

Reference:

Article I, Section 14

Ballot Title:

Pretrial Release and Detention

Ballot Summary:

PRETRIAL RELEASE AND DETENTION - Proposing an amendment to the State Constitution, effective January 1, 1983, to provide that a person charged with a crime or a violation of a municipal or county ordinance, other than a capital offense or an offense punishable by life imprisonment, shall be entitled to release before trial unless enumerated conditions indicate that the person should be detained.

Full Text:

ARTICLE I

DECLARATION OF RIGHTS

Section 14. ~~Pretrial release and detention Bail.--Unless charged with a capital offense or an offense punishable by life imprisonment and the proof of guilt is evident or the presumption is great, Until adjudged guilty,~~ every person charged with a crime or violation of municipal or county ordinance shall be entitled to pretrial release on reasonable conditions. If no conditions of release can reasonably protect the community from risk of physical harm to persons, assure the presence of the accused a trial, or assure the integrity of the judicial process, the accused may be detained. ~~bail with sufficient surety unless charged with a capital offense or an offense punishable by life imprisonment and the proof of guilt is evident or the presumption is great.~~