

VICTIMS' RIGHTS BRIEF

For Arizona's Criminal and Juvenile Justice Administrators, Practitioners, and Advocates
Published by the Arizona Attorney General's Office of Victim Services

Victims' Rights for Neighborhood Associations: "It's Working!"

The basic concept of community members policing themselves in partnership with law enforcement is the undisputed wave of the future when it comes to keeping communities safe from crime. Consider that today, in what used to be regarded "victimless" crime such as prostitution and running a drug operation, an entire community can be designated a victim of such crimes -- in Arizona that is -- thanks to legislative action taken last year, expanding the benefits and protections of victims' rights to include *neighborhoods*. As a result, citizens have more power in fighting crime.

I think it really empowers people when they have the opportunity to address the court and impress upon prosecutors how their lives have been affected, says Maricopa County Criminal Judge Ronald Reinstein.

Prior to the passage of this amendment to both the criminal and juvenile victims' rights laws, those affected by crime occurring in and around their neighborhoods, had no rights. Yet, their experience was very much one of victimization.

After concerned residents presented victim impact statements to the court in a case of a drug dealer prosecuted by the Attorney General's Office earlier this year, the sentencing judge forced the defendant to sell his home and barred him from ever returning to the neighborhood.

Recognizing that informed and empowered neighborhood associations help her successfully prosecute drug cases, Assistant Attorney General Billie Rosen, who heads the AG's Drug Enforcement Section, places a high value on victims' rights. *This case was a terrific example of the use of this kind of law. I wish more neighborhoods knew about this law and knew they could do something to protect themselves. . .* says Rosen.

Victims' Rights For Neighborhood Associations

**"...PASS THE WORD AROUND
THAT IT IS WORKING..."**

-- VICTIM, AG-PROSECUTED
DRUG CASE --

Extends rights to registered neighborhood associations, upon request, for crimes that have traditionally been considered "victimless":

- ◆ drug possession/use offenses per ARS §§ 13-3405, 13-3407 & 13-4408;
- ◆ use of a building for sale or manufacture of drugs per ARS § 13-3421;
- ◆ prostitution/pandering offenses per ARS §§ 13-3201, 13-3204 and 13-3208(B);
- ◆ conducting a chop shop per ARS § 13-4702

Specific rights include:

- ◆ right to receipt of initial prosecutor notices per ARS §§ 13-4409 & 8-389;
- ◆ right to be present at proceedings in which defendant has the same right per ARS §§ 13-4420 & 8-400;
- ◆ right to be present and heard at sentencing per ARS §§ 13-4426 & 8-405

Procedures for affording neighborhood associations rights are to be established by each, city, town or county. A neighborhood association seeking to request rights must delegate a single point of contact and can make an initial rights request through the arresting law enforcement agency.

The Attorney General's Office of Victim Services (OVS) is dedicated to promoting and facilitating justice and healing for Arizona's crime victims, and supporting criminal and juvenile justice system entities, statewide, in the administration of victims' rights laws. Call today for information on ways that the OVS might assist in your agency's efforts to ensure quality, cost-efficient victims' rights services.

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"Just Frog" [A Holiday Story]

In search of an appropriate holiday message for Arizona's victim-service providers, we stumbled across the following gem on the internet and have adapted it for the Victims' Rights Brief. The full text can be found at www.geocities.com/Heartland/1510. Happy Holidays!

"What about the pain?" said Frog, as he hopped on to the rock next to the cypress tree. "Do humans think they are the only ones that experience loss, lack of love, or rejection?"

Duck thought for a moment and then a tear fell from her eye. "I lost my mate last hunting season, as we were trying to soar out of range of the hunters. The humans say that there were too many ducks that season, but Frog, have you ever seen a duck make weapons against the humans? It seems we are at their mercy, and my dear husband Harry, is probably stuffed and sitting on someone's bookcase while the human tells the story of spotting us both and deciding on the male, of course. How do you cope, Frog?"

"I have decided each of us does it differently. Don't you remember how Mrs. Squirrel raised a chipmunk after her own son got trapped, boxed, and shipped away last winter? That chipmunk received so much love and approval, it gained the reputation of the 'daredevil of the forest,' and it has lived up to its name."

"By observation, that is what you are telling me Frog," said Duck.

"Yes, sometimes our hurt or pain seems so real we fail to reach out to someone else. Not everyone is going to be callous and unfeeling. Remember that carelessness has caused a lot of fires, but it has been the humans that ran to the rescue of these very woods. As you can probably observe, all forms of nature experience pain, loss, and the feeling of not belonging sometimes."

There was a long pause and Frog looked from his left to his right trying to think of the proper way to respond to Duck that had been hurt so deeply. Then Duck continued her conversation by asking Frog just one last question. "Frog, what should our message be this time of year?"

Frog looked up and replied, "It should be to go slower and look at what you have around you. Make yourself take time to listen. Do not always be looking for answers while your life turns in circles. In essence, be kind, thoughtful, and ask to be given wisdom. Never forget, love is giving from the heart, Duck, and you have done so. Sleep well and good night."

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