

# Annapolis Police Department



## GENERAL ORDER

**Number: L.8**

**Issue Date: October  
2008**

**TO:** All Personnel

**SUBJECT:** Victim/Witness Assistance

### PURPOSE

The purpose of this General Order is to establish guidelines for the handling and treatment of victims and witnesses.

### POLICY

It shall be the policy of the Annapolis Police Department that members will treat all victims and witnesses with fairness, compassion and dignity. Law enforcement officers are often in a unique position to provide assistance to victims of crime and other traumatic incidents that may have both immediate and long term impact on the victim(s) emotional recovery. The Department is committed to the development, implementation and continuation of victim/witness assistance programs and activities.

Nothing in this policy will relieve any member of his/her responsibilities as established through departmental policies. The Victim/Witness Unit is an additional service to the community; **it is not intended to replace victim assistance efforts provided by any other member.**

### VICTIM/WITNESS RIGHTS

Victims/Witnesses are entitled to the following:

1. Dignity and respect;
2. Compassion and sensitivity;
3. Crisis services;
4. Information - case status, the criminal court process and references; and
5. Expedient return of property, when possible.

**I. Victim/Witness Unit**

A. Responsibilities of unit members include:

1. Providing services to victims and witnesses, to include but not be limited to support, crisis intervention, court advocacy, and referral;
2. Supporting victims and witnesses as they proceed through the criminal justice system, e.g., arrest and post arrest;
3. Assisting persons in certain non-crime-related situations, when they are in need of services;
4. Assisting eligible victims in obtaining benefits under the Maryland Crime Victims Compensation Act;
5. Conducting roll call training, in-service training, community training sessions and presentations;
6. Coordinating services with the Mobile Crisis Team, the Departmental Chaplains and other agencies, i.e., YWCA, battered shelters; and
7. Assisting officers and Departmental Chaplains in notifying next-of kin of deceased, seriously injured, or seriously ill persons.

B. The Victim/Witness Coordinator with the approval of the units supervisor will be responsible for, the administration and implementation of programs for the Victim/Witness Unit as related to the unit's client population. The Victim/Witness Coordinator and its members report to the units supervisor who reports to the Commander of the Community Services Section or his/her designee.

C. Incidents/Cases handled by the Victim/Witness Unit

The following types of incidents should be referred to the unit:

- a. Domestic violence victims who sustain injury, request alternative housing, or are experiencing intense emotional trauma;
- b. Sexual assaults, including sexual abuse of a child;
- c. Domestic violence, including assaults, child abuse, neglect, and elder abuse/neglect;
- d. Violent crimes, where the victim sustains serious injury, requires medical attention and/or is in need of emotional assistance;
- e. Death situations, including homicide, suicide deaths notifications, and line of duty deaths;
- f. Services requested by victims or witnesses; and
- g. Whenever it is determined there is a need for the service.

D. Victim/Witness Information

The Victim/Witness Coordinator shall:

1. Maintain information about victims and witnesses served, for purposes of assisting clients.
2. Establish a tracking system to be used to monitor services provided for each person served.
3. Conduct a documented review of victim/witness assistance needs and available services once every three years. This review will include the following:
  - a. The extent and major types of victimization in the City of Annapolis;
  - b. An inventory of information and service needs of all victims/witnesses in general (including homicide and 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 Anne Arundel County; and
  - d. Identification of unfulfilled needs and selection of those needs that are appropriate for the Police Department to meet.

**It is recommended that this analysis be coordinated with the Victim-Witness Assistance Officer of the District Court and of the Circuit Court of Anne Arundel County.**

4. Develop goals and objectives regarding the department's role in the victim/witness assistance, based on the analysis described above.
5. Based on the analysis described above govern the implementation and delivery of victim/witness assistance services by all department personnel.
6. Maintain records regarding victims and witnesses, keeping these records confidential, maintained in a secure location and not used in criminal case development.

E. Training/Public Information

1. The Victim/Witness Unit members will conduct training sessions for members informing them of roles, functions, and responsibilities of the Victim/Witness Unit.
2. In conjunction with the Media Relations Officer, the Victim/Witness Unit will periodically inform the media/public regarding its services.

- F. The unit will maintain liaison with the State's Attorney's office, other criminal justice agencies, and other agencies and organizations concerned with victim/witness needs and rights. The Victim/Witness Coordinator and members of the unit will meet periodically with such agencies to maintain ongoing channels of communications by which to offer and receive suggestions about how the department can work more effectively to better serve the victim/witness.

## **II. Members' Responsibilities and Duties for Handling Victims/Witnesses**

- A. Members will provide assistance to victims/witnesses who have been threatened or who express specific, credible reasons for fearing intimidation or further victimization. Members will provide appropriate assistance as determined by the nature of the case.
- B. At a minimum, members should calm and assist frightened victims by allowing victims to express their feelings, by understanding their reactions, providing reassurance that their feelings are normal and understandable and by offering words of encouragement.
- C. **Members will provide each victim/witness with a copy of the brochure entitled "Crime Victim and Witnesses: Your Rights and Services" .**
- D. The Department will provide appropriate assistance to victims/witnesses who have been threatened or who, in the judgement of the department, express specific credible reason for fearing intimidation or further victimization. Any action taken will be approved by a supervisor and the Victim/Witness Coordinator.
1. If the victim/witness is located in an outside jurisdiction, the officer will contact the appropriate agency and inform them of the situation and request that reasonable precautions be taken.
  2. If the member believes protective custody is necessary, the State's Attorney's office should be notified so as to evaluate the need, and if necessary, to coordinate services.
- E. Preliminary Investigations/Initial Call for Service
1. During the preliminary investigation, it is the responsibility of the initial responding member to assess the need for victim services. Members will not leave a distraught victim alone. Arrangements will be made to have a relative, friend, family member, Mobile Crisis Team member or Departmental Chaplain join the victim for emotional support and comfort or arrange transportation of the victim to a friend, family member or other appropriate service provider.
  2. If immediate assistance is not necessary, but follow up services are appropriate, the member will attach an Administrative Report or a Victim/Witness Referral Form to the incident report that follow up services are needed. A copy of the entire report will be forwarded to the Victim/Witness Unit. In addition the member will:

- a. Give information to the victim/witness about applicable services (e.g., counseling, medical attention, compensation programs or emergency financial assistance and victim advocacy;
  - b. Advise the victim/witness about what to do if the suspect or the suspect's companions or family threatens or otherwise intimidates him or her;
  - c. Inform victim/witnesses about the case number and subsequent steps in the processing of the case; and
  - d. Provide a telephone number that the victim/witness may call to report additional information about the case or receive information about the status of the case
3. If no report is required, but if the member feels that victim/witness assistance may be warranted, an Administrative Report or Victim/Witness Referral Form may still be forwarded to the Victim/Witness Unit.
  4. **Members will provide each victim/witness with a copy of the brochure entitled "Crime Victim and Witnesses: Your Rights and Services", if it has not already been provided.**
- F. Follow up investigations
1. If, in the opinion of the investigating member or victim/witness member, the impact of a crime on a victim/witness has triggered above-average victim/witness assistance, the investigator or victim/witness member will recontact the victim/witness periodically to determine whether needs are being met.
  2. If not an endangerment to the successful prosecution of the case, the follow-up investigating member or victim/witness member will explain to victims/witnesses the procedures involved in the prosecution of their cases and their role in those procedure.
  3. If feasible, the investigating member or victim/witness member will schedule line-ups, interviews and other required appearances at the convenience of the victim/witness and if necessary provide transportation.
  4. If feasible, the investigating member or victim/witness member will return promptly victim/witness property taken as evidence (except for contraband, disputed property, and weapons used in the course of the crime), where permitted by law, rules of evidence, Department policy and with the permission of the investigation member.
  5. If feasible, a member of the Victim/Witness Unit will be assigned to the victim, along with an advocate from the State's Attorney's Victim-Witness Assistance office during follow-up investigations. A member from the Victim/Witness Unit will contact the State's Attorney's office and arrange this

for service.

- G. Investigating members will work closely with the Victim/Witness Unit during follow-up investigations, to insure all victim/witness needs are considered. Cases that the Victim/Witness unit follow up on will be handled in the same manner as outlined above.
- H. **If a person is arrested subsequent to the initial incident, the victim will be notified by the investigating member so that services can be requested by, and initiated for the victim, if that becomes appropriate.** This will be indicated on the Incident or Supplement Report (if arrested after the initial reporting date) that the victim was notified and that services were offered.
- I. Communications Section
  - 1. The Communications Section is responsible for providing the following victim/witness assistance information between victimization and preliminary investigation, either directly or on a cooperative basis with other area agencies:
    - a. Information, available 24 hours daily, regarding victim/witness assistance supplied by the department, including instructions to call 911 if the victim/witness requires an emergency response.
    - b. Referral information, available 24 hours daily, regarding services offered in Anne Arundel County by other organizations (governmental or private sector) for victims/witnesses in need of medical attention, counseling, and emergency financial assistance.
  - 2. This policy applies in those instances when the caller does not request a response or does not give sufficient information on location or offense, thereby creating a significant delay between victimization and initial contact with the victim/witness by officers conducting the preliminary investigation.

Michael A. Pristoop  
Chief of Police

References
1. Accreditation Standards 55.1.1, 55.1.2, 55.1.3, 55.2.1, 55.2.2, 55.2.3, 55.2.4, 55.2.5
2. Maryland Crime Victims and Witnesses: Your Right and Services
3. Maryland Code §11-104

**Revision:** This General Order replaces General Order L.8 dated January 2005