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108TH CONGRESS 1ST SESSION

H. J. RES. ____

IN THE HOUSE OF REPRESENTATIVES

Mr.	Снавот :	introduc	ed the	following	joint	resolution;	which	was	referred	te
	t	the Com	mittee	on						

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States to protect the rights of crime victims.

- 1 Resolved by the Senate and House of Representatives
- 2 of the United States of America in Congress assembled (two-
- 3 thirds of each House concurring therein), That the fol-
- 4 lowing article is proposed as an amendment to the Con-
- 5 stitution of the United States:
- 6 "Article —
- 7 "Section 1. The rights of victims of violent crime,
- 8 being capable of protection without denying the constitu-



- 1 tional rights of those accused of victimizing them, are
- 2 hereby established and shall not be denied by any State
- 3 or the United States and may be restricted only as pro-
- 4 vided in this article.
- 5 "Section 2. A victim of violent crime shall have the
- 6 right to reasonable and timely notice of any public pro-
- 7 ceeding involving the crime and of any release or escape
- 8 of the accused; the rights not to be excluded from such
- 9 public proceeding and reasonably to be heard at public re-
- 10 lease, plea, sentencing, reprieve, and pardon proceedings;
- 11 and the right to adjudicative decisions that duly consider
- 12 the victim's safety, interest in avoiding unreasonable
- 13 delay, and just and timely claims to restitution from the
- 14 offender. These rights shall not be restricted except when
- 15 and to the degree dictated by a substantial interest in pub-
- 16 lic safety or the administration of criminal justice, or by
- 17 compelling necessity.
- 18 "Section 3. Nothing in this article shall be con-
- 19 strued to provide grounds for a new trial or to authorize
- 20 any claim for damages. Only the victim or the victim's
- 21 lawful representative may assert the rights established by
- 22 this article, and no person accused of the crime may obtain
- 23 any form of relief hereunder.
- 24 "Section 4. Congress shall have power to enforce
- 25 by appropriate legislation the provisions of this article.



- 1 Nothing in this article shall affect the President's author-
- 2 ity to grant reprieves or pardons.
- 3 "Section 5. This article shall be inoperative unless
- 4 it has been ratified as an amendment to the Constitution
- 5 by the legislatures of three-fourths of the several States
- 6 within 7 years from the date of its submission to the
- 7 States by the Congress. This article shall take effect on
- 8 the 180th day after the date of its ratification.".

