

105TH CONGRESS  
1ST SESSION

# H. J. RES. 71

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

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 1997

Mr. HYDE (for himself, Ms. PRYCE of Ohio, Mr. BARCIA, Mr. ROYCE, Mr. STUMP, Mr. BONO, Mr. MORAN of Virginia, Mr. HORN, Mr. BRADY, Mr. FOLEY, Mr. STEARNS, Mr. GALLEGLY, Ms. ROS-LEHTINEN, and Mr. LOBIONDO) introduced the following joint resolution; which was referred to the Committee on the Judiciary

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## 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 (two-*  
 3   *thirds of each House concurring therein),* That the follow-  
 4   ing article is proposed as an amendment to the Constitu-  
 5   tion of the United States, which shall be valid to all intents  
 6   and purposes as part of the Constitution when ratified by  
 7   the legislatures of three-fourths of the several States with-  
 8   in seven years after the date of its submission for ratifica-  
 9   tion:



1           “to notice of the rights established by this  
2       article;

3       however, the rights to notice under this section are not  
4       violated if the proper authorities make a reasonable effort,  
5       but are unable to provide the notice, or if the failure of  
6       the victim to make a reasonable effort to make those au-  
7       thorities aware of the victim’s whereabouts prevents that  
8       notice.

9           “SECTION 2. The victim shall have standing to assert  
10       the rights established by this article. However, nothing in  
11       this article shall provide grounds for the victim to overturn  
12       a charging decision, a conviction, or a sentence; to obtain  
13       a stay of trial; or to compel a new trial. Nothing in this  
14       article shall give rise to any claim for damages, nor pro-  
15       vide grounds for the accused or convicted offender to ob-  
16       tain any form of relief.

17          “SECTION 3. The Congress and the States shall have  
18       the power to enforce this article within their respective ju-  
19       risdictions by appropriate legislation, including the power  
20       to enact exceptions when required by the public interest.

21          “SECTION 4. The rights established by this article  
22       shall apply to all proceedings that begin on or after the  
23       180th day after the ratification of this article.

24          “SECTION 5. The rights established by this article  
25       shall apply in all Federal and State criminal proceedings,

1 including military proceedings, juvenile justice proceed-  
2 ings, and collateral proceedings such as habeas corpus,  
3 and including similar proceedings in any district or terri-  
4 tory of the United States not within a State.”.

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