



Dear fellow citizen,

Holding criminals accountable for their crimes is a top priority of the Maricopa County Attorney's Office. Equally important is our mission to honor and respect the rights of crime victims. That is why our office is committed to ensuring that every crime victim who has suffered financial hardship because of a criminal's actions receives restitution from that offender.

Our office has a team of victim advocates dedicating to helping victims receive the financial compensation they are owed and the justice they deserve. This brochure explains the process for receiving restitution from criminals and provides resources for more information and assistance.

By paying restitution as part of their criminal sentence, offenders face a constant and significant reminder of the damage they have caused to their victims. Victims in turn, can begin to return to a normal life by receiving reimbursement for the financial harm they have endured.

Sincerely,

Bill Montgomery

Bill Montgomery
Maricopa County Attorney

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VICTIM RESTITUTION



VICTIM SERVICES DIVISION

- **What is Restitution?**
- **After Restitution is Ordered**
- **Resources**



BILL MONTGOMERY
Maricopa County Attorney

WHAT IS RESTITUTION?

The financial burdens resulting from a crime can create enormous hardships for victims. In recognition of this, Arizona law requires the courts to order convicted persons to pay restitution for victims' out-of-pocket losses that are directly related to the crime.

The goal of the criminal justice system is to identify and hold accountable those individuals who break laws. Restitution helps attain this goal. If you have incurred losses resulting from the crime committed, it is important for you to understand how the restitution process works.

After the defendant has been found guilty, the Judge will request that the probation department prepare a pre-sentence report. This report discusses the defendant's life and any other crimes he/she may have committed and will contain a recommendation for a specific sentence. Included in this report is a breakdown of incurred losses, including what Victim Compensation and the victim's insurance company paid. Restitution is typically ordered for property loss, medical, counseling, funeral expenses, and lost wages. Victims must have documentation and be prepared to submit receipts and written estimates to the pre-sentence investigator for restitution they are requesting.

Court ordered restitution must be paid by the convicted criminal to the Clerk of the Court who forwards it to the victim. You must keep your address updated with the Criminal Financial Obligations (C.F.O.) section and any changes must be reported in writing.

If the offender has been terminated from probation or released from prison and still owes restitution, you

may want to contact Inmate Banking within the Arizona Department of Corrections or pursue the matter civilly.



AFTER RESTITUTION IS ORDERED

Offenders sentenced to prison

If the offender is sentenced to the Arizona Department of Corrections and ordered to pay restitution, Arizona law provides that 30% of the prisoner's earnings shall be allotted for court ordered restitution.

If the prisoner is allowed to work and ordered to pay restitution, an account is set up by Inmate Banking and monies are sent to the Clerk's office for distribution to the victim.

- If you contact Inmate Banking, you will need the inmate's Arizona Department of Corrections Number, or full name and date of birth.
- Inmates are not required to work. If they do not work, monies will not be taken.
- Inmates rarely earn more than 50 cents per hour.
- The court order must read that 30% of the prisoner's earnings while incarcerated will be applied toward restitution.
- The prisoner must be serving a sentence on the case for which you were ordered restitution.

Offenders sentenced to probation

Restitution is often paid as a condition of probation. If payments are not being received by the victim and are 60 to 90 days delinquent, the victim will need to contact the Adult Probation Department, Victim Services Unit for the assigned Probation Officer.

- The probationer's payment schedule is calculated

from the amount of restitution to be paid, the offender's ability to pay, and the amount of time the offender is expected to be under probation supervision.

- Many officers do not consider the offenders delinquent unless they are behind in payment for at least 60 days.
- If restitution is still owed at the end of the probation term, the officer may recommend the extension of the probationary period to the court.

RESOURCES

Adult Probation Department
(602) 506-3581

Probation Department Victim Services Unit
Criminal Financial Obligations (C.F.O.)
(602) 506-8621

Superior Court Collections
(602) 506-0073

Department of Corrections Victim Notification
(602) 542-1853

Department of Corrections Inmate Banking
(602) 255-1163

Victim Restitution and Community Helpline
(602) 372-8286

Department of Corrections
(602) 542-5536

