

CONFERENCE CS FOR HOUSE JOINT RESOLUTION NO. 43

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE CONFERENCE COMMITTEE

Offered: 5/10/94

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

SENATORS Donley, Leman, Pearce, Halford, Taylor, Frank, Kelly, Miller, Sharp, Phillips

A RESOLUTION

**1 Proposing amendments to the Constitution of the State of Alaska relating to the
2 rights of victims of crimes and to criminal 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. CRIMINAL ADMINISTRATION [EXCESSIVE
6 PUNISHMENT]. Excessive bail shall not be required, nor excessive fines imposed,
7 nor cruel and unusual punishments inflicted. Criminal [PENAL] administration shall
8 be based [ON THE PRINCIPLE OF REFORMATION AND] upon the following: the
9 need for protecting the public, community condemnation of the offender, the rights
10 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. Crime victims, as defined by
15 law, shall have the following rights as provided by law: the right to be reasonably
16 protected from the accused through the imposition of appropriate bail or conditions of**

1 release by the court; the right to confer with the prosecution; the right to be treated
2 with dignity, respect, and fairness during all phases of the criminal and juvenile justice
3 process; the right to timely disposition of the case following the arrest of the accused;
4 the right to obtain information about and be allowed to be present at all criminal or
5 juvenile proceedings where the accused has the right to be present; the right to be
6 allowed to be heard, upon request, at sentencing, before or after conviction or juvenile
7 adjudication, and at any proceeding where the accused's release from custody is
8 considered; the right to restitution from the accused; and the right to be informed, upon
9 request, of the accused's escape or release from custody before or after conviction or
10 juvenile adjudication.

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