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HOUSE JOINT RESOLUTION NO. 67

Offered January 18, 1996

Proposing an amendment to the Constitution of Virginia by adding in Article I a section numbered 8-A, relating to the rights of victims of crime.

Patrons—Mims, Albo, Almand, Bennett, Callahan, Davies, Deeds, Dudley, Fisher, Forbes, Katzen, Kilgore, Landes, McDonnell, Moore, Nixon, O'Brien, Orrock, Wardrup and Way; Senators: Barry, Earley, Norment, Stolle, Waddell and Woods

Referred to Committee on Rules

WHEREAS, a proposed amendment to the Constitution of Virginia, hereinafter set forth, was agreed to by a majority of the members elected to each of the two houses of the General Assembly at the regular session of 1995 and referred to this, the next regular session held after the 1995 general election of members of the House of Delegates, as required by the Constitution of Virginia; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, That the following amendment to the Constitution of Virginia be, and the same hereby is, proposed in conformity with the provisions of Section 1 of Article XII of the Constitution of Virginia, namely:

Amend Article I of the Constitution of Virginia by adding a section numbered 8-A as follows:

ARTICLE I

BILL OF RIGHTS

Section 8-A. Rights of victims of crime.

That in criminal prosecutions, the victim shall be accorded fairness, dignity and respect by the officers, employees and agents of the Commonwealth and its political subdivisions and officers of the courts and, as the General Assembly may define and provide by law, may be accorded rights to reasonable and appropriate notice, information, restitution, protection, and access to a meaningful role in the criminal justice process. These rights may include, but not be limited to, the following:

1. The right to protection from further harm or reprisal through the imposition of appropriate bail and conditions of release;

2. The right to be treated with respect, dignity and fairness at all stages of the criminal justice system;

3. The right to address the circuit court at the time sentence is imposed;

4. The right to receive timely notification of judicial proceedings;

5. The right to restitution;

6. The right to be advised of release from custody or escape of the offender, whether before or after disposition; and

7. The right to confer with the prosecution.

This section does not confer upon any person a right to appeal or modify any decision in a criminal proceeding, does not abridge any other right guaranteed by the Constitution of the United States or this Constitution, and does not create any cause of action for compensation or damages against the Commonwealth or any of its political subdivisions, any officer, employee or agent of the Commonwealth or any of its political subdivisions, or any officer of the court.

INTRODUCED

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