

**SPONSOR SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 5**

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - SECOND SESSION

**BY SENATORS DONLEY, Halford, Kelly**

**Introduced: 1/9/96**

**Referred: Judiciary**

**A RESOLUTION**

1 **Proposing an amendment to the Constitution of the United States establishing the**  
2 **rights of victims of crimes.**

3 **BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **WHEREAS**, in applying and interpreting the vital guarantees of the United States  
5 Constitution that protect all citizens, the criminal justice system has lost an essential balance;  
6 and

7 **WHEREAS** the criminal justice system has not provided adequate protection to the  
8 innocent, the honest, and the helpless victims of crime; and

9 **WHEREAS** in 1982 the president's Task Force on Victims of Crime recommended  
10 an amendment to the Constitution of the United States addressing victims' rights identical to  
11 that being proposed in this resolution; and

12 **WHEREAS**, under Article V of the Constitution of the United States, amendments to  
13 the Constitution of the United States may be proposed by the Congress of the United States  
14 or, upon the application of the legislatures of two-thirds of the states, the Congress shall call  
15 a constitutional convention for the purpose of proposing amendments;

16 **BE IT RESOLVED** by the Alaska State Legislature that the Congress of the United

1 States is requested to propose and submit to the states an amendment to the Sixth Amendment  
2 to the Constitution of the United States by adding language to the end of the Sixth  
3 Amendment that reads substantially as follows:

4       Additionally, the crime victim has the right to be present at all criminal  
5       proceedings where the accused has the right to be present and the victim has  
6       the right to be heard, upon request, at sentencing, before or after conviction,  
7       and at any proceeding where the accused's release from custody is considered.

8 and be it

9       **FURTHER RESOLVED** that, alternatively, the Alaska State Legislature makes  
10 application and requests that the Congress of the United States call a convention for the sole  
11 and exclusive purpose of proposing substantially the same amendment to the Constitution of  
12 the United States; and be it

13       **FURTHER RESOLVED** that if the Congress proposes such an amendment to the  
14 Constitution of the United States, this application and request for a constitutional convention  
15 shall no longer be of any force or effect; and be it

16       **FURTHER RESOLVED** that this application and request shall not be of any force  
17 or effect if the convention is not limited to the exclusive purpose specified by this resolution.

18       **COPIES** of this resolution shall be sent to the Honorable Bill Clinton, President of the  
19 United States; to Sheila P. Burke, the Secretary of the U.S. Senate; to Robin Hewlett Carle,  
20 the Clerk of the U.S. House of Representatives; and to the Honorable Ted Stevens and the  
21 Honorable Frank Murkowski, U.S. Senators, and the Honorable Don Young, U.S.  
22 Representative, members of the Alaska delegation in Congress.