

SENATE CS FOR CS FOR HOUSE JOINT RESOLUTION NO. 43(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 3/29/94  
Referred: JUD, FIN

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

SENATORS Donley, Leman

A RESOLUTION

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

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. PENAL ADMINISTRATION [EXCESSIVE PUNISHMENT].  
6 Excessive bail shall not be required, nor excessive fines imposed, nor cruel and  
7 unusual punishments inflicted. Penal administration shall be based [ON THE  
8 PRINCIPLE OF REFORMATION AND] upon the following in the order provided:  
9 the need for protecting the public, community condemnation of the offender, the  
10 rights of victims of crimes, restitution from the offender, and the principle of  
11 reformation.

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

14 SECTION 24. RIGHTS OF CRIME VICTIMS. To preserve and protect  
15 victims' rights to justice and due process, a victim of crime shall have the right to be  
16 reasonably protected from the accused, to confer with the prosecution, and to be

1 treated with dignity, respect, and fairness during all phases of the criminal and juvenile  
2 justice process. A victim of crime shall be entitled to the right: to timely disposition  
3 of the case following the arrest of the accused; to be informed of and allowed to be  
4 present at all criminal or juvenile proceedings where the accused has the right to be  
5 present; to be allowed to be heard, upon request, at sentencing, before or after  
6 conviction or juvenile adjudication, and at any proceeding where the accused's release  
7 from custody is considered; to restitution from the accused; and to be informed, upon  
8 request, of the accused's escape or release from custody before or after conviction or  
9 juvenile adjudication. The legislature shall implement this section.

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