



# Division of Criminal Justice Office for Victims Programs

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## The Office for Victims Programs Formal Victim Rights Act Complaint Process

1. A copy of the complaint will be reviewed by Division of Criminal Justice (DCJ) staff to determine if the complaint is within the purview of the Victim Rights Act. If DCJ staff determines that the complaint is not within the purview of the VRA, the complaint is submitted to the Subcommittee for its determination as to whether the complaint is within the purview of the VRA.
2. DCJ staff will review a complaint to determine whether the allegation(s) would rise to the level of a violation of the VRA. If DCJ staff determines that the allegations in the complaint would not rise to the level of a violation of the VRA, the complaint is submitted to the Subcommittee for its determination as to whether the allegations in the complaint would rise to the level of a violation of the VRA.
3. If the complaint falls within the purview of the Victim Rights Act and the allegation(s) would rise to the level of a violation of the VRA, a copy of the complaint and all the information accompanying that complaint will be sent to the identified agency(ies).
4. DCJ staff and the VRA Subcommittee may also make an informal request for information of the identified agency(ies) to assist in the determination of purview and whether the allegations in a complaint would rise to the level of a violation of the VRA. In addition, DCJ staff and the VRA Subcommittee may make an informal request for information to determine whether the goal of VRA compliance has been met and/or whether the identified agency(ies) met its obligations as enumerated in the VRA.
5. The agency's response will be provided to the victim, who will have an opportunity to provide a reply to the agency's response.
6. All the information from both the complainant and the identified agency will be reviewed by the Victim Rights Act Subcommittee to determine if there is a basis in fact for a Victim Rights Act violation.
7. If there is not a basis in fact, the case will be closed at that time.
8. If there is a basis in fact, the Subcommittee will set forth requirements for the agency(ies) that is found to be in violation. These requirements are designed to improve a current problem and to help prevent similar concerns within the system on behalf of future victims.

9. The victim will be kept informed of the outcome of the Subcommittee's meetings and of the progress the agency makes in fulfilling the requirements.
10. Either party has a right to request a reconsideration of the findings of the Victim Rights Act Subcommittee. If the Subcommittee does not grant a request for reconsideration, the party requesting the reconsideration may appeal the Subcommittee's decision to the Crime Victim Services Advisory Board.
11. Following a reconsideration request of the findings of the VRA Subcommittee, either party may request an appeal to the Crime Victim Services Advisory Board of the Victim Rights Act Subcommittee's reconsideration findings as to whether or not there is a basis in fact that a victim's rights were violated under the VRA.
12. If an agency is unwilling to fulfill the requirements, the case will be referred to the Governor's office. The Governor then refers the case to the Attorney General to file a suit to enforce compliance with the Victim Rights Act.

**If you have questions about the information contained in this document, please contact the Victim Rights Act Specialist, at 303-239-4497 or toll free 1-888-282-1080 or by email at [Kim.Branham@state.co.us](mailto:Kim.Branham@state.co.us)**