedented circumstances of COVID-19 have presented an increasingly difficult set of circumstances for crime victims. Whether it is spouses or children sheltering with an abusive individual, or isolated seniors falling prey to financial fraud, the opportunities for criminals have increased in many areas and the options for their victims are restricted.

As one of the largest organizations for crime victims in the United States, we have closely followed issues related to the outbreak. These issues include changes to judicial process and early releases of inmates. We understand Georgia is considering whether to extend the current judicial state of emergency and has also structured a process to set guidelines for re-opening courtrooms. Most recently, our work resulted in the successful passage of a Constitutional Amendment to protect the rights of crime victims. Over 80% of Georgia voters, and bi-partisan majorities in the General Assembly supported this measure, which is now part of our Constitution.

As you consider future emergency orders and guidelines for judicial re-opening, we strongly urge you to designate the protection of victim rights as an “essential function” of the judicial system. Specifically, Article I Section I of the Constitution as amended guarantees victims the right to be heard at proceedings involving the release, plea or sentencing of the accused, and the right, upon request, to reasonable, accurate and timely notice of such proceedings. Further, victims of crime have an explicit constitutional right to assert and seek enforcement of their rights by motion within the criminal or delinquency proceeding.

We recognize appropriate safeguards to protect health must be put in place, and we believe this can be done in a way that does not leave the rights of victims in an “optional” category for the criminal justice system.

Thank you for considering this addition to future orders in order to protect the rights of this vulnerable population. We would appreciate your response to this letter advising our members of where you stand on this request.

Sincerely,

Beverly Muhammad

Beverly Muhammad
Marsy's Law for Georgia
Advisory Board