



VICTIM RIGHTS NOTIFICATION PROCEDURES

Operations Order

5.9.00

PHOENIX POLICE DEPARTMENT

Rev. 02/21

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1. GENERAL INFORMATION

A. Officers will provide victims (or their lawful representative) of felonies, misdemeanors, and petty offenses with victim's rights information by either providing a Victim's Rights Pamphlet PPD #54 or, if they have internet access or a smartphone, information on how to obtain a Victim's Rights Pamphlet.

- Advise the victim to go online to www.phoenix.gov/police or download the smartphone app and then search for/navigate to the Victim's Rights Pamphlet/information section.

(1) Officers will ensure the below pertinent information is provided to the victim/lawful representative or documented on the pamphlet:

- IR number
- Type and time of offense
- Felony, misdemeanor, or juvenile charge
- Suspect information, if known

* If suspect was arrested and booked or cited and released

- Reporting officer/s name/s & serial number/s
- Bureau responsible for handling the case/report

NOTE: This information will be provided to the victim/lawful representative regardless of whether the suspect is an adult or juvenile.

(2) Officers will ensure the Incident Report (IR) reflects how the victim/lawful representative obtained/will obtain the Victim's Rights Pamphlet (provided by the officer or online information provided).

B. The purpose for providing victim's rights information is:

- To allow victims to request or waive certain rights.
- To provide victims a method by which to designate a lawful representative.

2. VICTIM RIGHTS PROCEDURES

A. Officers will complete the appropriate box in the IR Victim section, indicating whether the victim wishes to receive notification of rights.

B. Lawful Representative - A person designated by a victim or appointed by the court who will act in the best interest of the victim

- The lawful representative will be entered in the IR Other person section.

(1) When the Victim is a Minor - If the victim is a minor, the victim's parent or other immediate family member may exercise all victim's rights on behalf of the victim.

(a) If the delinquent act or criminal offense is alleged against a member of the minor's immediate family, these rights may not be exercised by that person but may be exercised by another member of the immediate family unless the court finds that another person would better represent the interests of the minor.

(b) A lawful representative may be designated by the victim or a court if:

- The victim is physically or emotionally unable to exercise the victim's rights.
- The victim is incompetent, deceased, or otherwise incapable of designating another person to act in the victim's place.
- The victim is a minor (the victim's parent or other immediate family member may exercise all the victim's rights on behalf of the victim).

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2. C. Suspect Procedures

(1) Victim Notification

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| (a) Suspect in Custody | <ul style="list-style-type: none"> The victim will be provided with the suspect's name, date of birth, and location of incarceration. If the suspect is unknown or not arrested at the time of the report, the victim must be notified by telephone upon arrest/detention/referral of the suspect. If the victim cannot be contacted by telephone following arrest or detention, the Family Investigations Bureau (FIB) will make notification by letter when a complete mailing address is available. |
| (b) Escape of Suspect | <ul style="list-style-type: none"> If the suspect escapes while in police custody, or is released and not booked or detained, it will be the officer's responsibility to notify the victim of the release or escape. This procedure applies whether the suspect is an adult or juvenile. Victim notification will be documented in the IR. |

(2) Booking Procedures

- Prior to booking an adult suspect, a Maricopa County Sheriff's Office Victims' Information form must be completed.
- This form will be left with jail intake personnel.

(3) Detained Juveniles

- Officers will indicate whether the victim was notified on the Juvenile Arrest/Referral Worksheet section of the IR.
- When referral of the juvenile occurs sometime after the initial victim contact, the officer referring the juvenile must contact and advise the victim of the referral.

3. **VICTIM'S RIGHTS FOR NEIGHBORHOOD ASSOCIATIONS**

A. General Information

- [Arizona Revised Statute \(ARS\) Title 13, Chapter 40](#), and [Title 8, Chapter 2](#), state law enforcement agencies must provide victim's rights information to neighborhood associations that request it.
 - Only the crimes listed in section 3.B below are applicable to these statutes.
 - Information will be provided regardless of whether the suspect is an adult or a juvenile.
- Neighborhood associations and Block Watch groups must register with the City's Neighborhood Services Department to be eligible to receive this information.
 - A current list of neighborhood associations will be maintained by the precincts.
 - Only one representative from each association will be registered with the City and will be eligible to receive this information.

B. Applicable Crimes

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| (1) ARS 13-3201 | Enticement of persons for purpose of prostitution |
| (2) ARS 13-3204 | Receiving earnings of prostitute |
| (3) ARS 13-3208B | Operating or maintaining a house of prostitution or prostitution enterprise |
| (4) ARS 13-3209 | Pandering |



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3. B. Applicable Crimes (Continued)

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| (5) ARS 13-3405 | Possession, use, production, sale, or transportation of marijuana |
| (6) ARS 13-3407 | Possession, use, administration, acquisition, sale, manufacture, or transportation of dangerous drugs |
| (7) ARS 13-3408 | Possession, use, administration, acquisition, sale, manufacture, or transportation of narcotic drugs |
| (8) ARS 13-3409 | Involving or using minors in drug offenses (adult suspects only) |
| (9) ARS 13-3421 | Using building for sale or manufacture of dangerous drugs or narcotic drugs, or fortification of a building |
| (10) ARS 13-4702 | Conducting a chop shop |

C. Procedures When Contacted by a Neighborhood Association Representative

(1) Information requested by a neighborhood association representative

- (a) Upon request, officers will provide a neighborhood association representative with a report number and the telephone number of the affected precinct and advise the representative to contact the community action officer (CAO) responsible for the particular area.
- (b) The CAO will review the Neighborhood Association Log located at the desk of the precinct on a daily basis and review the report, if applicable.
- (c) If the crime is applicable, if the neighborhood association representative invokes victims' rights, **and** if the association is registered with the City, the CAO will complete an Incident Supplement.
- (d) The Incident Supplement will include:
 - Name of the neighborhood association representative requesting victim's rights notification
 - Representative's address and phone number
 - Registered neighborhood association's name
- (e) The CAO will arrange for the listed representative to receive a Neighborhood Association Victims' Rights Information Form 80-540D.

(2) Contacting the Affected Precinct

- (a) As soon as possible after the detection of an offense, (listed in section 3.B of this order), and if the victim can be contacted without interfering with an investigation or arrest, patrol officers and officers from specialty details will contact the desk aide at the affected precinct and provide the following information to be logged in the Neighborhood Association Log or they will annotate the log themselves:
 - Suspect and arrest information
 - IR number
 - Name, address, and phone number of the neighborhood association representative contacted at the scene who is requesting a Neighborhood Association Victims' Rights Information form, if applicable
- (b) If officers are from a specialty detail, a supervisor from that detail will also fax the information to the affected precinct as soon as doing so will not interfere with an investigation or arrest.
- (c) CAOs will be responsible for reviewing and maintaining the Neighborhood Association Log.

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| Last Organizational Review: |
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