

113TH CONGRESS
1ST SESSION

H. J. RES. 40

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

IN THE HOUSE OF REPRESENTATIVES

APRIL 23, 2013

Mr. FRANKS of Arizona (for himself, Mr. COSTA, Mr. ROYCE, Mr. GOSAR, Mr. SCHWEIKERT, Mr. SALMON, Mr. JONES, Mr. CHABOT, Mr. MEADOWS, Mr. NUNNELEE, Mr. CRAMER, Mr. BENTIVOLIO, Mr. FLEMING, and Mr. YODER) introduced the following joint resolution; which was referred to the Committee on the Judiciary

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*
3 *(two-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, which shall be valid to all
6 intents and purposes as part of the Constitution when
7 ratified by the legislatures of three-fourths of the several
8 States:

1 “ARTICLE —

2 “SECTION 1. The rights of a crime victim to fairness,
3 respect, and dignity, being capable of protection without
4 denying the constitutional rights of the accused, shall not
5 be denied or abridged by the United States or any State.
6 The crime victim shall, moreover, have the rights to rea-
7 sonable notice of, and shall not be excluded from, public
8 proceedings relating to the offense, to be heard at any re-
9 lease, plea, sentencing, or other such proceeding involving
10 any right established by this article, to proceedings free
11 from unreasonable delay, to reasonable notice of the re-
12 lease or escape of the accused, to due consideration of the
13 crime victim’s safety and privacy, and to restitution. The
14 crime victim or the crime victim’s lawful representative
15 has standing to fully assert and enforce these rights in
16 any court. Nothing in this article provides grounds for a
17 new trial or any claim for damages and no person accused
18 of the conduct described in section 2 of this article may
19 obtain any form of relief.

20 “SECTION 2. For purposes of this article, a crime vic-
21 tim includes any person against whom the criminal offense
22 is committed or who is directly and proximately harmed
23 by the commission of an act, which, if committed by a
24 competent adult, would constitute a crime.

1 “SECTION 3. This article shall be inoperative unless
2 it has been ratified as an amendment to the Constitution
3 by the legislatures of three-fourths of the several States
4 within 14 years after the date of its submission to the
5 States by the Congress. This article shall take effect on
6 the 180th day after the date of its ratification.”.

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