

and permanence to what I believe are the very basic rights that we should, at a minimum, provide to crime victims or their guardian or representative and these rights would be the right to be informed of all criminal court proceedings, the right to be present at trial, unless the court determines that the victim should not be in attendance if necessary for a fair trial for the defendant, and thirdly, the right to be informed, to be present at and make an oral or written statement after conviction, at sentencing, parole, pardon, commutation and conditional release proceedings. The language in subdivision (3) of the amendment provides that nothing in this new section shall be a basis for error in favor of a defendant in any criminal proceeding or be the basis for providing standing to participate as a party to any criminal proceeding, or to be a basis to contest the disposition of any charge. We protect the rights of the accused by anchoring those fundamental rights within the constitution. And again, offering this crime victim's rights amendment I want it to be clearly understood that it is no way my intent to limit the rights of those accused of crime. But at the same time, and I have my scales of justice pin on today, I feel very strongly that we must balance our criminal justice system which is meant to protect the citizens of our state with the rights for victims. In 1980 I introduced a resolution called "The Forgotten Victim". The Nebraska Legislature has, through the eighties, remembered victims and has supported victims and has brought balance into the criminal justice system. When I last appeared before you, last session, 13 states had amendments in their state constitutions. Since then seven states have added victim's amendments to their constitution. The people of Wisconsin added their amendment in 1993, while the people of Alabama, Alaska, Idaho, Maryland, Ohio and Utah added their amendment last November. Unfortunately Nebraska citizens were kept from that opportunity. The time has come again for the Legislature to give the citizens of Nebraska the same opportunity to anchor the victims' rights amendment in our constitution. I feel I should add a word of thanks to those victims and victim advocates who worked so very hard last session to see this constitutional amendment passed by this body only to have their hopes dashed by not having it on the ballot. They are out there and they deserve to have 21CA available for them on the ballot in November in 1996. Thank you.

PRESIDENT ROBAK: Thank you, Senator Pirsch. The Chair recognizes Senator Chambers.