

103^D CONGRESS
1ST SESSION

H. J. RES. 72

Proposing an amendment to the Constitution of the United States with respect to the compelling of testimony from a defendant in a criminal case in open court, a restriction on the use of prior convictions except when they are an element of the crime charged, and the right of a defendant in a criminal case to be informed of the evidence against the defendant.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 26, 1993

Mr. JACOBS introduced the following joint resolution; which was referred to the Committee on the Judiciary

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States with respect to the compelling of testimony from a defendant in a criminal case in open court, a restriction on the use of prior convictions except when they are an element of the crime charged, and the right of a defendant in a criminal case to be informed of the evidence against the defendant.

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled*
3 *(two-thirds of each House concurring therein), That the fol-*
4 *lowing article is proposed as an amendment to the Con-*
5 *stitution of the United States, which shall be valid to all*

1 intents and purposes as part of the Constitution only if
2 ratified by the legislatures of three-fourths of the several
3 States within seven years from the date of its submission
4 by the Congress:

5 “ARTICLE —

6 “SECTION 1. The fifth article of amendment to the
7 Constitution of the United States is amended by inserting
8 immediately after ‘nor shall be compelled in any criminal
9 case to be a witness against himself’ the following: ‘except
10 in open court; nor be confronted with prior criminal con-
11 victions except where they are an element of the crime
12 charged’.

13 “SECTION 2. The sixth article of amendment to the
14 Constitution of the United States is amended by striking
15 out ‘and to be informed of the nature and cause of the
16 accusation’ and inserting in lieu thereof ‘and to be in-
17 formed of the nature, cause, and evidence of the accusa-
18 tion’.”.

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