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2015-2016 Regular Sessions

I N A S S E M B L Y

January 7, 2015

LBD00499-01-5

1 S 3. The family court act is amended by adding a new section 340.3 to
2 read as follows:

3 S 340.3. VICTIM'S RIGHT OF ACCESS TO DISCLOSURE OF THE ACCUSED'S CASE
4 STATUS. 1. "VICTIM" MEANS AN INDIVIDUAL, A CORPORATION, AN UNINCORPORAT-
5 ED ASSOCIATION, A PARTNERSHIP, OR A GOVERNMENTAL AGENCY OR INSTRUMENTAL-
6 ITY ALLEGED TO HAVE SUSTAINED PHYSICAL INJURY TO PERSON OR FINANCIAL
7 DAMAGE TO PROPERTY AS A DIRECT RESULT OF THE CRIME OR CRIMES CHARGED IN
8 AN ACCUSATORY INSTRUMENT, AS THAT TERM IS DEFINED IN SUBDIVISION ONE OF
9 SECTION 1.20 OF THE CRIMINAL PROCEDURE LAW.

10 2. NOTWITHSTANDING ANY PROVISION OF THIS CHAPTER TO THE CONTRARY, THE
11 VICTIM SHALL HAVE THE RIGHT TO REQUEST PARTICIPATION IN THE PROCEEDINGS,
12 AND SUCH REQUEST SHALL BE GRANTED BY THE COURT UNLESS IT CAN BE SHOWN
13 FOR GOOD CAUSE THAT SUCH PARTICIPATION WOULD INHIBIT THE JUDICIAL
14 PROCEEDINGS.

15 3. A VICTIM MAY OBTAIN UPON DEMAND FROM THE AGENCY RESPONSIBLE FOR THE
16 PROSECUTION OF THE ACCUSED, INFORMATION CONCERNING THE STATUS OF THE
17 ACCUSED'S CASE FROM THE TIME OF ARRAIGNMENT TO SENTENCING.

18 4. A VICTIM HAS THE RIGHT TO KNOW WHAT PLEA THE ACCUSED HAS BEEN
19 OFFERED.

20 5. A VICTIM HAS THE RIGHT TO KNOW WHAT HEARING OR TRIAL DATE HAS BEEN
21 ASSIGNED FOR TRYING THE ACCUSED.

22 6. NOTWITHSTANDING THE PROVISIONS OF SECTION 341.1 OF THIS ARTICLE,
23 THE VICTIM HAS THE RIGHT TO ATTEND THE HEARING AND/OR TRIAL.

24 S 4. This act shall take effect on the one hundred eightieth day after
25 it shall have become a law.