



# FIELD ORDERS

Chapter

**BASIC FIELD OPERATIONS**

Subject

**Victim's Rights Notification**

## POLICY

- To comply with the applicable requirements set forth in the Arizona Revised Statutes (ARS), Title 8/Child Safety/Chapter 3/Article 7/Victims' Rights for Juvenile Offenses, and Title 13/Chapter 40/Crime Victims' Rights.
- To provide the best possible service to crime victims through prompt and accurate notification regarding case disposition and suspect status.

## DEFINITIONS

**Criminal Offense:** Conduct that gives a peace officer or prosecutor probable cause to believe a felony, misdemeanor, petty offense, or violation of a local criminal ordinance has occurred.

**Lawful Representative:** Person designated by the victim or appointed by the court who acts in the victim's best interest.

1. If the victim is deceased or is physically or emotionally unable to exercise any rights, the victim's spouse, parent, child, family member, another person, or court-appointed person, can be designated by the victim or court as the lawful representative. See ARS [13-4403/Inability to exercise rights; lawful representatives; notice; definition](#).
2. The suspect of the crime cannot be designated as the lawful representative.

**Neighborhood Association:** Association registered with a city, town, or county as a legally recognized entity with a Board of Directors. A registered neighborhood association is granted the same rights as an individual.

**Notification:** Consists of contacting the victim, registered neighborhood association, lawful representative, or next of kin as soon as practical.

1. **First Telephone Call** – Call all numbers the victim provided before the suspect is released or as soon as possible following a change in suspect status.
2. **Second Telephone Call** – If the victim cannot be reached at the numbers provided at the time of suspect status change, call again within a reasonable period.
3. Complete and provide the Victims' Rights Request/Waiver (VRRW) form to the victim in person, by postal mail, or by secure email.

**Victim:** [See ARS 4401/Definitions/19.](#)

**Victims' Rights Request/Waiver (VRRW) Form:**

1. Form required by law, per ARS [13-4405/Information provided to victim by law enforcement agencies](#) and ARS [8-386/Information provided to victim by law enforcement agencies](#).
2. Intended for use at the time of initial victim contact, regardless of suspect and arrest status and circumstances.
3. Completed by the reporting or arresting department employee.
4. Copies are given to the victim and appropriate criminal justice agencies and must accompany the case file as it proceeds through either the juvenile or adult justice system.
5. The Attorney General's Office of Victim Services provides the VRRW form and the Information for Arizona's Victims of Crime pamphlet, which is attached to the form.

## OVERVIEW

**VICTIMS' RIGHTS for NEIGHBORHOOD ASSOCIATIONS** – *See* ARS [13-4401.01/Victims' rights for neighborhood associations](#).

## DEPARTMENT RESPONSIBILITY

1. *See* [ARS 4405/Information provided to victim by law enforcement agencies](#).
2. Attempt to notify crime victims when they have requested notification/or when notification is required by law. Notification takes place when an arrest is made or when the suspect's custodial status in the department facility changes (release, transfer, or escape).

## PATROL RESPONSIBILITY

- A. **DURING the REPORT TAKING PROCESS** – Determine if the crime meets the eligibility of/requirements for victims' rights and if the victim is known.
  1. **In the Field/On Scene**
    - If the victim is an individual, complete the case identifying information and other applicable sections of the VRRW form and give the form to the victim at the time of reporting.
    - If the victim is available, have the victim complete the victim or victim's lawful representative section. You may choose to complete it on the victim's behalf.

- If the victim or lawful representative is physically or emotionally unable to make a request/waiver designation, check the "Request/Waiver Exception" box and provide the address information, if known.
2. **Telephone Report** – If the report is a telephone report, complete all sections of the VRRW form via electronic PDF and mail or secure email a copy to the victim. Document your actions in the narrative section of the DR.
  3. **Suspect**
    - a. **Unknown** – If the suspect is unknown and the report is closed at the time of initial investigation:
      - Complete the VRRW form.
      - Give the completed form and the Information for Arizona's Victims of Crime pamphlet to the victim(s).
      - Scan the Law Enforcement copy to your DR as a VIC Supplement and discard all other copies.
    - b. **Known** – If the suspect is identified after the initial report:
      - Complete a new VRRW form reflecting each suspect.
      - Submit the form following procedure listed below according to the method each suspect is arrested or charged.
- B. **WHEN the SUSPECT is ARRESTED** – If making an arrest at the time the report is taken and the victim has requested notification, provide the victim with the:
- Report number and the suspect's name and date of birth.
  - Date, time, and location of the suspect's initial appearance or arraignment.
  - Telephone number of the custodial agency holding the suspect.
1. **Citation Arrests**
    - a. If the suspect is released on a citation, give the victim the city court address with the date and time indicated on the citation.
    - b. **Routing Form Copies**
      - Ensure the Victim copy and Arizona's Victims of Crime pamphlet is given, secure emailed, or mailed to the victim or lawful representative.
      - Detention retains the Custodial copy for notification if the suspect is booked, cited, and

released. If the suspect is cited in lieu of detention (CLD), destroy the Custodial copy.

- Attach all other copies to the citation and submit to the Police Records Section. Records forwards the Court, Prosecutor, and Victim Witness forms with the appropriate citation copies to the appropriate party.

2. **Misdemeanor Bookings**

- a. If the suspect is booked and held for an initial appearance, give the victim the court address and standard time for initial court appearances.
- b. Scan and attach the Law Enforcement copy.
  - Scan the Law Enforcement copy to your DR as a VIC Supplement.
  - Give, secure email, or mail the Victim copy and Arizona's Victims of Crime pamphlet to the victim.
  - Detention personnel retain the Custodial copy and it either accompanies the suspect to any subsequent detention facility or Detention personnel use it for victim notification purposes. See Detention Order [8214/Victim's Right Notification](#).
  - Forward the remaining Prosecutor, Court, and Victim Witness copies to the Court with the In-Custody packet, which includes the Court and Prosecutor copies of all citations, and a copy of the DR for the initial appearance. Once the suspect is initialed, the city court is responsible for disseminating the appropriate copies to the Prosecutor's Office.

3. **Felony Bookings**

- a. If the suspect is booked and transported to the county jail for an initial appearance, give the victim the address to the 4<sup>th</sup> Avenue Jail, the phone number to confirm an initial appearance, and the standard court times. Provide the victim with information on the Maricopa County Sheriff's Office (MCSO) Victim Assistance & Notification Unit.
- b. Routing Form Copies
  - The Victim and Law Enforcement copies are processed, following the same procedure as

discussed in [#2./Misdemeanor Bookings](#) above.

- The Custodial copy is submitted to the jail at the time of booking, and accompanies the suspect, along with other booking forms, to subsequent detention facilities.
- Court, Prosecutor, and Victim Witness forms are submitted with the complaint packet to the County Attorney's Office.

4. **Juveniles** – Refer the victim to the appropriate Prosecutor's Office for additional information.

a. **In-Custody**

- Process the Victim and Law Enforcement copies, following the same procedure as discussed in [#2./Misdemeanor Bookings](#) above.
- The Custodial and all other copies are kept and follow the juvenile, along with a copy of the DR, Juvenile Referral, and affidavit, to the detention facility.

b. **Non-Custodial Detention**

- Give the Victim copy to the victim.
- Submit all other copies to the Police Records Section.
- Records retains the Law Enforcement copy in the DR file. All other copies are submitted with a copy of the DR to the Juvenile Court Center or the City Diversion Program, according to current criteria.

C. **COURT APPEARANCES (Initial Appearance)** – Victims have the option of attending jail court for initial appearances held at the Scottsdale City Court.

1. **Weekday Hearing** – If the victim requests to be present and the initial appearance is during a weekday:

- a. Direct the victim to appear at the Scottsdale City Court building the morning of the hearing and advise the victim that the hearing may not start for several hours.
- b. Advise victims to meet with a court security officer, who will escort them into the jail court or a viewing room, and stay with them during the hearing.
- c. Provide the victim with the Scottsdale Victim Services contact information.
  - The Victim Services Department provides legally mandated victim notification services and

professional level victim advocacy to  
misdemeanor Scottsdale crime victims.

2. **Weekend Hearing** – If the initial appearance is during the weekend, direct the victim to contact a Detention Officer (DO) at the Downtown Jail.

- D. **VICTIM CHANGE of NOTIFICATION STATUS** – By statute, victims may change their notification status.
1. When victims request to change their notification status, address, or phone number for notification purposes, complete a new VRRW form.
  2. Indicate the change by checking the appropriate box, take all pertinent information, and disseminate the form copies according to the status of the report and/or arrestee.

#### **DETECTIVE RESPONSIBILITY**

- A. **INVESTIGATION** – During the course of an investigation, consider the victim's schedule and travel arrangements when requesting interviews and/or appointments.
- B. **SUSPECT ARRESTED** – When arresting a suspect on a case under investigation, follow the same procedure outlined in [PATROL RESPONSIBILITY](#) above.
1. If the report indicates the victim has requested notification, call the victim to provide notification.
  2. If making an arrest and doing the initial appearance, the detective is responsible for all notifications, including notification of arrest and the conditions of release, as determined by the judicial officer.
  3. Scan the Victim Notification form, attach it in the Records Management System (RMS) within the associated DR, and electronically send for approval.
- C. **VICTIM INQUIRY** – The Information for Arizona's Victims of Crime pamphlet instructs victims to call the department for additional information if they are not notified within thirty days of the initial report.
1. Forward these information requests to the involved Investigations Unit for the investigating detective to handle.
  2. The assigned detective calls the victim when charges are submitted and sends a follow-up confirmation letter.
  3. At the detective's discretion, the detective may periodically re-contact the victim to provide investigation updates and determine if the victim's needs are being met. The detective

may ask PCIS to assist in this task.

**D. RELEASING EVIDENCE/PROPERTY**

1. The assigned detective reviews the case with the Prosecutor's Office to authorize the release of victim property as soon as possible.
2. If a firearm is seized pursuant to [ARS 13-3601/Domestic Violence; definition; classification; sentencing option](#)/E., an officer must notify the victim before releasing the firearm from temporary custody.

**POLICE RECORDS SECTION  
RESPONSIBILITY**

- A. **MAIL RETURNED UNDELIVERABLE** – When the victim's copy of the VRRW form is returned to the Police Records Section as undeliverable, forward it to the case detective to complete a supplement documenting the returned mail.
- B. **TELETYPES** – When ACJIS receives a Victim Notification teletype from MCSO, ACJIS personnel locate the appropriate DR in RMS and respond to the teletype with the requested victim information.
- C. **PCIS NOTIFICATION** – The Records Manager ensures the digital form for Victim's Rights Notification is updated on the SPD SharePoint home page.

**PROPERTY SECTION  
RESPONSIBILITY**

The Property and Evidence Section promptly returns any evidence to the victim seized during a case investigation once the Prosecutor's Office or the case officer authorizes release.

**DETENTION and TRANSPORT  
OFFICER RESPONSIBILITY**

See Detention Order (DO) [8214/Victim's Right Notification](#).

**PCIS RESPONSIBILITY**

1. Respond to the scene for victim/witness support and assistance. As appropriate, provide subsequent follow-up support and referrals.
2. Refer the individual to city or county notification and victim/witness programs.
3. Assist investigating officers as requested.
4. Acts as the point of contact for the Attorney General's Office of Victim Services and receives notification of form updates. Requests manual form orders from the Attorney General's Office and notifies the Records Manager when a digital form is available.

**PROSECUTOR  
RESPONSIBILITY**

Upon filing of criminal charges, victim notification responsibility transfers from the police department to the appropriate prosecutor. The prosecutor, or designee, provides additional information about continuing prosecution in the case.

