

SUMMARY OF CRIME VICTIMS' RIGHTS AMENDMENT

- Preamble: Establishes victims' rights, clarifies that victims' rights can be protected without denying defendants' rights, and provides that victims' rights can only be restricted as provided by the amendment.
- Limits rights to victims of violent crime
- Creates seven procedural rights for crime victims:
 1. Reasonable and timely notice of any public proceeding involving the crime;
 2. Reasonable and timely notice of any release or escape of the accused;
 3. Not to be excluded from any public proceeding involving the crime;
 4. Reasonably to be heard at public release, plea, sentencing, pardon, and reprieve proceedings;
 5. To adjudicative decisions that duly consider the victim's safety;
 6. To adjudicative decisions that duly consider the victim's interest in avoiding unreasonable delay; and
 7. To adjudicative decisions that duly consider the victim's just and timely claims to restitution from the offender.
- Provides that victims' rights can only be restricted in three circumstances:
 1. substantial interest in public safety;
 2. substantial interest in the administration of criminal justice; or
 3. compelling necessity
- Permits the victim or his lawful representative to assert the rights
- Bars money damages for violations of the amendment
- Prohibits retrials of defendants for violations of the amendment
- Bars defendants from obtaining relief under the amendment
- Authorizes Congress to enforce the amendment by legislation
- Does not affect the president's authority to grant pardons and reprieves