

Arizona Crime Victims' Rights

AUTOMATIC RIGHTS

Many of the rights afforded victims through legislation and rules of court are automatic. If you are a victim, these include the right:

1. To be advised of all of a victim's legal rights and how to assert them.
2. To information about the availability of crisis intervention, medical, and emergency services and about victim assistance programs and domestic violence resources.
3. To be advised of the date, time, and location of the suspect's initial appearance or arraignment if a suspect is arrested or cited.
4. To be provided the police report number, if available, and, if the case has been referred to a prosecutor's office, information about how to contact that office.
5. To be notified if the prosecutor declines to file charges or to receive notice of what charges are filed.
6. To have your home address, your telephone numbers and your employer's name and address withheld from the defendant and the defendant's representatives.
7. To refuse an interview with the defendant and anyone working on the defendant's behalf.
8. To be present at any court proceeding at which the defendant has the right to be present.
9. To name an appropriate support person, who is not a witness, to accompany you to any interview, deposition, or court proceeding.
10. To have the court provide appropriate safeguards to minimize contact between you and the defendant during court proceedings.
11. To be heard at any proceedings that concern the release of the accused person, a plea agreement, or sentencing (with some limitations if the defendant is facing the death penalty).
12. To speak with the presentence investigator before the sentencing, to give a sentencing recommendation, and to read the presentence report when it is available to the defendant.
13. To have the court order the defendant to pay restitution.
14. To be notified of the escape and re-arrest of the accused or convicted person, including one placed by court order in a mental health treatment facility.
15. To leave work (if eligible) to attend scheduled legal proceedings (in accordance with A.R..S. 13.4439).

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RIGHTS UPON REQUEST

If you are a victim, you also have the right, upon request:

1. To confer with the prosecutor about a decision not to proceed with a prosecution, dismissal of the charges, pretrial diversion programs, any plea or sentencing negotiations, and at any hearing concerning the release of the defendant. Your right to confer with the prosecutor before trial does not include the right to direct the prosecution of the case.
2. To have the prosecutor assert on your behalf any right to which you are entitled.
3. To receive notice of the suspect's release from custody.
4. To receive a copy of the conditions of the suspect's release from custody.
5. To receive notice of all court proceedings at which the defendant has the right to be present.
6. To the return of any of your personal property taken during the investigation, or, if the property cannot be returned, to an explanation of the reasons.
7. To notice of the defendant's conviction or acquittal or the dismissal of charges.
8. To be informed of the sentence imposed on the defendant.
9. To be notified of any appeal or proceedings for post-conviction relief.
10. To receive notice of any hearing in which the defendant's release from prison is being considered and notice of your right to attend and be heard at that hearing; and to be informed of the result.
11. To be informed of the earliest possible release date of a prisoner sentenced to the Department of Corrections (if the sentence exceeds six months); to notice in advance of the prisoner's release or, if the prisoner has died, to notice of the death.
12. To notice of any probation-revocation disposition hearing or any proceeding to terminate probation. You also have the right to notice of any proceeding to modify probation conditions if the proposed modification would substantially affect your safety or the probationer's contact with you or would affect restitution or the probationer's incarceration status.