This issue of the Victims’ Rights Brief is a summary of laws passed in the 2012 Arizona Legislative session affecting the criminal justice system and victims’ rights. Unless otherwise specified, the effective date for implementation was August 2, 2012. Because the information below provides a brief synopsis and is not inclusive of all provisions of the statute, we encourage you to visit the Arizona State Legislature website at http://www.azleg.gov for a complete reading of the statute.

**HB 2550 (victims’ rights, criminal offense; interviews)**

Amended A.R.S. §§ 13-4401 and 8-412

The statute provides that a peace officer shall be considered a victim, even if the criminal act against him/her occurs while the officer is acting in the scope of the officer’s official duties. As such, Arizona peace officers retain the same victims’ rights as any other victim in Arizona, including the right to refuse an interview pursuant to A.R.S. § 13-4433. HB2550 removed the provision that exempted peace officers from receiving victims’ rights while the police officers were working in their official capacities. HB2550 amended both adult and juvenile victims’ rights statutes.

HB 2550 also amended the definition of “criminal offense” to include all misdemeanors, petty offenses, or violations of local criminal ordinances.

Before HB 2550, the term criminal offense had the same meaning as a “delinquent act” in the juvenile victim rights statutes. In State v. Klein, 214 Ariz. 205, 150 P.3d 778 (App. 2007), the Arizona Court of Appeals held that the definition of “criminal offense” unconstitutionally limited the categories of victims protected by the Victims’ Bill of Rights. Therefore, all victims of crime, including victims of crimes not involving physical injury, the threat of physical injury, or a sexual offense (the prior definition of “criminal offense”), must be afforded the same constitutional rights.

**HB 2556 (criminal restitution order)**

Amended A.R.S. § 13-805

The statute permits the superior court to enter a criminal restitution order (restitution lien) at the time the defendant is ordered to pay restitution. If a criminal restitution order is not issued at the time the defendant is ordered to pay restitution and the defendant has completed his/her period of probation or the sentence, the court is required to issue the restitution order. The statute also requires the court to retain jurisdiction over the case for purposes of ordering, enforcing, and modifying restitution, including the manner in which restitution payments are made, until paid in full or until the defendant’s sentence expires.

**Effective April 1, 2013.**
Attorney General’s Distinguished Service Award Recipients

April 22-28, 2012 was the National Crime Victims’ Rights Week (NCVRW), sponsored by the Office for Victims of Crime (OVC). The theme for this year’s event was, “Extending the Vision: Reaching Every Victim.” Attorney General Tom Horne presented the Attorney General’s Distinguished Service Awards to honor individuals and organizations dedicated to serving victims of crime. This year’s recipients of this prestigious award were:

- **Distinguished Service Award for Advocacy/Direct Service**: Ms. Greta Mang, Victim Advocate; and Ms. Keli Luther, Victims’ Rights Attorney
- **Distinguished Service Award for Innovative Practices**: Arizona Coalition Against Domestic Violence Legal Advocacy Hotline
- **Distinguished Service Award for Public Policy**: Jan Blaser-Upchurch, Administrator, Office of Victim Services, Arizona Department of Corrections
- **Distinguished Service Award for Service Coordination**: Victim/Witness Services for Coconino County
- **Distinguished Service Award for Leadership**: Beya Thayer, Coordinator of the Coconino County Response Team to Domestic Violence and Sexual Assault