



## Waukesha County

### *Office of the District Attorney*

February 25, 2021

Clerk of Supreme Court  
Attention: Deputy Clerk – Rules  
P.O. Box 1688  
Madison, WI 53701-1688

To Whom It May Concern:

**Re: Rule Petition 20-09, In re Amendment of SCR 70.19, Wis. Stat. §§ 753.24, 753.26, 757.12, 757.14, 757.70, 807.14, 885.52, 885.54, 885.56, 885.58, 885.60, 967.09, and 971.04 Relating to the Location of Court and the Use of Videoconferencing Technology**

I am writing to submit comment in support of Rule Petition 20-09. The Office of State Courts submitted Rule Petition 20-09 to promote and expand the continued use of videoconferencing technology for court proceedings.

With the onset of the COVID-19 public health emergency last year, courts in Wisconsin transitioned to the use of videoconferencing for court proceedings. As the Director of the Waukesha Victim Witness Assistance Program, I have seen firsthand the impact of this technology on our criminal justice system and have witnessed the many benefits experienced by crime victims.

The large increase in court attendance we have noted in Waukesha over the course of the past year illustrates the most obvious advantage of videoconferencing – access. With videoconferencing, crime victims have been afforded a giant leap forward in truly meaningful access to the criminal justice system. The ease and convenience of appearing remotely at court proceedings has eliminated barriers to the ability of victims to participate in the justice system; videoconferencing removes issues related to transportation, child care, limited mobility, geographic distance, and more. Access has been particularly improved in relation to victims and their work schedules. Many crime victims have relayed their relief at not having to miss as much work to attend a hearing. Many other victims have informed us that they simply would not be able to attend hearings if they had to take time off from their job.

In a homicide trial this past November that lasted for more than two weeks, many friends and family members of the deceased victim followed the case by Zoom from all over the country. Although the parents of the deceased young woman and several of her siblings traveled to Wisconsin and stayed here, several more siblings, her grandparents, and others could not have made the trip, especially for that lengthy period of time. For that case, the ability to observe the trial and sentencing via videoconferencing was invaluable.

VICTIM/WITNESS ASSISTANCE PROGRAM

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Along with increased access, the new use of videoconferencing has enabled more victims to attend court proceedings due to enhancing safety and privacy considerations. Over the past year, many victims in Waukesha County have expressed relief when informed of the option to attend Court via Zoom. Victims of domestic violence, sexual assault, and other violent crimes have reported that they would not have attended the hearing if they had to be in the same room as the offender.

There is a reduced risk of exposure to violence and intimidation for domestic abuse victims when they do not have to be in the same location as the defendant. In cases of stalking, for example, victims may have purchased a different car so that the defendant can no longer identify them in public. If the victim attends court in person, their new car could be compromised. Victims have even on some occasions experienced confrontations with offenders and their family members in the parking lot or halls of the Courthouse – a risk that is completely eliminated by videoconferencing.

Allowing victims to appear via video can help to reduce the severity of anxiety, fear and trauma they experience relating to their victimization. Many times victims are triggered by the physical presence of the defendant. Providing an option for victims to appear remotely in the comfort of their home or other location of their choice removes this trigger and provides a safe and healthy environment for the victim to meaningfully participate in the court process.

Numerous victims have utilized the unique features of videoconferencing to safeguard their privacy when attending hearings, signing in simply as “Victim” and/or choosing to keep their camera turned off while observing the proceeding. In this manner, videoconferencing has actually enhanced victims’ right to privacy.

The changes proposed by Rule Petition 20-09 will preserve and protect the enhancements to victims’ rights that the staff members of the Waukesha Victim Assistance Program have witnessed during the course of the past year - improved access, safety and privacy for crime victims attending court proceedings. Court attendance by crime victims has increased significantly, and many victims have reported feeling relief, minimized anxiety, and satisfaction due to the videoconferencing option. I sincerely hope that the Court will approve this rule petition and maintain this important benefit for crime victims.

Respectfully,

A handwritten signature in cursive script that reads "Jennifer Dunn".

Jennifer Dunn  
Director, Waukesha Victim Assistance