

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 551
Committee Substitute Favorable 4/26/17
Senate Judiciary Committee Substitute Adopted 6/25/18

Short Title: Strengthening Victims' Rights.

(Public)

Sponsors:

Referred to:

April 5, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CONSTITUTION OF NORTH CAROLINA TO PROVIDE
3 BETTER PROTECTIONS AND SAFEGUARDS TO VICTIMS OF CRIME.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Section 37 of Article I of the North Carolina Constitution reads as
6 rewritten:

7 "Sec. 37. Rights of victims of crime.

8 (1) Basic rights. Victims of ~~crime, as prescribed by law, crime~~ or acts of delinquency
9 shall be treated with dignity and respect by the criminal justice system.

10 (1a) Enumerated rights. When the crime or act of delinquency is one against or involving
11 the person of the victim or is equivalent to a felony property crime, the victim is entitled to the
12 following basic rights:

13 (a) The right as prescribed by law to be informed of and to be present at upon
14 request to reasonable, accurate, and timely notice of court proceedings of the
15 accused.

16 (a1) The right upon request to be present at court proceedings of the accused.

17 (b) The right to be reasonably heard at sentencing of the accused in a manner
18 prescribed by law, and at other times as prescribed by law or deemed
19 appropriate by the court. any court proceeding involving the plea, conviction,
20 adjudication, sentencing, or release of the accused.

21 (c) The right as prescribed by law to receive restitution. restitution in a reasonably
22 timely manner, when ordered by the court.

23 (d) The right as prescribed by law to be given information about the ~~crime, crime~~
24 or act of delinquency, how the criminal justice system works, the rights of
25 victims, and the availability of services for victims.

26 (e) The right as prescribed by law upon request to receive information about the
27 ~~conviction~~ conviction, adjudication, or final disposition and sentence of the
28 accused.

29 (f) The right as prescribed by law upon request to receive notification of escape,
30 release, proposed parole or pardon of the accused, or notice of a reprieve or
31 commutation of the accused's sentence.

32 (g) The right as prescribed by law to present ~~their~~ the victim's views and concerns
33 to the Governor or agency considering any action that could result in the
34 release of the accused, prior to such action becoming effective.

35 (h) The right as prescribed by law to reasonably confer with the prosecution.



