

Representative LaVar Christensen proposes the following substitute bill:

VICTIMS' RIGHTS AMENDMENTS

2016 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: LaVar Christensen

Senate Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Utah Code of Criminal Procedure related to defendants, victims, and witnesses.

Highlighted Provisions:

This bill:

► provides that the rights recognized and the support and assistance provided to victims and witnesses shall be applied without denying criminal defendants the constitutional rights and protections to which criminal defendants are entitled.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

77-37-1, as enacted by Laws of Utah 1987, Chapter 194

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **77-37-1** is amended to read:



26 **77-37-1. Legislative intent.**

27 (1) The Legislature recognizes the duty of victims and witnesses of crime to fully and
28 voluntarily cooperate with law enforcement and prosecutorial agencies, the essential nature of
29 citizen cooperation to state and local law enforcement efforts, and the general effectiveness and
30 well-being of the criminal justice system of this state. In this chapter, the Legislature declares
31 its intent to ensure that all victims and witnesses of crime are treated with dignity, respect,
32 courtesy, and sensitivity, and that the rights extended in this chapter to victims and witnesses of
33 crime are honored and protected by law in a manner no less vigorous than protections afforded
34 criminal defendants.

35 (2) The Legislature finds it is necessary to provide child victims and child witnesses
36 with additional consideration and different treatment than that usually afforded to adults. The
37 treatment should ensure that children's participation in the criminal justice process be
38 conducted in the most effective and least traumatic, intrusive, or intimidating manner.

39 (3) The rights recognized and the support and assistance provided under this chapter
40 shall be applied without denying criminal defendants the constitutional rights and protections
41 to which criminal defendants are entitled.