Rights as a Crime Victim of a Juvenile Offense *

	Responsible Party							
	Victim	Law Enforcement (Police/Sheriff)	Custodial Agency (Detention)	Prosecutor	Juvenile Court	Juvenile Probation	Juvenile Corrections	Health Department
THROUGHOUT THE JUVENILE JUSTICE PROCESS, a victim has the right...								
To be treated with fairness, respect and dignity, and to be free from intimidation, harassment or abuse. Ariz. Const., Art. 2, §2.1(A)(1)		✓	✓	✓	✓	✓	✓	✓
To designate a lawful representative or have the court appoint a lawful representative to exercise rights and to revoke this designation at any time. A.R.S.§8-384	✓				✓			
To be present throughout all court hearings in which the accused or delinquent has the right to be present. A.R.S.§8-400	✓							
To safety before, during, and immediately after any court proceeding. A.R.S.§8-410					✓			
To have all identifying and locating information obtained by law enforcement agency or prosecution agency protected. A.R.S.§8-413		✓	✓	✓	✓	✓	✓	
To a speedy adjudication. A.R.S.§8-414(A)		✓		✓	✓			
To expect that in granting a continuance in any proceeding, reasons will be stated for the continuance on record and the victim's views and right to a speedy adjudication shall be considered. A.R.S.§8-414(B)					✓			
To request and be informed of a reexamination proceeding within ten days of the proceeding at which a victim's right was denied or with leave of the court for good cause shown. A.R.S.§8-415(A)	✓				✓			
To recover damages from a governmental entity responsible for the intentional, knowing or grossly negligent violation of right(s). A.R.S.§8-416(B)	✓							
To leave work, if employer has 50 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year, to: A.R.S.§8-420 1. Exercise right to be present at a proceeding. 2. Obtain or attempt to obtain a protective order or any other injunctive relief to help ensure the health, safety or welfare of the victim or the victim's child.	✓			✓				
To have victims' rights posted and read in court. A.R.S.§8-421					✓			
To ask the prosecutor in certain kinds of cases to petition the court for an order requiring the defendant to be tested for Human Immunodeficiency Virus (HIV) and other specified sexually transmitted diseases, and, if so ordered, to be notified of the results. A.R.S.§13-1415	✓			✓	✓			✓
After the detection of a DELINQUENT ACT, a victim has the right...								
To be provided a form by law enforcement to request or waive rights, designate a lawful representative, and be informed of the following: A.R.S §8-386 • Constitutional right to be treated with fairness, respect and dignity and to be free of intimidation, harassment or abuse; • Availability of crisis intervention services, emergency and medical services, and reimbursement for medical expenses arising out of the need to secure evidence; • In cases of domestic violence, procedures and resources available for protection; • Names and telephone numbers of public and private victim assistance programs, including the county victim compensation program and programs that provide counseling, treatment, and other supportive services; • The police report number, if available, other identifying case information, and the following statement: If within thirty days you are not notified of an arrest in your case, you may call (the law enforcement agency's telephone number) for the status of the case. • Notification by the law enforcement agency at the earliest opportunity after the arrest of a suspect; • Upon detention, can request to be informed of the suspect's release, schedule for detention hearing and right to be heard, and that, to exercise these rights, the victim is to contact detention screening section of the juvenile probation department regarding the release and detention hearing schedule. • If exercising the right to be heard through a written statement, how statement may be submitted to the court.		✓						
Upon request, to receive one copy of the police report, including any supplements to the report, from the investigating law enforcement agency at no charge, and the court or the clerk of the court shall provide, at no charge, the minute entry or portion of the record of any proceeding in the case that arises out of the offense committed against the victim and that is reasonably necessary for the purpose of pursuing a claimed victim's right. A.R.S.§§8-386(A)(3)(h); 39-127(B)	✓	✓			✓			
Upon request, to receive a copy of the terms and conditions when the accused is released. A.R.S.§8-387	✓				✓			
If an accused is accepted into a diversion program, victim shall receive notice of: A.R.S.§8-388 • Conditions that must be complied with in order for the complaint or citation to be adjusted or dismissed; • Restitution (if applicable); and • Right to be notified of the accused's completion of or termination from the program.					✓			
To receive notice when the accused has been released or has escaped and subsequent re-arrest. Ariz. Const., Art. 2, §2.1(A)(2); A.R.S.§8-393(B)			✓					
To be present and heard at any proceeding in which the court considers the accused's post-arrest release or release conditions, including the suspect's detention hearing. A.R.S.§§8-401; 8-402	✓				✓			
To be informed that may petition the court if the prosecutor decides not to move to revoke the bond or personal recognizance of the defendant based on a notarized statement asserting the harassment, threats, physical violence or intimidation (against victim or immediate family) by the juvenile defendant or on behalf of the juvenile defendant has occurred. A.R.S.§8-411	✓			✓	✓			
At the ADVISORY stage, a victim has the right...								
To be informed within seven days of charging of the following: A.R.S.§8-389(A) • Victims' rights; • Charge(s) against the accused; • Clear explanation of delinquency prosecution; • Procedures to invoke right to confer with prosecuting attorney; and • The person to contact within the prosecutor's office for more information about the case.				✓				
To be informed if the prosecuting attorney declines to proceed with the case before the decision is final, including: Art. 2, §2.1(A)(6); A.R.S.§8-389(B) • Reason(s) for declination; and • Opportunity to confer with the prosecution before the decision is final, upon request.				✓				
To notice of all scheduled proceedings and any changes in that schedule. A.R.S.§8-390				✓	✓			
Upon request, to have any property returned that was taken in the course of the investigation or an explanation as to why the property cannot be returned. A.R.S.§8-408(A)	✓	✓		✓	✓			
To not be compelled to submit to an interview on any matter, including any alleged delinquent act witnessed and that occurred on the same occasion as the delinquent act, or filed in the same petition or consolidated for an adjudication hearing, that is conducted by the juvenile defendant, the attorney for the juvenile defendant or an agent of the juvenile defendant. If consenting to a defense interview, to select a time and place, impose other conditions, refuse to answer any question(s), or terminate the interview at any time. Art. 2, §2.1(A)(5); A.R.S.§8-412(A)(D)	✓			✓				

* Chart is based on victim opting in for rights *pursuant to A.R.S. §§8-386; 8-392(B)*.

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	Victim	Law Enforcement (Police/Sheriff)	Custodial Agency (Detention)	Prosecutor	Juvenile Court	Juvenile Probation	Juvenile Corrections
At the ADJUDICATION stage, a victim has the right...							
Upon request, to confer with the prosecuting attorney: A.R.S.§8-399(A)(B) • About disposition of a delinquent offense, including the victim's views about a decision not to proceed with prosecution, dismissal, withdrawal of a request for transfer, if a petition has been filed, pre-adjudication diversion programs. • Before the commencement of an adjudication or transfer hearing.	✓			✓			
To be present and heard at a hearing regarding a plea, and notified of right to be present and heard. Ariz. Const., Art. 2, §2.1(A)(4); A.R.S.§8-403(A)	✓			✓	✓		
To expect that a plea shall not be accepted unless indicated that reasonable efforts have been made to comply with victims' rights. A.R.S.§8-403(B)				✓	✓		
At the DISPOSITION stage, a victim has the right...							
To receive notice within 15 days after the adjudication, transfer, acquittal, or dismissal of the charges against the accused. A.R.S.§8-391(A)				✓			
To be informed within 15 days, upon the defendant's adjudication, including information about: A.R.S.§8-391(B)(1)(2) • Function of a predisposition report; and, • Name and phone number of the probation department preparing the report.				✓			
To make a Victim Impact Statement in writing or orally to the probation officer for use in the predisposition report. A.R.S.§§8-391(B)(1)(3); 8-404(A)	✓			✓		✓	
To be present and to address the court at any disposition proceeding. A.R.S.§§8-391(B)(5); 8-405(B)	✓				✓		
To receive notice of the time, place, and date of the disposition proceeding. A.R.S.§8-391(B)(6)				✓	✓		
To be informed of ability to have a judgment entered for any unpaid amount and to file a restitution lien, if the court orders restitution. A.R.S. §§8-391(B)(7); 8-345				✓			
Upon request, to be provided with the following information from the predisposition report: A.R.S.§8-404(C) • Referral history; • Probation officer's assessment of the case; • Disposition and treatment recommendations; • Probation officer's recommendations for treatment and disposition; and, • Detention history.	✓				✓		
To present evidence, information, and opinions that concern the delinquent act, the delinquent, the disposition, or the need for restitution at any predisposition or disposition proceeding. A.R.S.§8-405(A)	✓				✓		
At the POST-ADJUDICATION stage, a victim has the right...							
To receive prompt restitution from the convicted that caused loss or injury. Ariz. Const., Art. 2, §2.1(A)(8); A.R.S.§8-344(A)					✓	✓	
To bring a separate civil action for damages in excess of the amount of restitution. A.R.S.§8-350.02	✓						
Upon request, to receive a copy of the terms and conditions when the accused is released. A.R.S.§8-387	✓						✓
To receive notice of the disposition imposed on the defendant within 15 days of the disposition proceeding. A.R.S.§8-392(A)				✓			
To receive a form that allows post-adjudication notice request of all: A.R.S.§8-392(B) • Post-adjudication review and appellate proceedings; • Post-adjudication release proceedings; • Probation modification proceedings that impact the victim; • Probation revocation or termination proceedings; • Conditional liberty revocation proceedings or modifications to conditional liberty; • Any decisions that arise out of these proceedings; and, • All releases and escapes.				✓			
To receive notice of any post-adjudication or appellate proceeding and the decisions arising out of those proceedings. A.R.S.§8-392(D)				✓			
To be informed of how to request not to receive mail from a committed youth. Should this be requested, the committed youth shall be notified. A.R.S.§8-392.01	✓			✓			✓
To receive notice when the delinquent has escaped and subsequent re-arrest. Ariz. Const., Art. 2, §2.1(A)(2), A.R.S.§8-393(A)(B)			✓				✓
To receive notice of the delinquent's earliest release date, if the sentence exceeds six months within 30 days of receiving the post-adjudication notice request. A.R.S.§8-394(A)(1)							✓
To receive notice when the delinquent is released at least 15 days prior to release. Ariz. Const., Art. 2, §2.1(A)(2); A.R.S. §8-394(A)(2)(B)			✓				✓
To receive notice at least 15 days after the delinquent's death. A.R.S §8-394(A)(3)(B)			✓				✓
To be present and heard at any proceeding in which post adjudication release from confinement is being considered and the right to submit a statement when a request for discharge on successful completion of the individualized treatment plan is considered. A.R.S.§8-395(A)	✓				✓		✓
To be present, heard and notified, at least 15 days in advance of a hearing regarding a juvenile's discharge or how to submit a statement. A.R.S.§8-395(B)							✓
To receive notice of the decision reached within 15 days after the hearing regarding a juvenile's discharge. A.R.S.§8-395(C)							✓
To receive any electronic recordings that are made during a post-conviction release hearing, on request, free of charge. A.R.S. §8-395 (D)							✓
* To receive notice of the following proceedings where there is a(n): A.R.S.§8-396(A) • Probation revocation disposition; • Court is asked to terminate the probation; • Proposed modification of terms are presented; and, • Arrest of a delinquent pursuant to a warrant issued for a probation violation.					✓		
To receive notice of: A.R.S.§8-396(B) • Any proposed modification to terms of probation if the modification affects restitution, incarceration status, or the safety of the victim; • Right to be heard at a hearing that is set to consider any modification to be made to any term of probation; • Any violation of any term of probation that results in filing of a petition to revoke probation; • Petition to revoke probation alleging the juvenile absconded; and, • Any conduct by the juvenile that raises a substantial concern for the victim's safety.						✓	
To be heard at any probation revocation disposition hearing or termination hearing. A.R.S.§8-406	✓				✓		
To receive notice of: A.R.S.§8-396(D) • Any proceeding where conditional liberty may be revoked. • Modification to terms of conditional liberty, which will affect safety of victim, restitution, or secure care status. • Arrest of a delinquent pursuant to a warrant issued for a conditional liberty violation.							✓
To receive notice of the delinquent's discharge from a mental health treatment agency at least ten days prior to release. A.R.S.§8-397(A)					✓		✓
To receive notice when the delinquent escapes from a mental health hospital and to be informed of subsequent readmission. A.R.S.§8-397(B)					✓		✓
Upon request, to have property released to victim if a photograph can be substituted. A.R.S.§8-408(B)	✓	✓		✓	✓		
To seek to set aside the post-conviction release if not afforded the opportunity to be present or heard, and shall be afforded a reexamination proceeding after the parties are given notice. A.R.S.§8-415(C)(D)	✓				✓		✓

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