

House Engrossed

communications from inmate; victims' right

State of Arizona  
House of Representatives  
Fifty-seventh Legislature  
First Regular Session  
2025

**CHAPTER 22**  
**HOUSE BILL 2108**

AN ACT

AMENDING SECTIONS 8-392.01, 13-4411.01 AND 31-235, ARIZONA REVISED  
STATUTES; RELATING TO CRIME VICTIMS' RIGHTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-392.01, Arizona Revised Statutes, is amended  
3 to read:

4 8-392.01. Notice of right to request not to receive committed  
5 youth communication; definition

6 A. Within fifteen days after a juvenile defendant is committed to  
7 the department of juvenile corrections, the prosecutor's office shall  
8 notify the victim of the right of the victim, any member of the victim's  
9 family or any member of the victim's household, ~~to~~ to request not to receive  
10 ~~mail~~ ANY COMMUNICATION from the committed youth who was adjudicated  
11 delinquent for an offense committed against the victim. The notice shall:

12 1. Be made on the postadjudication NOTICE REQUEST form provided by  
13 the prosecutor to the victim pursuant to section 8-392.

14 2. Inform the victim of the right of the victim, OR any member of  
15 the victim's family or ~~any member of the victim's~~ household who is denoted  
16 by the victim on the form, to request not to receive ~~mail~~ ANY  
17 COMMUNICATION from the committed youth.

18 3. Instruct the victim how to file the completed request form with  
19 the department of juvenile corrections.

20 4. Include the following statement:

21 ~~"~~If the juvenile defendant is incarcerated in the  
22 department of juvenile corrections, you have the right to  
23 request that the juvenile defendant not send you, members of  
24 your family or members of your household ~~mail~~ ANY  
25 COMMUNICATION. If the juvenile defendant sends you or your  
26 family OR HOUSEHOLD members ~~mail~~ ANY COMMUNICATION after you  
27 have made this request, you or the members of your family OR  
28 HOUSEHOLD have the right to report the incident to the  
29 department of juvenile corrections for sanctions against the  
30 juvenile defendant."~~"~~

31 B. On receipt of a postadjudication ~~notification~~ NOTICE request  
32 form in which a request not to receive ~~mail~~ ANY COMMUNICATION is  
33 indicated, the department of juvenile corrections shall notify the  
34 committed youth of the request and that ~~sending mail~~ MAKING ANY  
35 COMMUNICATION to the victim, or the family or household members who are  
36 denoted by the victim, shall result in appropriate sanctions.

37 C. The department of juvenile corrections shall not knowingly  
38 ~~forward mail addressed~~ ALLOW ANY COMMUNICATION to any person who requests  
39 not to receive ~~mail~~ ANY COMMITTED YOUTH COMMUNICATION pursuant to this  
40 section.

41 D. FOR THE PURPOSES OF THIS SECTION, "COMMUNICATION" MEANS ANY  
42 WRITTEN, VERBAL OR NONVERBAL COMMUNICATION, INCLUDING MAIL, ELECTRONIC  
43 COMMUNICATIONS AND TELEPHONE CALLS.

1           Sec. 2. Section 13-4411.01, Arizona Revised Statutes, is amended to  
2 read:

3           13-4411.01. Notice of right to request not to receive inmate  
4 communication; definition

5           A. Within fifteen days after a defendant is sentenced to the state  
6 department of corrections, the prosecutor's office shall notify the victim  
7 of the right of the victim, any member of the victim's family or any  
8 member of the victim's household, to request not to receive ~~mail~~ ANY  
9 COMMUNICATION from the inmate who was convicted of committing a criminal  
10 offense against the victim. The notice shall:

11           1. Be made on the postconviction notice request form provided by  
12 the prosecutor to the victim pursuant to section 13-4411.

13           2. Inform the victim of the right of the victim, or any member of  
14 the victim's family or household who is denoted by the victim on the form,  
15 to request not to receive ~~mail~~ ANY COMMUNICATION from the inmate.

16           3. Instruct the victim how to file the completed request form with  
17 the state department of corrections.

18           4. Include the following statement:

19           ~~"~~If the defendant is incarcerated in the state  
20 department of corrections, you have the right to request that  
21 the defendant not send you, members of your family or members  
22 of ~~the victim's~~ YOUR household ~~mail~~ ANY COMMUNICATION. If the  
23 defendant sends you or your family or household members ~~mail~~  
24 ANY COMMUNICATION after you have made this request, you or the  
25 members of your family or household have the right to report  
26 the incident to the state department of corrections for  
27 sanctions against the defendant.~~"~~

28           B. On receipt of a postconviction notice request form in which a  
29 request not to receive ANY inmate ~~mail~~ COMMUNICATION is indicated, the  
30 state department of corrections shall notify the inmate of the request and  
31 that ~~sending mail~~ MAKING ANY COMMUNICATION to the victim, or the family or  
32 household members who are denoted by the victim, will result in  
33 appropriate sanctions, including reduction or denial of earned release  
34 credits and review of all outgoing ~~mail~~ COMMUNICATIONS.

35           C. The department shall not knowingly ~~forward mail addressed~~ ALLOW  
36 ANY COMMUNICATION to any person who requests not to receive ~~mail~~, ANY  
37 INMATE COMMUNICATION pursuant to this section, ~~is not to receive mail~~.

38           D. FOR THE PURPOSES OF THIS SECTION, "COMMUNICATION" MEANS ANY  
39 WRITTEN, VERBAL OR NONVERBAL COMMUNICATION, INCLUDING MAIL, ELECTRONIC  
40 COMMUNICATIONS AND TELEPHONE CALLS.

1           Sec. 3. Section 31-235, Arizona Revised Statutes, is amended to  
2 read:

3           31-235. Prisoner correspondence; definitions

4           A. The department shall mark all mail written by a prisoner  
5 committed to the state department of corrections indicating that the mail  
6 was sent from a prison maintained by this state.

7           B. An inmate shall not send ~~mail~~ ANY COMMUNICATION to the victim of  
8 the offense for which the inmate was convicted, or to members of the  
9 victim's family or household denoted by the victim, if the victim has  
10 requested not to receive ~~mail~~ ANY COMMUNICATION pursuant to section  
11 13-4411.01. The department shall inform the inmate of persons to whom the  
12 inmate is forbidden to send ~~mail~~ ANY COMMUNICATION pursuant to this  
13 section and section 13-4411.01. The department shall impose appropriate  
14 sanctions, including reducing or denying earned release credits, against  
15 an inmate who corresponds or attempts to correspond with a person in  
16 violation of the request pursuant to section 13-4411.01.

17           C. An inmate shall not send mail to or receive mail from a  
18 communication service provider or remote computing service. The  
19 department shall impose appropriate sanctions, including reducing or  
20 denying earned release credits, against an inmate if either of the  
21 following applies:

22           1. The inmate corresponds or attempts to correspond with a  
23 communication service provider or remote computing service.

24           2. Any person accesses the provider's or service's internet ~~web~~  
25 ~~site~~ WEBSITE at the inmate's request.

26           D. On receipt of notice that an inmate has violated subsection B or  
27 C of this section, the department shall review all of the inmate's  
28 outgoing ~~mail~~ COMMUNICATIONS to ensure that no further correspondence is  
29 sent to the victim or to the victim's family or household members who have  
30 requested not to receive inmate ~~mail~~ ANY COMMUNICATION or to the  
31 communication service provider or remote computing service or any person  
32 who accesses the provider's or service's internet ~~web-site~~ WEBSITE.

33           E. For the purposes of this section:

34           1. "COMMUNICATIONS" MEANS ANY WRITTEN, VERBAL OR NONVERBAL  
35 COMMUNICATION, INCLUDING MAIL, ELECTRONIC COMMUNICATIONS AND TELEPHONE  
36 CALLS.

37           ~~1.~~ 2. "Communication service provider" has the same meaning  
38 prescribed in section ~~13-3004~~ 13-3001.

39           ~~2.~~ 3. "Remote computing service" has the same meaning prescribed  
40 in section ~~13-3004~~ 13-3001.

APPROVED BY THE GOVERNOR MARCH 31, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 31, 2025.