

## Worksheet 8.1

### Analysis of Constitutional and Statute Laws

#### Analysis of a Constitutional Law

A victim of arson resulting in bodily injury, aggravated arson, aggravated assault, aggravated battery, dangerous use of explosives, negligent use of a deadly weapon, murder, voluntary manslaughter, involuntary manslaughter, kidnapping, criminal sexual penetration, criminal sexual contact of a minor, homicide by vehicle, great bodily injury by vehicle, or abandonment or abuse of a child or that victim's representative shall have the following rights as provided by law:

- The right to be treated with fairness and respect for the victim's dignity and privacy throughout the criminal justice process
- The right to timely disposition of the case
- The right to be reasonably protected from the accused throughout the criminal justice process
- The right, upon request, to notification of court proceedings
- The right to attend all public court proceedings the accused has the right to attend
- The right to confer with the prosecution
- The right, upon request, to make a statement to the court at sentencing and at any post-sentencing hearings for the accused
- The right to restitution from the person convicted of the criminal conduct that caused the victim's loss or injury
- The right to information about the conviction, sentencing, imprisonment, escape, or release of the accused.

#### Analysis of a Statute Law

As used in this statute:

"Criminal offense" means: arson resulting in bodily injury, aggravated arson, aggravated assault, aggravated battery, dangerous use of explosives, negligent use of a deadly weapon, murder, voluntary manslaughter, involuntary manslaughter, kidnapping, criminal sexual penetration, criminal sexual contact of a minor, homicide by vehicle,

great bodily injury by vehicle or abandonment or abuse of a child, armed robbery, and stalking or aggravated stalking.

"Victim" means an individual against whom a criminal offense is committed.

By statute a victim of an indicted criminal offense shall have the right to:

- Be treated with fairness and respect for the victim's dignity and privacy throughout the criminal justice process.
- Timely disposition of the case.
- Be reasonably protected from the accused throughout the criminal justice process.
- Notification of court proceedings.
- Attend all public court proceedings the accused has the right to attend.
- Confer with the prosecution.
- Make a statement to the court at sentencing and at any post-sentencing hearings for the accused.
- Restitution from the person convicted of the criminal offense that caused the victim's loss or injury.
- Information about the conviction, sentencing, imprisonment, escape, or release of the accused.

Nothing in this statute creates a cause of action on behalf of a person against a public employer, public employee, public agency, the state, or any agency responsible for the enforcement of rights or provision of services set forth in that act.