

STATE OF ALASKA
THE LEGISLATURE

1994

Source
CCS HJR 43

Legislative
Resolve No.
58



Proposing amendments to the Constitution of the State of Alaska relating to the rights of victims of crimes and to criminal administration.

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

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

SECTION 12. CRIMINAL ADMINISTRATION [EXCESSIVE PUNISHMENT]. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted. Criminal [PENAL] administration shall be based [ON THE PRINCIPLE OF REFORMATION AND] upon the following: the need for protecting the public, community condemnation of the offender, the rights of victims of crimes, restitution from the offender, and the principle of reformation.

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

SECTION 24. RIGHTS OF CRIME VICTIMS. Crime victims, as defined by law, shall have the following rights as provided by law: the right to be reasonably protected from the accused through the imposition of appropriate bail or conditions

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

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