

CRIME VICTIMS SERVICES ISSUE BRIEF

Introduction & Background

In the United States, state attorneys general authority over criminal matters lie on a spectrum ranging from complete authority over all law enforcement within the state to no jurisdiction whatsoever. Despite this, there is widespread public perception of attorneys general as top law enforcement officers and protectors of public safety—even when they lack authority in this space. Regardless of each attorney general’s individual authority, state attorneys general nationwide have acknowledged the importance of crime victims services and have sought to utilize their resources and power to uplift, protect, and advocate for victims.

Services for Victims of Crime

In recent years, several states have promulgated Victims’ Bill of Rights through the legislative process or through amendment of their state constitutions, many under the moniker “Marsy’s Law.” Marsy’s Law rights include requirements that victims are notified of—and given the opportunity to speak—at every stage of a legal proceeding against the defendant and regarding restitution to victims. Marsy’s law also gives victims the right to obtain legal counsel to represent their interests during criminal proceedings against the defendants.

Although only [12 states have adopted Marsy’s Law](#), 48 states utilize the “VINE” (“Victim Information and Notification Everyday”) or “VINELink” network to provide victims with email, text, or phone notification in order to receive information about offender custody status and case updates. Knowing the offender’s whereabouts gives victims’ peace of mind while the offender is in custody and the opportunity to be alerted and take precautions when the offender is released.

In addition, funding is available for victims. The 1984 federal Victims of Crime Act (“VOCA”) established a Crime Victim Fund to assist victims with direct and indirect costs associated with their crime, e.g., medical costs, mental health counseling, emergency transportation, and even some funeral expenses. These funds are awarded to states, and states in turn directly administer these funds to victims and their families.

Victim advocates are increasingly available as a resource for victims. In recent years, the criminal justice system has recognized that on occasion the state’s interest in prosecuting crime may diverge from a victim’s interest in how the defendant is prosecuted. Moreover, the legal system is at times daunting, and the prosecutorial process may be just as intimidating to a victim as the defendant themselves. For this reason, states have increasingly embraced the use of victim advocates who educate victims about the process, serve as their voice when necessary, and provide emotional support throughout the proceedings.

The Role of State Attorneys General

Although attorney general criminal jurisdiction varies from state to state, every state attorney general in the United States is sworn to safeguard and protect their state and the federal constitutions. In the case of victim’s rights, this responsibility may take varying forms. For many states, attorneys general have established victim services offices and programs, administer victim centered grants, and provide other victim services. For states that have enshrined Marsy’s Law in their constitutions, attorneys general must ensure that their state constitutional provisions do not run afoul of the United States Constitution, i.e., that victims’ rights do not supersede defendants’ constitutional rights. As highly visible public officials closely associated with law

enforcement, attorneys general also possess a bully pulpit to advocate for victims while simultaneously ensuring that the criminal justice system is fair and equitable to defendants.

Here are some examples of the role and impact of attorneys general in victim service provision or response:

- The AZ Attorney General's Office has a dedicated [Office of Victim Services](#) that provides assistance to crime victims in cases being handled by the Attorney General's Office. To better serve victims, the office developed the "Arizona Victims' Rights Law Book" that compiles relevant Arizona statutes for victims.
- The Criminal Division of the RI Attorney General's Office identifies victim services as [one of the most critical functions of the office](#). Services provided include assistance with property return, help with crime-related problems with employers and serving as a liaison for victims with victim centered community organizations.
- In the IA Attorney General's Office, the Victim Assistance Section administers programs focused on victims. In the past, these programs [included providing funding for emergency contraception](#) or some medical procedures for victims of sexual assault.

The Leadership Center for Attorney General Studies is a non-partisan organization dedicated to educating the public about the important role state attorneys general play in addressing pressing issues, enforcing laws, and bringing about change.