

Amendment to CACR 22

1 Amend the resolution by replacing all after the resolving clause with the following:

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3 I. That the first part of the constitution be amended by inserting after article 14 the
4 following new article:

5 [Art.] 14-a [Protection for Victims.] A victim of crime includes any person against whom the
6 criminal offense or delinquent act is committed or who is directly and proximately harmed by the
7 commission of the offense or act. A victim shall have the right to be treated with fairness and
8 respect for the victim's safety, dignity, and privacy, and upon request: to reasonable and timely
9 notice of, and to be present at all court proceedings, including post-conviction proceedings, on the
10 same basis as the accused; to proceedings free from unreasonable delay and a prompt conclusion of
11 the case; to reasonable protection from the accused throughout the criminal justice process; to
12 refuse an interview or deposition request made by the accused; to confer with the attorney for the
13 State about the disposition of the case; to be heard at any proceedings involving the release, plea,
14 sentencing, or parole of the accused; to reasonable notice of the release or escape of the accused; to
15 full and timely restitution; and to be informed of all rights under this article. The term "victim"
16 does not include the accused or a person whom the court finds would not act in the best interests of
17 a deceased, incompetent, minor, or incapacitated victim. The victim, the victim's attorney or other
18 lawful representative, or the attorney for the government upon request of the victim may assert in
19 any trial or appellate court, or before any other authority, with jurisdiction over the case, and have
20 enforced, the rights enumerated in this section and any other right afforded to the victim by law.
21 The court or other authority with jurisdiction shall act promptly on such a request. This section
22 does not create any cause of action for compensation or damages against the State, any political
23 subdivision of the State, any officer, employee, or agent of the State or of any of its political
24 subdivisions, or any officer or employee of the court.

25 II. That the above amendment proposed to the constitution be submitted to the qualified
26 voters of the state at the state general election to be held in November, 2018.

27 III. That the selectmen of all towns, cities, wards and places in the state are directed to
28 insert in their warrants for the said 2018 election an article to the following effect: To decide
29 whether the amendments of the constitution proposed by the 2018 session of the general court shall
30 be approved.

31 IV. That the wording of the question put to the qualified voters shall be:

32 "Are you in favor of amending the first part of the constitution by inserting after article 14 a new

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1 article to read as follows:

2 [Art.] 14-a [Protection for Victims.] A victim of crime includes any person against whom the
3 criminal offense or delinquent act is committed or who is directly and proximately harmed by the
4 commission of the offense or act. A victim shall have the right to be treated with fairness and
5 respect for the victim's safety, dignity, and privacy, and upon request: to reasonable and timely
6 notice of, and to be present at all court proceedings, including post-conviction proceedings, on the
7 same basis as the accused; to proceedings free from unreasonable delay and a prompt conclusion of
8 the case; to reasonable protection from the accused throughout the criminal justice process; to
9 refuse an interview or deposition request made by the accused; to confer with the attorney for the
10 State about the disposition of the case; to be heard at any proceedings involving the release, plea,
11 sentencing, or parole of the accused; to reasonable notice of the release or escape of the accused; to
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14 a deceased, incompetent, minor, or incapacitated victim. The victim, the victim's attorney or other
15 lawful representative, or the attorney for the government upon request of the victim may assert in
16 any trial or appellate court, or before any other authority, with jurisdiction over the case, and have
17 enforced, the rights enumerated in this section and any other right afforded to the victim by law.
18 The court or other authority with jurisdiction shall act promptly on such a request. This section
19 does not create any cause of action for compensation or damages against the State, any political
20 subdivision of the State, any officer, employee, or agent of the State or of any of its political
21 subdivisions, or any officer or employee of the court."

22 V. That the secretary of state shall print the question to be submitted on a separate ballot
23 or on the same ballot with other constitutional questions. The ballot containing the question shall
24 include 2 squares next to the question allowing the voter to vote "Yes" or "No." If no cross is made
25 in either of the squares, the ballot shall not be counted on the question. The outside of the ballot
26 shall be the same as the regular official ballot except that the words "Questions Relating to
27 Constitutional Amendments proposed by the 2018 General Court" shall be printed in bold type at
28 the top of the ballot.

29 VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment,
30 it becomes effective when the governor proclaims its adoption.