



Lifetime No Contact Injunction Kayleigh's Law

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A.R.S. 13-719A

A. At the time of sentencing, on the request of the victim or the prosecutor, the court shall issue an injunction that prohibits the defendant from contacting the victim if the defendant is convicted of any of the following offenses, whether completed or preparatory:

1. A dangerous offense as defined in section 13-105 that is a felony.
2. A serious offense or violent or aggravated felony as defined in section 13-706.
3. A felony offense included in chapter 14 or 35.1 of this title.



Definitions

“Dangerous” Offense

- An offense involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument or the intentional or knowing infliction of serious physical injury on another person.



Definitions

“Dangerous” Offense

- **“Deadly weapon”**
 - Anything designed for lethal use, including a firearm.
- **“Dangerous instrument”**
 - Anything that under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury.



Definitions

“Dangerous” Offense

- **“Serious physical injury”**
 - Physical injury that creates a reasonable risk of death, or that causes serious and permanent disfigurement, serious impairment of health or loss or protracted impairment of the function of any bodily organ or limb.



Definitions

“Serious” Offense

- | | |
|---|---|
| (a) First degree murder. | (g) Arson of an occupied structure. |
| (b) Second degree murder. | (h) Armed robbery. |
| (c) Manslaughter. | (i) Burglary in the first degree. |
| (d) Aggravated assault w/ serious physical injury or discharge, use or threatening exhibition of a deadly weapon or dangerous instrument. | (j) Kidnapping. |
| (e) Sexual assault. | (k) Sexual conduct with minor under 15. |
| (f) Any dangerous crime against children (“DCAC”) | (l) Child sex trafficking. |



Definitions

“Violent or Aggravated” Felony

- | | |
|---|---|
| <ul style="list-style-type: none"> (a) First degree murder. (b) Second degree murder. (c) Aggravated assault w/ serious physical injury or discharge, use or threatening exhibition of a deadly weapon or dangerous instrument. (f) Drive by shooting (g) Discharge firearm at occupied residential structure. (h) Kidnapping (i) Sexual conduct, minor, C2F (j) Sexual Assault | <ul style="list-style-type: none"> (k) Molestation of a child (l) Continuous sexual abuse of a child (m) Violent sexual assault (n) Burglary in the first degree (o) Arson of occupied structure (q) Armed Robbery (t) Taking child for prostitution (u) Child Sex Trafficking (v) Commercial sexual exploitation of minor |
|---|---|



Title 13, Chapter 14

Sexual Offenses

- Indecent Exposure
- Public Sexual Indecency
- Sexual Abuse
- Sex Conduct w/ Minor
- Sexual Assault
- Molestation of a child
- Continuous Sexual Abuse of a Child
- Sexual Misconduct
- Voyeurism
- Unlawful disclosure of images (nudity/sexual activities)
- Sexual Extortion



Title 13, Chapter 35.1

Sexual Exploitation of Children

- Commercial sexual exploitation of minor
- Sexual exploitation of minor
- Luring a minor for sexual exploitation
- Admitting minors to public display of sexual conduct
- Aggravated luring a minor for sexual exploitation
- Unlawful age misrepresentation



What is a Preparatory Offense?

▶ “Preparatory offense” means the offenses listed in Title 13, Chapter 10 of the criminal code:

- Attempt
- Solicitation
- Conspiracy
- Facilitation



A.R.S. 13-719B

B. An injunction issued pursuant to this section is effective immediately and shall be served on the defendant at the time of sentencing.



A.R.S. 13-719C

▶ C. The court shall provide information to the department of public safety to register the injunction with the national crime information center [NCIC] and shall notify the victim of the injunction.



A.R.S. 13-719D

D. A victim may submit a petition to the court requesting an injunction against a defendant who was sentenced for an offense listed in subsection A of this section before the effective date of this section.

A law enforcement agency shall serve an injunction issued pursuant to this subsection at no charge to the victim.



A.R.S. 13-719E

E. An injunction that is issued pursuant to this section does not expire and is valid for the defendant's natural lifetime unless any of the following occurs:

- The defendant makes a showing to the court that either:
 - the victim has died.
 - the conviction has been dismissed, expunged or overturned or the defendant has been pardoned.

- The victim submits a written request to the court for an early expiration. The court may hold a hearing to verify the victim's request to dismiss the injunction.



FORMS

<https://www.azcourts.gov/selfservicecenter/Lifetime-No-Contact-Injunctions/Lifetime-Injunction-Forms>

I am the victim representative (guardian or attorney)
 Petitioner Filing:
 Address: _____
 City, State, Zip Code: _____
 Telephone: _____
 Email Address: _____

I am the victim

SUPERIOR COURT OF ARIZONA
 IN _____ COUNTY

STATE OF ARIZONA Case Number: _____
 -vs- _____

**PETITION FOR A CRIMINAL
 LIFETIME NO-CONTACT
 INJUNCTION**
 (A.R.S. § 13-719)

Defendant (FIRST, MI, LAST) _____
 Date of Birth: _____

I am the victim / victim representative or the prosecutor.

I request that the court issue a criminal lifetime no-contact injunction, _____ that prohibits the defendant from contacting the victim during the defendant's life.

I. BASIS OF REQUEST
 (must select at least one checkbox)
 The defendant was convicted of one of these offenses(s), whether completed or preparatory (attempt, solicitation, facilitation, conspiracy):

a "dangerous offense" that is a felony involving the discharge, use or threatening exhibition of a deadly weapon or dangerous instrument. (A.R.S. § 13-105)

a "dangerous offense" that is a felony involving the intentional or knowing infliction of serious physical injury on another person. (A.R.S. § 13-105)

a "serious offense" or "violent or aggravated felony" as defined in A.R.S. § 13-706.

a felony offense included in Title 13, Chapter 14 ("sexual offenses") or 31.1 ("sexual exploitation of children").



What happens if there is a violation?

- ▶ Functions the same way as other protective orders:
 - LE ensures the order is valid in NCIC
 - Immediate grounds to make an arrest



Questions???



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