	SALISBURY POLICE DEPARTMENT
	Written Directive: Victim/Witness Assistance
	Publication Date: May 31, 2017
	Approved: Barbara Duncan, Chief of Police
Related CALEA Standards: 55.1.1, 55.1.2, 55.2.1, 55.2.2, 55.2.3, 55.2.4, 55.2.5	**Victim/Witness Assistance** **Section #301**

Victim/ Witness Services

1. Policy:

The Salisbury Police Department recognizes the need for victim/witness assistance. It shall be the policy of the department that victims and witnesses will be treated with fairness, compassion and dignity. The department is committed to the development, implementation and continuation of appropriate victim/witness assistance programs and activities.

2. Purpose:

The purpose of the policy is to establish procedures on the proper handling of victims and witnesses during their contact with the criminal justice system.

3. Summary of Victim/Witness Rights:

In keeping with this policy, victims/witnesses can expect to:

a) Receive a prompt response to their calls for service.
b) Be notified of the status of their case.
c) Be notified of an arrest concerning their case.
d) Be notified when their case is cleared.
e) Be notified when charges are filed.
f) Be notified when property is recovered.
g) Be notified of services available to victims of particular crimes.
h) Receive assistance with liaison between the police department and the prosecutors.
i) Receive a prompt response to their questions and concerns surrounding their case.

4. Rights Of Victims And Witnesses:

A. The Salisbury Police Department is committed to the development and implementation of appropriate victim/witness assistance programs and activities. Specific programs and activities will depend upon the results of the analysis that the department conducts every.

B. All victims and witnesses will be treated with fairness, compassion and dignity.

C. The criminal investigation commander has the ultimate responsibility and authority for administering and coordinating the department's role in victim/witness assistance and will coordinate the activities of the patrol officers, detectives, police communication officers, and volunteers (if any) who are directly involved in the department's victim/witness assistance efforts. The CID commander or his designee will coordinate the specific job responsibilities of the victim/witness coordinator. The coordinators duties will depend upon the results of the analysis that the department conducts every.

5. Guidelines for treatment of victims and witnesses:

A. Victims and witnesses should be treated with dignity, respect, courtesy, and sensitivity;

B. Victims and witnesses should receive crisis intervention help, or be told where crisis intervention help, emergency medical treatment, creditor intercession services, or other social services and counseling may be obtained;

C. Victims and witnesses should be notified in advance of court proceedings.

D. If needed, Victims and witnesses may be relocated during the criminal justice process. The Salisbury Police Department will work with the states attorney's office to relocate victims or witnesses of crimes.

E. During each phase of the investigative or court proceedings, victims and witnesses should be provided, to the extent practicable, with a waiting area that is separate from suspect and the family and friends of a suspect;

F. The states attorney's office will explain the process for financial assistance, criminal injuries compensation, and any other social services available to the victim of a crime and how to apply for those services;

G. Victims and witnesses should be told of and, on request, should be given employer intercession services, when appropriate, by the State's Attorney's office or other available resource to seek employer cooperation in minimizing an employee's loss of pay or other benefits resulting from participation in the criminal justice process;

H. Victims and witnesses will be kept reasonably informed by the department or the State's Attorney of the arrest of a suspect and closing of the case, and should be told which office to contact for information about the case;

I. Victims and witnesses will be explained the right to have stolen or other property promptly returned and, on written request, should have the property promptly returned by a law enforcement unit when evidentiary requirements for prosecution can be satisfied by other means, unless there is a compelling law enforcement reason for keeping it;

6. Analysis of Victim/Witness Assistance Needs:

A. The victim/witness coordinator will conduct a survey of victim/witness assistance needs and available services within our service area at least every two years. This review should focus on the identification of victim witness services offered by the department, to ensure that the same services are not duplicated within another supporting agency or government entity that also provides victim witness services in the community. The analysis will include the following elements:
   a) The extent and major types of victimization within the agency's service area.
   b) An inventory of information and service needs of victims and witnesses in general (including homicide or suicide survivors) and special victims, such as those victimized by domestic violence, abuse and neglect (especially children and the elderly), sexual crimes, and drunken drivers.
   c) Victim assistance and related community services available within the service area.

7. Department's Roll in Victim/Witness Assistance:

A. The department's policy governing the implementation and delivery of victim/witness assistance services is determined, in part, by the results of the analysis described in this policy. Needs of victims and other witnesses will be determined and those that are appropriate will be met without duplicating services furnished by other community agencies. First responders will provide available and needed service on initial contact and, if befitting, the follow-up investigator will provide needed assistance or direct the victim/witness to the proper community agency.

B. The CID commander will ensure the confidentiality of records and files of victims and witnesses and their role in case development to the extent consistent with applicable law.

C. The CID commander or his designee will periodically inform the public and media about the department's victim/witness assistance service through press releases or social media posts. Investigating officers will also inform victims during their initial response of the agency's services offered to victims and witnesses. Investigating officers will provide victims or witnesses with a pamphlet that describes their rights.

D. The victim witness coordinator will maintain liaison with other criminal justice agencies, governmental and non-governmental agencies/organizations concerned with victim/witness needs and rights; contacts having been identified, in part, through the analysis noted in this policy. The purpose of liaison is at least two fold: (1) to ensure that our referrals of victims/witnesses to outside sources are based on accurate and up-to-date knowledge of the services offered by those sources; and (2) to maintain an ongoing channel of communication by which to offer and receive suggestions about how the department and outside sources can more effectively work together in order to better serve the victim/witness.
   a) Contacts may be initiated by letter, phone call, or in person.
   b) The victim/witness coordinator will submit a quarterly report to the CID Commander outlining the results of liaison contacts.
   c) The victim/witness coordinator under the direction of the CID Commander will be responsible for conducting and analyzing the survey required as required in this policy.

8. Initial Assistance 24 Hours A Day:

A. The department's communications center is available 24 hours per day, 7 days per week for victim/witness assistance, information and referral services from departmental personnel.

B. The victim/witness coordinator is normally the single point of contact for information about referral services for victims and other witnesses in need of counseling, medical attention and emergency financial assistance. The on-duty squad commander and/or designated administrative personnel will be the point of contact in the absence of the victim/witness coordinator.

C. The on-duty squad commander is the single point of contact for all other available information pending assignment of the case for investigation. This pertains to case-specific information for dissemination to victims/witnesses between commission of the crime and the time when an officer is assigned to the case, as might be required if the crime occurred when neither patrol officer nor investigator was available to respond.

D. When a call is received from a victim or a witness requesting information or services, the employee taking the call will obtain information, to include, but not limited to, the following:
   a) Determine whether an emergency or non-emergency service is required.
   b) Determine whether special victim or witness needs are involved.
   c) Inform the victim or witness of the department's response, including direct law enforcement service, referral to another law enforcement agency or a referral to another government organization.

9. Appropriate Assistance to Threatened Victims or Witnesses:

A. Threats to victims and/or witnesses will be documented and forwarded to the CID Commander and victim/witness coordinator. Appropriate assistance will be determined by the nature of each individual case and the resources available to the department and, if possible, be commensurate with the danger faced by the victim/witness. Normally the type of assistance will be determined by the CID Commander with the approval of the chief of police. Appropriate assistance may range from placing the threatened victim/witness in protective custody to offering words of encouragement to the threatened person.

B. If the department becomes aware of danger to a victim or witness, the department will promptly attempt to contact and offer appropriate assistance to the victim or witness.

C. If the victim or witness is in another jurisdiction, the department will immediately contact the appropriate agency to inform it of the situation and request that reasonable precaution be taken. Normally this contact will be made by the CID commander or the on-duty squad commander. The results of this contact will be confirmed by fax or some other form of written communication during the same shift if possible.

D. The State's Attorney will be promptly advised of threats received by victims or witnesses. Notification will be made verbally and confirmed in writing.

E. If appropriate, the assigned judge and the Sheriff of Wicomico County (who is charged with court security) will be advised prior to trial of threats received by victims or witnesses. Notification will be made verbally and confirmed in writing.

10. Victim/Witness Assistance Services:

A. During the initial contact, victims and or witnesses will be provided with the department's victim witness pamphlet. Information in these pamphlets pertains to both adult and juvenile offenders and contain, but not limited to, the following:
   a) Information to the victim or witness about applicable rights and outside community services available to them, such as counseling, medical attention, criminal injury compensation, legal and, etc.
   b) Informing the victim or witness as to the complaint number assigned and the department's telephone number that the victim or witness may call to report additional information about the case or to receive additional information about the status of the case.
   c) Informing victims or witnesses about subsequent steps in processing of the case.
   d) Informing the victims or witness what to do in case of threat or intimidation.

B. Any time the status of case is changed, the investigator assigned will, make official notification of the change to the victim. This official notification may be accomplished in

writing using the official form letter for suspended cases or verbally (in person or by telephone). If notification is verbal, the date and time of the notification will be noted on the supplement report attached to the case report. Notification made by letter will be recorded on the original offense report and in the computerized system.

11. Assistance and Follow-Up Investigation:

A. Victim/Witness assistance services to be provided during the follow-up investigation include, but are not limited to the following activities.
   a) Re-contact with the victim shall occur within a reasonable period of time to determine whether further assistance is needed.
   b) If not an endangerment to the successful prosecution of the case, explaining to victims or witnesses the procedures involved in the prosecution of their cases and their role in those procedures.
   c) If feasible, all scheduling of line-ups, interviews or other required appearances of the victim or witness should be at the convenience of the victim or witness. The individual investigating officer may offer transportation of the victim or witness to allow the meetings to occur.
   d) At times, the victim witness coordinator may be required to transport a victim or witness. This transport must be approved by a supervisor associated with the investigation, prior to the transport occurring. Only departmental vehicles will be used for these types of transports.
   e) If feasible, the property of a victim or witnesses should be returned promptly. However, property taken as evidence (except for contraband, disputed property, and weapons used in the course of the crime), may be released where permitted by law or rules of evidence with the approval of the State's Attorney.
   f) The victim/witness coordinator will be the victim advocate during follow-up investigation.
   g) At the conclusion of the investigation and if a suspect is charged, all related investigational documents must be forwarded to the States Attorney's Office for prosecution.

12. Assistance post Arrest:

A. The victim/witness coordinator will promptly notify the victim or witness of the following:
   a) The arrest of the offender;
   b) The charges placed against the offender; and
   c) Progress of the investigation
   d) The post-arrest proceedings.