

By Mr. Berry, a petition (accompanied by proposal, Senate, No. 802) of Frederick E. Berry, and W. Paul White for a legislative amendment to the Constitution relative to the rights of crime victims. The Judiciary.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Nine.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION
RELATIVE TO THE RIGHTS OF CRIME VICTIMS.

1 A majority of all the members elected to the Senate and House
2 of Representatives, in joint session, hereby declares it to be
3 expedient to alter the Constitution by the adoption of the
4 following Article of Amendment, to the end that it may become
5 a part of the Constitution [if similarly agreed to in a joint session
6 of the next General Court and approved by the people at the state
7 election next following]:

8 **ARTICLE OF AMENDMENT.**

9 Part I is hereby amended by adding a new Article to the
10 Declaration of Rights of the Inhabitants of the Commonwealth
11 of Massachusetts as follows: —

12 **Article XXXI. THE RIGHTS OF CRIME VICTIMS.**

13 The victim of crime or his or her representative shall have the
14 right to be informed of, to be present at, and to be heard at all
15 criminal justice proceedings at which the defendant has such
16 rights, unless the exercise of these rights by the victim will interfere
17 with the defendant's rights. Upon a motion to exclude a victim
18 or his or her representative from any proceedings, the defendant
19 shall prove by clear and convincing evidence that the exercise of
20 these rights by the victim will interfere with the defendant's rights.

