

Tucson Police Department Procedures 1997 Neighborhood Protection Act

Certain portions of the victim's rights law apply to neighborhood associations by state statute. Specifically, when one of the following crimes occurs within the boundary of a registered neighborhood association, the association is entitled to request notification as a victim:

Enticement of persons for purposes of prostitution; receiving the earnings of a prostitute; keeping or residing in a house of prostitution; pandering; possession, use or sale of marijuana, dangerous drugs or narcotic drugs; use of building for sale or manufacture of dangerous or narcotic drugs; graffiti; and conducting a chop shop.

What do neighborhood victim rights do for you?

The NPA allows a neighborhood certain victim rights that help in tracking a criminal case and having a voice about it in court. When a repeat offender is being prosecuted, the neighborhood will be able to tell the court how the defendant's behavior has affected the neighbors, and perhaps, affect the offender's sentence.

What are those victim rights?

Victim rights allow the neighborhood to:

- Be notified of certain court proceedings as they relate to the alleged crime
- Be present at any court proceeding at which a defendant has the right to be present
- Be present at and make a statement during the disposition hearing for a juvenile and the sentencing hearing for an adult
- Be heard through a written, oral, audiotaped, or videotaped statement
- Enjoy privacy (i.e., a victim does not have to testify in court concerning his or her home address, phone number, etc.)

In order to request victim status and assert victim's rights, a neighborhood association must:

- 1) register with the City
- 2) provide the name of a primary contact for victim's rights notification and
- 3) request notification when one of the above listed crimes occurs within the neighborhood.

In order to facilitate contact under this new statute, the following procedures have been established for neighborhoods to follow:

1. A neighborhood association must first register with the City of Tucson Department of Neighborhood Resources as a "registered neighborhood association." The neighborhood association, when registering, must designate one member to be a "primary contact." In the absence of a person so designated, the primary contact will be the current President. This

person is responsible for registering the association for victim's notification. It will be the responsibility of the "primary contact" to contact the Police Department Headquarters Section (791-4444) to verify whether a crime for which victim's rights notification is applicable has occurred in their neighborhood.

2. When contacting the Police Department to request victim's rights notice, the neighborhood association's primary contact will need to provide TPD with the date and location of the alleged incident. If the incident qualifies for notification, the Police Department Headquarters Section will document the name of the neighborhood association victim and the primary contact information on a Police Supplement Report. The supplement report will be forwarded to the Prosecuting Agency responsible for the handling of the case (i.e., City Prosecutors Office, County Attorney Office). That Prosecuting will handle subsequent notifications other than arrest and initial appearance time and location. In addition, the officer taking the report will mail the primary contact a Victim's Rights Brochure.
3. The primary contact for the neighborhood association should review the Victim's Rights Brochure. The brochure contains information on victim rights and how to register with VINE, the Tucson Police Departments' victims notification system. The primary contact will be responsible for calling the VINE system to register and to receive arrest and initial appearance information.

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