

REFERENCE TITLE: **criminal law; purpose**

State of Arizona
Senate
Fifty-fifth Legislature
Second Regular Session
2022

SB 1224

Introduced by
Senators Quezada: Terán; Representatives Andrade, Hernandez M

AN ACT

AMENDING SECTIONS 13-101 AND 13-101.01, ARIZONA REVISED STATUTES; RELATING TO THE PURPOSE OF THE CRIMINAL LAW.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-101, Arizona Revised Statutes, is amended to
3 read:

4 13-101. Purposes

5 It is declared that the public policy of this state and the general
6 purposes of ~~the provisions of~~ this title are:

7 1. To proscribe conduct that unjustifiably and inexcusably causes
8 or threatens substantial harm to individual or public interests;

9 2. To give fair warning of the nature of the conduct proscribed and
10 of the sentences authorized ~~upon~~ ON conviction;

11 3. To define the act or omission and the accompanying mental state
12 ~~which~~ THAT constitute each offense and limit the condemnation of conduct
13 as criminal when it does not fall within the purposes set forth;

14 4. To differentiate on reasonable grounds between serious and minor
15 offenses and to prescribe proportionate penalties for each;

16 5. To ~~insure~~ ENSURE the public safety by preventing the commission
17 of offenses through the deterrent influence of the sentences authorized;

18 6. To impose just and deserved punishment on those whose conduct
19 threatens the public peace; ~~and~~

20 7. To promote truth and accountability in sentencing; ~~—~~ AND

21 8. TO MAKE THE VICTIM AND COMMUNITY WHOLE THROUGH THE APPLICATION
22 OF RESTORATIVE JUSTICE PRINCIPLES WHILE HOLDING THE OFFENDER ACCOUNTABLE
23 THROUGH REHABILITATIVE MEANS, WHICH FOSTERS RECONCILIATION AND ENSURES THE
24 SAFETY OF THE COMMUNITY.

25 Sec. 2. Section 13-101.01, Arizona Revised Statutes, is amended to
26 read:

27 13-101.01. Additional purposes of the criminal law

28 In order to preserve and protect the rights of crime victims to
29 justice and the right of the people to safety, it is a fundamental purpose
30 of the criminal law to ENSURE THAT THE GOVERNMENT'S RESPONSE TO CRIMINAL
31 CONDUCT IS FOCUSED ON EFFECTIVE MEANS TO ENSURE PUBLIC SAFETY, INCLUDING
32 THE APPLICATION OF RESTORATIVE JUSTICE PRINCIPLES WHENEVER POSSIBLE, BUT
33 WHEN RESTORATIVE JUSTICE PRINCIPLES CANNOT BE APPLIED, THE GOVERNMENT
34 SHALL identify and remove from society persons whose conduct continues to
35 threaten public safety through the commission of violent or aggravated
36 felonies after having been convicted twice previously of violent or
37 aggravated felony offenses.