

CS FOR SPONSOR SUBSTITUTE FOR SENATE JOINT RESOLUTION NO. 2(STA)

IN THE LEGISLATURE OF THE STATE OF ALASKA

EIGHTEENTH LEGISLATURE - SECOND SESSION

BY THE SENATE STATE AFFAIRS COMMITTEE

Offered: 1/28/94
Referred: JUD, FIN

Sponsor(s): SENATORS DONLEY, Leman

A RESOLUTION

1 **Proposing an amendment to the Constitution of the State of Alaska relating to**
2 **the rights of victims of crimes and to criminal and juvenile justice 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 AND JUVENILE JUSTICE [EXCESSIVE**
6 **PUNISHMENT]. Excessive bail shall not be required, nor excessive fines imposed,**
7 **nor cruel and unusual punishments inflicted. Criminal and juvenile justice [PENAL]**
8 **administration shall be based [ON THE PRINCIPLE OF REFORMATION AND] upon**
9 **the following in the order provided: the need for protecting the public, community**
10 **condemnation of the offender, the rights of victims of crimes, restitution, and the**
11 **principle of reformation.**

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

14 **SECTION 24. RIGHTS OF VICTIMS OF CRIMES. (a) Crime victims, as**
15 **defined by law, shall have the following rights, as provided by law:**

16 **(1) the right to be treated with fairness and respect for their dignity and**

- 1 **privacy throughout the criminal and juvenile justice process;**
2 **(2) the right to timely disposition of the case following arrest of the**
3 **accused;**
4 **(3) the right to be reasonably protected from the accused throughout**
5 **the criminal and juvenile justice process;**
6 **(4) the right to be informed of and present at all criminal and juvenile**
7 **proceedings;**
8 **(5) the right to confer with the prosecution;**
9 **(6) the right to make a statement at sentencing or disposition and at any**
10 **proceeding where the accused's release from custody is considered;**
11 **(7) the right to restitution;**
12 **(8) the right to information about the conviction, judgment, sentence,**
13 **disposition, imprisonment, criminal record, and release of the accused.**

- 14 **(b) The legislature may provide by law for the enforcement of this section.**
15 **(c) The legislature may provide for assessments against convicted defendants**
16 **to pay for crime victims' rights.**

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