



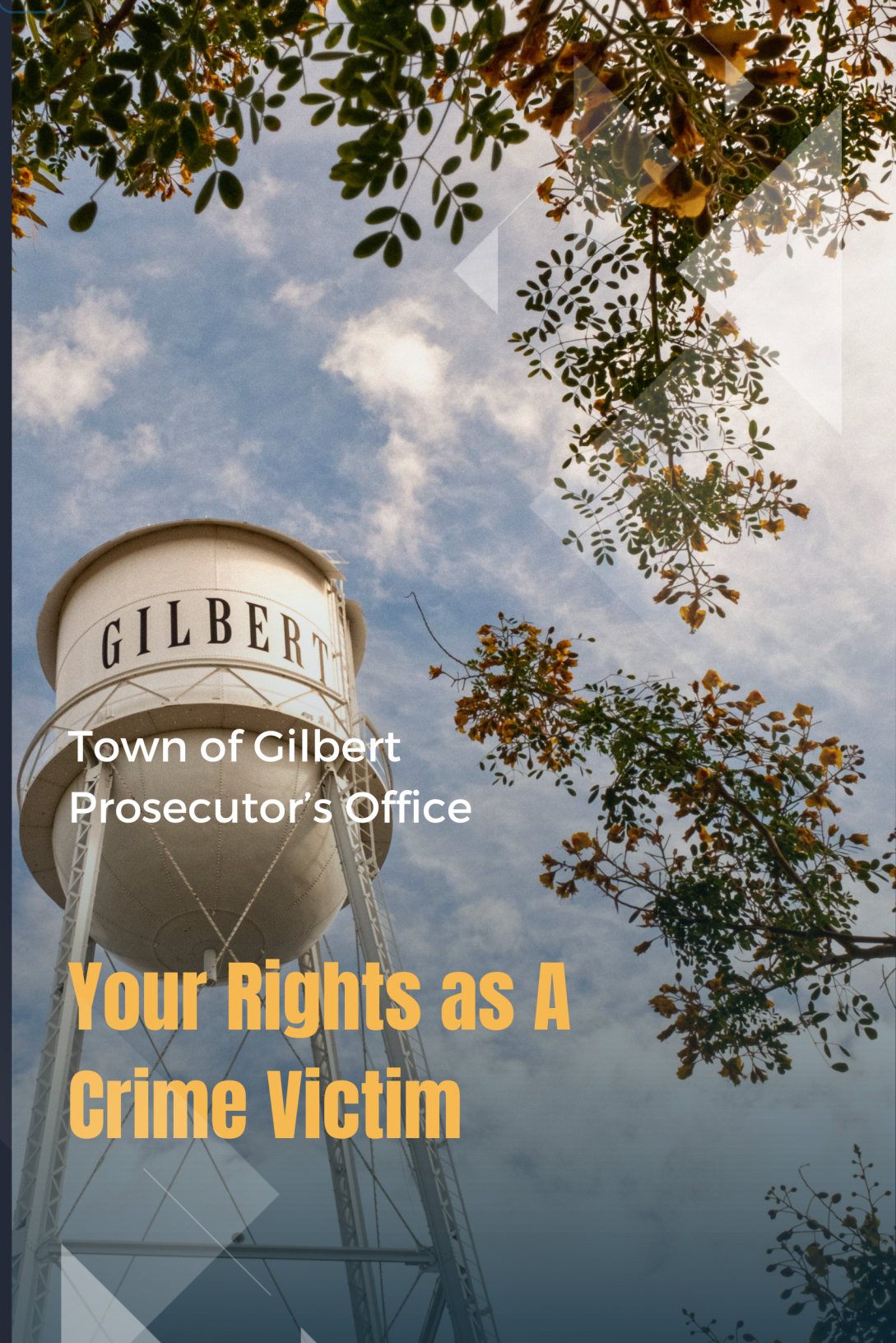




Contact Information:

-  <https://www.gilbertaz.gov/departments/attorney-s-office/victim-resources>
-  480-635-7900 x2
-  victimnotification@gilbertaz.gov
-  55 East Civic Center Drive
Suite #201
Gilbert, AZ 85296



Town of Gilbert
Prosecutor's Office

**Your Rights as A
Crime Victim**

CRIME VICTIMS' BILL OF RIGHTS

ARIZONA CONSTITUTIONAL RIGHTS FOR CRIME VICTIMS

ARTICLE II, SECTION 2.1

(A) To preserve and protect victims' rights to justice and due process, a victim of crime has a right:

- 1 To be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal justice process.
- 2 To be informed, upon request, when the accused or convicted person is released from custody or has escaped.
- 3 To be present at and, upon request, to be informed of all criminal proceedings where the defendant has the right to be present.
- 4 To be heard at any proceeding involving a post-arrest release decision, a negotiated plea, and sentencing.
- 5 To refuse an interview, deposition, or other discovery request by the defendant, the defendant's attorney, or other person acting on behalf of the defendant.
- 6 To confer with the prosecution, after the crime against the victim has been charged, before trial or before any disposition of the case and to be informed of the disposition.
- 7 To read pre-sentence reports relating to the crime against the victim when they are available to the defendant.
- 8 To receive prompt restitution from the person or persons convicted of the criminal conduct that caused the victim's loss or injury.
- 9 To be heard at any proceeding when any post-conviction release from confinement is being considered.

- 10 To a speedy trial or disposition and prompt and final conclusion of the case after the conviction and sentence.
- 11 To have all rules governing criminal procedure and the admissibility of evidence in all criminal proceedings protect victims' rights and to have these rules be subject to amendment or repeal by the legislature to ensure the protection of these rights.
- 12 To be informed of victims' constitutional rights.

(B) A victim's exercise of any right granted by this section shall not be grounds for dismissing any criminal proceeding or setting aside any conviction or sentence.

(C) "Victim" means a person against whom the criminal offense has been committed or, if the person is killed or incapacitated, the person's spouse, parent, child or other lawful representative, except if the person is in custody for an offense or is the accused.

(D) The legislature, or the people by initiative or referendum, have the authority to enact substantive and procedural laws to define, implement, preserve and protect the rights guaranteed to victims by this section, including the authority to extend any of these rights to juvenile proceedings.

(E) The enumeration in the constitution of certain rights for victims shall not be construed to deny or disparage others granted by the legislature or retained by victims.

To receive a complete listing of Victims' Rights in Arizona, contact the Office of Victim Services, Arizona Attorney General's Office at (602) 542-4911 or visit <https://www.azag.gov/criminal/victim-services>.

FREQUENTLY ASKED QUESTIONS

HOW DO I PROTECT MYSELF FROM THE DEFENDANT?

You have the right to address the judge either in person or in writing regarding the defendant's release conditions. Also, if you have been a victim or are a potential victim of domestic violence, you may see an **Order of Protection** at any court. However, if there are divorce proceedings pending, the Order must be obtained from Superior Court. Non-domestic violence victims can see an **Injunction of Harassment**.

WHAT IS THE FIRST COURT APPEARANCE FOR THE DEFENDANT?

The first court appearance is called the Arraignment. It serves several purposes. First, the defendant is informed of the exact nature of the charges. The defendant is also advised of his or her rights. At this time, the defendant pleads guilty or not guilty to the charges. If the defendant enters a plea of "guilty" the judge may sentence the defendant immediately or set it for a sentencing date. If the defendant enters a plea of "not guilty" a pre-trial conference date is set. The defendant may also choose to meet with the prosecutor at this time in order to resolve the matter by entering into a plea agreement. If this occurs, the defendant may be sentenced immediately.

IMPORTANT PHONE NUMBERS AND REFERRALS

Town of Gilbert

Gilbert Prosecutor's Office Victim Services (480) 635-7900 Opt. 2
Gilbert Municipal Court (480) 635-7800
Gilbert Police Department (480) 503-6500
Gilbert Youth and Adult Resources (counseling) (480) 635-7701

Order of Protection & Injunction Against Harassment

Gilbert Municipal Court (480) 635-7800
Maricopa County Superior Court Mesa (602) 506-7353
AZPOINT <https://azpoint.azcourts.gov/>
(file petition online before going to court)
Maricopa County Justice Court (justicecourts.maricopa.gov)



Domestic Violence

Domestic Violence Shelter Hotline (602) 263-8900
Arizona Coalition Against Domestic Violence (602) 279-2900
24- Hour National Hotline 1(800) 799-7233

Legal Services

Maricopa County East – Community Legal Services (480) 833-1442

Victim Compensation

Maricopa County Attorney's Office Victim Compensation Bureau
(602) 506-4955

Maricopa Inmate Information

www.mcso.org
Victim Assistance & Notification Unit (602) 876-8276
(unit notifies upon release of defendant)



Police Report Records Request

<https://www.gilbertaz.gov/how-do-i/request/police-records-requests>
(480) 635-7020

