

# ISSUE 2

## PROPOSED CONSTITUTIONAL AMENDMENT

**2** (Proposed by Resolution of the General Assembly of Ohio)  
To amend Article I of the Ohio Constitution by the addition of Section 10a.

**TO AFFORD VICTIMS OF CRIMINAL OFFENSES CONSTITUTIONAL RIGHTS, THIS AMENDMENT WILL:**

- 1. REQUIRE THAT VICTIMS OF CRIME BE ACCORDED FAIRNESS, DIGNITY AND RESPECT IN THE CRIMINAL JUSTICE SYSTEM.**
- 2. AS PROVIDED BY LAW, REQUIRE THAT VICTIMS OF CRIME BE GIVEN REASONABLE AND APPROPRIATE NOTICE, INFORMATION, ACCESS, AND PROTECTION AND A MEANINGFUL ROLE IN THE CRIMINAL JUSTICE PROCESS.**

**IF ADOPTED, THIS AMENDMENT WILL NOT GIVE ANY PERSON NEW OR ADDITIONAL RIGHTS TO APPEAL OR MODIFY A COURT DECISION, ABRIDGE ANY OTHER RIGHT GUARANTEED BY THE U.S. OR OHIO CONSTITUTIONS, OR CREATE A LEGAL CLAIM FOR COMPENSATION OR DAMAGES AGAINST THE STATE OF OHIO, ITS POLITICAL SUBDIVISIONS OR ANY PUBLIC OFFICER OR EMPLOYEE.**

**IF ADOPTED, THIS AMENDMENT WILL BE EFFECTIVE IMMEDIATELY.**

**A majority yes vote is necessary for passage.**

	YES	<b>SHALL THE PROPOSED AMENDMENT BE ADOPTED?</b>
	NO	

## EXPLANATION FOR STATE ISSUE 2

(as prepared by the Ohio Ballot Board)

The amendment would give crime victims a constitutional right to fairness, dignity, and respect in the criminal justice system. The amendment would also require the General Assembly to pass laws giving crime victims reasonable notice and information about, and access to, criminal proceedings, and a meaningful role in the criminal justice process.

The amendment does not give any person new or additional rights to appeal or modify decisions in criminal cases or change or limit rights currently guaranteed by the U.S. or Ohio Constitutions. Finally, the amendment does not create any new legal claim against the State of Ohio, its political subdivisions, or public officers or employees.

## **ARGUMENT FOR STATE ISSUE 2**

1. Currently, there are laws regarding crime victims, but there are constitutional rights that protect the accused. In a judicial setting, when a judge must weigh the laws of the victim against the constitutional rights of the accused, the constitutional rights will prevail. The proposed amendment will mean that when judges make decisions, they will weigh the constitutional rights of both the victim and the accused. The amendment will not take away any rights of the accused. It will, however, give the rights of victims of criminal offenses equal standing and protection in our state constitution. Issue 2 is a question of balance.
2. The constitutional amendment will serve as a guide to our state lawmakers in passing victim rights legislation. Our constitution serves as our highest authority and statement of public policy. Lawmakers will know it is the will of its citizens that victims of crime should have a right to reasonable and appropriate notice, information, access, and protection, and a meaningful role in the criminal justice process.
3. The Constitution protects certain fundamental rights that every person has and that no other person, institution, or government can take away or deny. The Bill of Rights to the Constitution of the United States and Article 1, Section 10 of the Ohio Constitution were adopted so that no one, who is accused of committing a crime, can be denied the rights that are enumerated there. However, there is no corresponding section in either Constitution to protect the fundamental rights of victims of crime. The fundamental rights of victims to be treated with fairness, dignity, and respect need to be in the fundamental law of our state, the Ohio Constitution.

### **COMMITTEE TO PREPARE ARGUMENT FOR ISSUE 2**

Representative Katherine H. Walsh  
Representative Sean Logan  
Representative Tim Greenwood

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## **ARGUMENT AGAINST STATE ISSUE 2**

No argument was submitted against the proposed constitutional amendment since no member of the General Assembly voted against the amendment.