



## Kentucky Association of Criminal Defense Lawyers

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### **Statement of the Kentucky Association of Criminal Defense Lawyers on Senate Bill 15**

The Kentucky Association of Criminal Defense Lawyers, after careful review of the proposed amendment, urges rejection of the drastic and unnecessary action of constitutional amendment and instead urges the 2020 General Assembly to amend the Kentucky Crime Victims Bill of Rights found in Sections 421.500 to 421.576 of the Kentucky Revised Statutes to make any changes it deems necessary.

Senate Bill 15 is presented as the solution to a critical problem that calls for an extreme response. The largely misleading public relations campaign in favor of this proposed constitutional amendment never mentions that almost every right to be protected by the constitutional amendment is already protected by statutes that have been in effect since 1998. New rights and protections can be added simply by amending the existing statutes.

Supporters of the amendment rely on two main arguments. The first is that some victims have been abused. This no doubt is true. But can the supporters point to widespread problems? They did not do so in 2018. They have not done so in 2020. The other argument is that many other states have adopted a constitutional bill of rights. Parents have heard this argument before: "All of my friends are doing it." Parents have always responded: "That doesn't make it right." And comparison to other states shows that very few have amendments that are as confused and ambiguous as SB 15.

The question before the 2020 General Assembly is simple. Should the legislature, as responsible stewards of the taxpayers' money, take the radical step of constitutional amendment before they have tried to fix the existing law? Judges, prosecutors and law enforcement take an oath to enforce the existing statutes. The suggestion that they must be coerced by a constitutional amendment is insulting to the men and women who have, at great cost to themselves, volunteered to enforce the criminal laws of Kentucky.

Media Comments and Questions pertaining to this statement release should be directed to J. David Niehaus at [davidniehaus@icloud.com](mailto:davidniehaus@icloud.com) or by phone at 502.494.5117.

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