

Attorney General's Complaint System for Victims' Rights

THE PROCESS

Individuals may file a victims' rights complaint with the Arizona Attorney General's Office of Victim Services (OVS) if they believe one or more of their rights under the Arizona Victims' Bill of Rights (Article II, Sec 2.1) and Arizona Revised Statutes (A.R.S.) Chapter 40 Title 13 and Title 8, Chapter 3 Article 7 were not provided to them during the course of a criminal prosecution.

The State Victims' Rights Administrator for Compliance (Compliance Administrator) is not a victim advocate, but an advocate for compliance with victims' rights, who at times can have the same effect as advocating for victims. However, the Compliance Administrator receives and examines complaints in a neutral and unbiased manner and facilitates resolution in furtherance of the law. The Compliance Administrator assists crime victims by addressing victims' complaints and conducting inquiries into alleged violations of victims' rights laws. In doing so, initial determinations are made based on complainants' statements as to whether there appears to have been violations of victims' rights laws.

All victims' rights complaints must meet the following criteria.

1. The complainant must be a crime victim, a victim's lawful representative, or legal counsel of the crime victim or lawful representative.
2. Must allege that an agency has violated victims' rights under the AZ Victims' Bill of Rights, Arizona Revised Statutes (A.R.S.) Chapter 40 Title 13, and Title 8, Chapter 3 Article 7.
3. Must allege a victims' rights violation that occurred not more than one (1) year prior to the date the complaint is received by OVS, unless the issue is ongoing.

All victims' rights complaints must contain:

- name of the person filing the complaint (anonymous complaints cannot be processed)
- contact information for the complainant including address and telephone number;
- a statement that the agency has violated victims' rights, but need not identify the specific law;
- the facts on which the allegation is based; and
- if known, the name and contact information of the agency involved.

Please note: the information provided in the complaint and provided to the Compliance Administrator is not privileged or confidential and may be shared with the government or legal agency that is the subject of the complaint or other relevant parties.

Additional complaint information:

A written complaint should also contain the following information to help facilitate the process:

- a chronological listing of dates and events relevant to the complaint process;
- copies of any relevant documents that should be reviewed;
- case numbers or police report numbers;
- name of the defendant; and
- name and number of your attorney if you are represented.

The complaint may be submitted online at <https://www.azag.gov/complaints/victims-rights>, by email at VictimRights@azag.gov or in writing to the Office of Victim Services, 2005 North Central Ave, Cap. Bldg. Phoenix, AZ 85004; and may be received by contacting the Office of Victim Services at 602.542.4911.

Within 10 business days of receipt of the complaint by OVS, the Compliance Administrator will contact the complainant to clearly identify the issue(s) presented and to determine whether it appears that a victims' rights violation has occurred. The Compliance Administrator will contact the complainant's counsel, if the complainant is represented. The Compliance Administrator will then contact the agency that is the subject of the complaint to clearly outline the allegation made by the complainant. Accordingly, it is important to make the determination early on as to whether the person is a legal "victim" as defined in A.R.S. §13-4401 and A.R.S. § 8-382.

As part of the investigation, the Compliance Administrator will collect relevant documents from both the complainant and agency involved and conduct interviews with key personnel who provide and supervise mandated victim services. A copy of the complaint will be forwarded to the agency along with a description of allegations the Compliance Administrator will be investigating. Once the investigation is completed, and if a violation is found, the Compliance Administrator will prepare a letter that will include conclusions specific to the complaint allegations and provide the letter to the agency involved in the inquiry. A letter will also be provided to the complainant.