

1 State of Arkansas

2 80th General Assembly

3 Regular Session, 1995

S.J.R.

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4 By: Senators Hopkins and Brown

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SENATE JOINT RESOLUTION

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PROPOSING AN AMENDMENT TO THE ARKANSAS CONSTITUTION TO

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ESTABLISH A BILL OF RIGHTS FOR VICTIMS OF CRIME.

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Subtitle

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CONSTITUTIONAL AMENDMENT ESTABLISHING A VICTIM_S BILL OF

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RIGHTS

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15 BE IT RESOLVED BY THE SENATE OF THE EIGHTIETH GENERAL ASSEMBLY OF THE STATE

16 OF ARKANSAS AND BY THE HOUSE OF REPRESENTATIVES, A MAJORITY OF ALL MEMBERS

17 ELECTED TO EACH HOUSE AGREEING THERETO:

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19 That the following is hereby proposed as an amendment to the
20 Constitution of the state of Arkansas, and upon being submitted to the
21 electors of the state for approval or rejection at the next general election
22 for Senators and Representatives, if a majority of the electors voting
23 thereon at such election, adopt such amendment, the same shall become a part
24 of the Constitution of the state of Arkansas, to wit:

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26 "SECTION 1. Statement of purpose. The people of the State of Arkansas
27 declare that victims of crime are entitled to fair and impartial treatment in
28 our criminal justice system. In order to increase the effectiveness of the
29 criminal justice system by affording victims of crime compassion and fair
30 treatment, a victim_s bill of rights shall be enacted as follows:

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SECTION 2. Definitions. For purposes of this amendment the term
32 _victim_ means any natural person who suffers direct or threatened physical,
33 emotional, or pecuniary harm as a result of the commission or attempted
34 commission of a felony. The term _victim_ shall also include the next of kin
35 of homicide victims.

1 SECTION 3. Law enforcement agencies and the judicial system shall
2 provide victims of crime the following considerations:

3 (1) That victims be treated with courtesy, compassion and with respect
4 for their dignity and privacy and shall suffer the minimum of necessary
5 inconvenience from their involvement with the criminal justice system.

6 (2) That victims receive notification of services, including:
7 information concerning financial assistance and other social services
8 available as a result of being a victim of crime and information regarding
9 the availability of criminal restitution and crime victim compensation.

10 (3) That information be made available to victims about their
11 participation in criminal proceedings and the scheduling, progress, and
12 ultimate disposition of the proceedings.

13 (4) That when a victim of crime is to be called as a witness, the
14 victim receive adequate preparation as a witness.

15 (5) That, where appropriate, victims be afforded the opportunity to
16 provide the court a written or oral victim impact statement prior to
17 sentencing regarding the financial and emotional impact of the crime on the
18 victim and his family.

19 SECTION 4. The General Assembly shall provide for the proper
20 administration and enforcement of this amendment by law.

21 SECTION 5. If any provision of this act or the application thereof to
22 any person or circumstance is held invalid, such invalidity shall not affect
23 other provisions or applications of the act which can be given effect without
24 the invalid provision or application, and to this end the provisions of this
25 act are declared to be severable."

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