

**A message from
County Attorney
David Rozema**



In the State of Arizona crime victims have rights guaranteed by our State constitution. I encourage you to become familiar with these rights that are intended to protect you as you navigate through the complex criminal justice system.

The Coconino County Attorney's Office is committed to honoring your rights and keeping you informed throughout the criminal justice process. Our Victim Notification Services staff is available to answer questions and provide crime victims with important hearing and case information. Our office works very closely with Victim/Witness Services for Coconino County to ensure that the needs of victims are met. VWS for Coconino County provides advocacy services and coordinates the Victim Compensation Fund.

While this guide is designed to explain your rights, it is not meant to replace personal and human contact. If you have any questions after reviewing this guide, I encourage you to contact either the Deputy County Attorney prosecuting the case or the Victim Notification Legal Assistant at (928) 679-8215.

Working together, I am confident that those who have committed criminal acts against you can be prosecuted without causing you additional unnecessary hardship.

Sincerely,

David W. Rozema
Coconino County Attorney

*For more information about
Victim Services in Coconino
County go to our website:*

[www.coconino.az.gov/
CountyAttorney](http://www.coconino.az.gov/CountyAttorney)

To speak to a Victim
Advocate contact



For services on the
Page area contact
Page Regional Domestic
Violence Services

(928) 645-5300

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**Coconino County
Attorney's Office**

Victims' Rights Reference Guide - Adult Offender

*"We serve the public by
advocating for justice."*

VICTIM'S BILL OF RIGHTS

As the victim of a crime you have the right:

- To be treated with fairness, respect, and dignity, and to be free from intimidation, harassment, or abuse, throughout the criminal justice process.
- To be informed, upon request, when the accused or convicted person is released from custody or has escaped.
- To be present at and, upon request, to be informed of all criminal proceedings where the defendant has the right to be present.
- To be heard at any proceeding involving a post-arrest release decision, a negotiated plea, and sentencing.
- 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.
- 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.
- To read pre-sentence reports relating to the crime against the victim when they are available to the defendant.
- To receive prompt restitution from the person or persons convicted of the criminal conduct that caused the victim's loss or injury.
- To be heard at any proceeding when any post-conviction release from confinement is being considered.
- To a speedy trial or disposition and prompt and final conclusion of the case after the conviction and sentence.
- 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.
- To be informed of victims' constitutional rights.

Arizona Constitution, Article II, Section 2.1

BUSINESS VICTIMS' RIGHTS

A.R.S. 8-385 and 13-4404. Limited rights of a legal entity.

A corporation, partnership, association or other legal entity which, except for its status as an artificial entity, would be included in the definition of victim in 8-385 and 13-4401, shall be afforded the following rights:

1. The prosecutor shall, within a reasonable time after arrest, notify the legal entity of the right to appear and be heard at any proceeding relating to restitution or sentencing/disposition of the person convicted of committing the criminal or delinquent offense against the legal entity.
2. The prosecutor shall notify the legal entity of the right to submit to the court, a written statement containing information and opinions on restitution and sentencing/disposition in its case.
3. On request, the prosecutor shall notify the legal entity in a timely manner of the date, time and place of any proceeding relating to restitution or sentencing/disposition of the person convicted of committing the criminal or delinquent offense against the legal entity.
4. A lawful representative of the legal entity shall have the right, if present, to be heard at any proceeding relating to the sentencing/disposition or restitution of the person convicted of committing the criminal or delinquent offense against the legal entity.

STEPS IN THE CRIMINAL JUSTICE PROCESS

Your case will likely go through the stages of the criminal justice system described below. Each case is different, however, so if you have questions about a specific stage, ask the prosecutor or your victim advocate.

Initial Appearance: Held within 24 hours of arrest. The judge may appoint a lawyer for the defendant if he/she cannot afford one and decide if the defendant will be released on bond or remain in custody pending trial. Most defendants are released and ordered to have no contact with the victim(s). Any contact by the defendant should be reported immediately to the detective, prosecutor or victim advocate. The victim need not appear at the initial appearance.

Grand Jury, Preliminary Hearing: The stage at which a hearing is held to determine if there is enough evidence to formally charge a crime. This hearing is held either before a judge (preliminary hearing) where the victim may need to testify; or before the Grand Jury, where the victim generally need not appear. This hearing may occur up to 20 days after the initial appearance.

Arraignment: The defendant is informed of the formal charges and enters a plea, usually "not guilty." A pre-trial conference will be scheduled for approximately 30 days from the arraignment. A trial date will be set at the arraignment, usually 60-90 days from the arraignment. The victim need not appear at the arraignment.

Pre-trial Conference: The defendant's lawyer and the prosecutor meet to discuss the case and possible plea offers by the State. Neither the victim nor the defendant need attend the pre-trial conference.

Case Management Conference: The judge, the prosecutor and the defendant's attorney, meet to discuss the case and possible plea offers by the State. The defendant must be present for this proceeding; the victim has a right to be present at the case management conference, but is not required to attend.

Change of Plea: The defendant's lawyer and the prosecutor may reach a "plea agreement", whereby the defendant pleads guilty, usually in exchange for a lesser charge or a reduced sentence. If the victim has requested it, he/she will be consulted by the prosecutor before a plea agreement is entered into. The victim has a right to be present at the change of plea hearing, but is not required to attend.

Trial Management Conference: All parties, the judge, the prosecutor and the defendant's attorney, meet to discuss all matters pertaining to the trial. This proceeding usually takes place the day before trial actually begins.

Trial: The victim & other witnesses are subpoenaed (summoned) to testify. The judge & jury will decide whether there is enough evidence to prove the defendant guilty beyond a reasonable doubt. The defendant and the victim each have the right to be present.

Sentencing: If the defendant pleads guilty or is found guilty after a trial, the judge will schedule a sentencing within approximately 30 days. The victim has the right to make a victim impact statement to the judge describing how the crime affected them, how it continues to affect them, how they feel, and what they think the sentence should be.

Delays: At every stage of the process, there may be (and very often are) postponements, called continuances, for legal or other reasons. Ask the