

**CS FOR HOUSE JOINT RESOLUTION NO. 43(JUD)
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - SECOND SESSION**

BY THE HOUSE JUDICIARY COMMITTEE

Offered: 1/13/94

Referred: Finance

Sponsor(s): REPRESENTATIVES PORTER, Phillips, Barnes, Bunde, Green

A RESOLUTION

1 **Proposing amendments to the Constitution of the State of Alaska relating to penal**
2 **administration and to the rights of crime victims.**

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

4 *** Section 1. Article I, sec. 12, Constitution of the State of Alaska, is amended to read:**

5 **SECTION 12. EXCESSIVE PUNISHMENT. Excessive bail shall not be**
6 **required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.**
7 **Penal administration shall be based [ON THE PRINCIPLE OF REFORMATION**
8 **AND] upon the following in the order provided: the need for protecting the public,**
9 **community condemnation of the offender, and the principle of reformation.**

10 *** Sec. 2. Article I, Constitution of the State of Alaska, is amended by adding a new**
11 **section to read:**

12 **SECTION 24. RIGHTS OF CRIME VICTIMS. To preserve and protect**
13 **victims' rights to justice and due process, a victim of crime shall have the right to be**
14 **reasonably protected from the accused, to confer with the prosecution, and to be**
15 **treated with dignity, respect, and fairness during all phases of the criminal justice**
16 **process. A victim of crime shall be entitled to the right to timely disposition of the**

1 case following the arrest of the accused, to restitution from the accused, to be informed
2 of and present at all criminal or juvenile proceedings where the accused has the right
3 to be present, to be heard, upon request, at sentencing and at any proceeding where the
4 accused's release from custody is considered, and the right to be informed, upon
5 request, of the accused's escape or release from custody.

6 * Sec. 3. The amendments proposed by this resolution shall be placed before the voters of
7 the state at the next general election in conformity with art. XIII, sec. 1, Constitution of the
8 State of Alaska, and the election laws of the state.