

The Barton County Attorney's Office supports the *Victim's Bill of Rights* as identified in K.S.A. 74-7333. In order to ensure the fair and compassionate treatment of victims of crime and to increase the effectiveness of the criminal justice system by affording victims of crime certain basic rights and considerations, victims of crime shall have the following rights:

- (1) Victims should be treated with courtesy, compassion and with respect for their dignity and privacy and should suffer the minimum of necessary inconvenience from their involvement with the criminal justice system.
- (2) Victims should receive, through formal and informal procedures, prompt and fair redress for the harm that they have suffered.
- (3) Information regarding the availability of criminal restitution, recovery of damages in a civil cause of action, the crime victim's compensation fund and other remedies, and the mechanisms to obtain such remedies, should be made available to victims.
- (4) Information should be made available to victims about their participation in criminal proceedings and the scheduling, progress, and ultimate disposition of the proceedings.
- (5) The views and concerns of victims should be ascertained and the appropriate assistance provided throughout the criminal process.
- (6) When the personal interests of victims are affected, the views or concerns of the victim should, when appropriate and consistent with criminal law and procedure, be brought to the attention of the court.
- (7) Measures may be taken when necessary to provide for the safety of victims and their families and to protect them from intimidation and retaliation.
- (8) Enhanced training should be made available to sensitize criminal justice personnel to the needs and concerns of victims and guidelines should be developed for this purpose.
- (9) Victims should be informed of the availability of health and social services and other relevant assistance that they might continue to receive the necessary medical, psychological and social assistance through existing programs and services.
- (10) Victims should report the crime and cooperate with law enforcement authorities.

*Kansas Constitutional Amendment for Victims' Rights*

Article 15, Section 15 of the constitution of the state of Kansas reads as follows:

Victims' Rights. (1) Victims of crime, as defined by law, shall be entitled to certain basic rights, including the right to be informed of and to be present at public hearings, as defined by law, of the criminal justice process, and to be heard at sentencing or at any other time deemed appropriate by the court, to the extent that these rights do not interfere with the constitutional or statutory rights of the accused.

(b) Nothing in this section shall be construed as creating a cause of action for money damages against the state, a county, a municipality, or any of the agencies, instrumentalities, or employees thereof. The Legislature may provide for other remedies to ensure adequate enforcement of this section.

(c) Nothing in this section shall be construed to authorize a court to set aside or to void a finding of guilty or authorize a court to set aside or to void a finding of guilty or not guilty or an acceptance of a plea of guilty or to set aside any sentence imposed or any other final disposition in any criminal case.

*Revised, March 2004*