

## STATEMENT OF PURPOSE

### RS25381

This Joint Resolution proposes an amendment to Section 22, Article I of the Idaho Constitution, relating to the rights of crime victims. It states the question to the electorate, "Shall Section 22, Article I, of the Constitution of the State of Idaho be amended to provide equal rights to victims of crimes including the right to notification of court proceedings, reasonable protection from the accused, and a voice in the criminal justice process?" It directs Legislative Council to prepare statements required by Section 67-453, Idaho Code, and file the same, and directs the Secretary of State to publish the proposed amendment and arguments as required by law.

### FISCAL NOTE

There will be some fiscal impact in FY 2019-2020 after the additional victim's rights take effect but it should be relatively minimal and it is difficult to quantify. This will result in some costs associated with notification being provided to the victim in regard to the additional aspects of the criminal justice proceedings that will be covered. Prosecutors are already providing fairly standard form notices to victims for the criminal justice proceedings currently covered so they are accustomed to the process. This will result in some additional staff time and postage costs associated with sending notices. Some of the additional notices can be handled by the existing Victims Information Notification Everyday program, or VINE Network. The VINE Network is funded by the State Victim Notification Fund pursuant to Section 67-2912, Idaho Code, which establishes the fund and is appropriated for use by the Director of the Idaho State Police. Monies deposited in this fund shall be expended for the costs incurred by the administration of the Statewide Automated Victim Information Notification (SAVIN) system, which includes VINE, and also satisfies Section 22, Article I, of the State of Idaho Constitution. According to Section 31-3204, Idaho Code, this fund receives money through a fee of fifteen dollars (\$15.00) paid by each person found guilty of each felony, misdemeanor or first-time infraction under Section 23-604 or 23-949, Idaho Code, except when the court orders such fee waived because the person is indigent and unable to pay such fee. A victim or other interested person may register in the VINE system, and once registered, will be automatically notified when custody status changes or case information of the person they registered against is updated. For further fiscal impact such as reimbursement in relation to administration of the fund, remittance to the crime victim's compensation account, and auditing practices, see Sections 67-2912 and 31-3204, Idaho Code. The Idaho Court system and local governments could see an increase in operating expenses in FY 2019-2020 if this amendment is successfully adopted by the electorate. If a required notice is not provided to the victim in the matter it would need to be continued and there would be additional costs associated with the additional court time for the continued proceeding and jail time if the accused is still incarcerated. There would also be some more time involved during the additional proceedings if the victim desires to provide a statement or input. There is an estimated cost to the General Fund of \$205,000 for the Idaho Secretary of State to publish the proposed amendment and arguments to the electorate as required by law, and there should be no impact to local units of government as they will be holding a regularly scheduled election.

#### Contact:

Senator Todd M. Lakey  
(208) 332-1341  
C. A. "Skip" Smyser  
Lobby Idaho, LLC  
(208) 342-0777

**DISCLAIMER: This statement of purpose and fiscal note are a mere attachment to this bill and prepared by a proponent of the bill. It is neither intended as an expression of legislative intent nor intended for any use outside of the legislative process, including judicial review (Joint Rule 18).**



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