

1 AN ACT proposing to create a new section of the Constitution of Kentucky relating
2 to crime victims' rights.

3 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

4 ➔SECTION 1. IT IS PROPOSED THAT A NEW SECTION BE ADDED TO
5 THE CONSTITUTION OF KENTUCKY TO READ AS FOLLOWS:

6 *To secure for victims of criminal or delinquent acts justice and due process and*
7 *to ensure victims a meaningful role throughout the criminal and juvenile justice*
8 *systems, a victim shall have the following rights, which shall be respected and*
9 *protected by law in a manner no less vigorous than the protections afforded to the*
10 *accused in the criminal and juvenile justice systems: Victims shall have the right to*
11 *reasonable and timely notice of and to be present at all proceedings; the right to be*
12 *heard in any proceeding involving a release, plea, sentencing, or other matter involving*
13 *the right of a victim; the right to proceedings free from unreasonable delay; the right*
14 *to reasonable protection from the accused and those acting on behalf of the accused;*
15 *the right to timely notice of release or escape of the accused; the right to fairness and*
16 *due consideration of the victim's safety, dignity, and privacy; and the right to be*
17 *informed of these enumerated rights and shall have standing to enforce these rights.*
18 *The victim, the victim's attorney or other lawful representative, or the attorney for the*
19 *Commonwealth upon request of the victim may seek enforcement of the rights*
20 *enumerated in this section and any other right afforded to the victim by law in any trial*
21 *or appellate court with jurisdiction over the case. The court shall act promptly on such*
22 *a request and afford a remedy for the violation of any right.*

23 ➔Section 2. This amendment shall be submitted to the voters of the
24 Commonwealth for their ratification or rejection at the time and in the manner provided
25 for under Sections 256 and 257 of the Constitution and under KRS 118.415. The question
26 to be submitted to the voters shall read as follows: "Are you in favor of providing
27 constitutional rights to victims of crime, including the right to be treated fairly, with

- 1 dignity and respect, and the right to be informed and to have a voice in the judicial
- 2 process?"