
By Mr. KYL (for himself, Mrs. **Feinstein**, Mr. **Hatch**, and Mr. **Craig**):

S.J. Res. 52. A joint resolution proposing an amendment to the Constitution of the United States to protect the rights of victims of crimes ; to the Committee on the Judiciary.

RIGHTS OF crime victims CONSTITUTIONAL AMENDMENT

Mr. KYL. Mr. President, April 21-27 is National crime victims ' Rights Week.

To ensure that crime victims are treated with fairness, dignity, and respect, I rise--along with my colleague Senator **Feinstein**--to introduce a joint resolution proposing a constitutional amendment to establish and protect the rights of crime victims .

Representative **Henry Hyde** will introduce a companion joint resolution in the House. The Senate Judiciary Committee will hold a full committee hearing on the resolution tomorrow, Tuesday, April 23. And I would like to thank Senator **Hatch** for recognizing the importance of this issue and moving so quickly to hold hearings. This should be a signal to my colleagues and to all America that the time for justice for crime victims is at hand.

The proposed constitutional amendment will give victims fundamental rights to be informed, present, and heard at critical stages throughout their case, and the rights to a speedy trial, reasonable protection, and full restitution from the convicted offender--the least the system owes to those it failed to protect.

The text of the amendment is clear and straightforward. It reads:

Section 1. To ensure that the victim is treated with fairness, dignity, and respect, from the occurrence of a crime of violence and other crimes as may be defined by law pursuant to section 2 of this article, and throughout the criminal, military, and juvenile justice processes, as a matter of fundamental rights to liberty, justice, and due process, the victim shall have the following rights: to be informed of and given the opportunity to be present at every proceeding in which those rights are extended to the accused or convicted offender; to be heard at any proceeding involving sentencing, including the right to object to a previously negotiated plea, or release from custody; to be informed of any release or escape; and to a speedy trial, a final conclusion free from unreasonable delay, full restitution from the convicted offender, reasonable measures to protect the victim from violence or intimidation by the accused or convicted offender, and notice of the victim 's rights.

Section 2. The several States, with respect to a proceeding in a State forum, and the Congress with respect to a proceeding in a United States forum, shall have the power to implement further the rights established in this article by appropriate legislation.

Mr. President, these simple words will help to restore justice to a system fraught with injustice.

SUPPORT

The amendment is supported by major national victims ' rights groups: Parents of Murdered Children, Mothers Against Drunk Driving [MADD], the National Organization for victim Assistance, the National victim Center, the National victims ' Constitutional Amendment Network, the victim Assistance Legal Organization, and the Doris Tate crime victims Bureau.

NEED TO PROTECT victims ' RIGHTS--SCALES OF JUSTICE IMBALANCED

There is a need to protect victims ' rights because the scales of justice are imbalanced.

Those accused of crime have many constitutionally protected rights; They are innocent until proven guilty; they have the right to due process; right to confront witnesses; right against self-incrimination; right to a jury trial; right to a speedy trial; right to counsel; right to be free from unreasonable searches and seizures.

Yet, despite rights for the accused, the U.S. Constitution, our highest law, does not protect the rights of crime victims .