**DUBLIN POLICE DEPARTMENT**

**STANDARD OPERATING PROCEDURE**

**SECTION: I-005 VICTIM / WITNESS ASSISTANCE**

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**STANDARD COVERED *CHIEF KEITH MOON***

**6.12, 6.13**

## I. PURPOSE

To summarize the rights of victims and witnesses of criminal offenses, to ensure that police officers receive training in and understand their role in administering the "Victims' Bill of Rights" and to organize and initiate guidelines for coordination and cooperation with the Victim-Witness Assistance Program under the direction of the Dublin Judicial Circuit District Attorney's Office and other criminal justice agencies in Laurens County.

### II. POLICY

When officers of the Dublin Police Department come in contact with victims and/or witnesses of criminal activity, officers shall treat them with fairness, compassion and dignity. The department is committed to developing, implementing and continuing appropriate assistance programs and activities for victims/witnesses. The department will work cooperatively with and assist the members of the Victim-Witness Assistance Program and other related agencies.

**III. THE CRIME VICTIMS' AND WITNESSES RIGHTS**

A. A victim or witness to a crime has certain rights that have been recognized by the Georgia General Assembly and written into law. Passage of victim related bills outlines for law enforcement their obligations to crime victims under the law. Victimization must be the result of at least one of the following types or categories of offenses:

* Homicide
* Assault and battery
* Kidnapping, false imprisonment, and related offenses
* Reckless conduct
* Cruelty to children
* Feticide
* Stalking
* Sexual offenses
* Burglary
* Arson
* Theft
* Armed robbery
* Homicide or feticide by vehicle
* Serious injury by vehicle
* Sexual exploitation of a child

B. After victimization by and upon initial contact with a victim, law enforcement officials and court personnel are mandated to advise the victim of certain rights they have in the judicial process. Victims must be advised of the following:

* Victims and witnesses have a right to protection from intimidation and harm.
* They have a right to be informed of the criminal justice process; release from custody

 notification, and informed about the various stages prior to trial.

* They have a right to certain compensation when eligible.
* They have a right to due process in criminal proceedings.
* They have a right to professional and aggressive prosecution within the bounds of the law.
* They have a right to assistance with their employers concerning court appearances.

C. The program shall also attempt to provide the following through the Victim-Witness Assistance Program, District Attorney's Office or with law enforcement assistance:

* Referral to social agencies in the community that provide emergency care, food, shelter, clothes and other support.
* Preparation and orientation for court appearances.
* Escorts and moral support in the courtroom.
* Information regarding the status and disposition of their cases.
* Property return and assistance with restitution.
* Assistance in applying for crime victim's compensation.
* Other information or assistance needed or determined appropriate.

**IV. POLICE DEPARTMENT'S ROLE IN VICTIM / WITNESS PROGRAM**

A. The Dublin Police Department and the Dublin Judicial Circuit District Attorney's Office act in conjunction, in regard to the program, to ensure that all victims and witnesses receive professional handling consistent with their important role in the successful investigation and prosecution of a case.

B. The role of the department will be accomplished through the following objectives:

1. Training all personnel as to the mission of the Victim / Witness Assistance Program as it pertains to law enforcement.

2. By treating all victims and witnesses with fairness, compassion, and dignity.

3. By providing a toll free, emergency response phone number (911), and on initial contact, provide all victims / witnesses with immediate assistance if necessary.

4. Provide victims / witnesses with a list of community services available, within the service area, as well as the number for the victim / witness liaison officer.

5. Provide services without duplicating victim / witness assistance services provided elsewhere.

6. Provide victims / witnesses with the appropriate brochures describing the judicial process and the phone number of the Victim Assistance and Domestic Violence Program office.

**V. PROCEDURES**

A. Preliminary Investigations - The primary responsibility for providing assistance to a victim or witness will be the first responder to a scene. At the point of initial contact with the victim or witness of a crime, and after emergency assistance has been rendered, the initial responding officer shall render the following services in addition to other normal investigative routines:

 STD 6.12a

1. Give information to the victim / witness about applicable rights and services (e.g. counseling, medical attention, compensation programs, emergency financial assistance, victim advocacy, etc.) and the phone number of the Laurens County Victim Assistance Program.

 STD 6.12b

2. 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. (e.g. temporary protective orders, restraining orders, additional police intervention)

STD 6.12c

3. Inform the victim / witness of the case number (if known by the officer) and subsequent steps in the processing of the case.

STD 6.12d

4. Provide the telephone number and name of the investigator (if known by the officer) and telephone numbers that the victim / witness can call to report additional information about the case or to receive information about the status of the case.

B. Follow-up Investigations

 STD 6.13a

1. A victim / witness shall be re-contacted upon initiation of an investigation and periodically thereafter by the investigating officer whenever, in the opinion of the investigating officer, a supervisor, or the Police Chief, the impact of the crime has been unusually severe upon a victim / witness. The purpose of this contact is to determine if needs are being met and / or additional assistance is needed.

STD 6.13b

2. An investigating officer shall explain to the victim / witness the procedures involved in the prosecution of their cases and their role in those procedures. Caution should be used to explain in such a manner as not to endanger the successful prosecution of the case.

STD 6.13c

3. Scheduling line-ups, interviews and other required appearances should be at the convenience of the victim / witness whenever feasible. Factors which should be considered in this scheduling include the physical, financial and emotional well-being of the victim / witness. If necessary, the Dublin Police Department will provide transportation to and from the police station for the victim / witness.

STD 6.13d

4. Whenever possible, victim / witness property taken as evidence by the department will be promptly returned (with the exception of contraband, disputed property, and weapons used in the course of crime). Officers should consult with the District Attorney, prosecutor and Georgia Revised Code whenever questions of law or rules of evidence are in doubt.

STD 6.13e

5. Whenever there is a traumatic incident such as a rape, child abuse, sexual assault, or other incident which requires more than the average amount of victim / witness assistance, the victim / witness should be advised of the services of a victim advocate such as the Rape Abuse Help Line / Hot Line at 1-800-551-0008, or Battered Women's Shelter at 1-800-33-HAVEN or the local W.I.N.G.S., to assist them during the follow-up investigation.

6. Dublin Police Department personnel will be available to conduct a follow-up security survey on each burglary, assault in home, etc. when requested.

**VI. THREATENED VICTIMS / WITNESSES**

A. Threats to any victims or witnesses will be documented by a police incident report and forwarded to the Criminal Investigation Division for follow-up. Appropriate assistance / protective measures will be determined by the nature of each individual case, the level of threat, and the resources available to the Department. Appropriate assistance may range from arrest of the individual making any threats to simply talking with the threatened person.

B. If the Department becomes aware of danger to a victim or witness, every effort will be made to promptly contact, alert, and offer appropriate assistance / protective measures to the threatened person. If outside this jurisdiction, the member learning of such threat will also notify the affected police department.

C. Protective measures may include the following:

1. Traces and / or recordings of telephone threats;

2. Patrol officers notified and more frequent additional patrol directed specifically to the victim's

 neighborhood and home;

3. Escorts or surveillance, upon request, from the victim's home or business to their car, to

 ensure that they are not being stalked or followed;

4. Field investigation records of any suspicious individuals in the area of the victim / witnesses'

 home or business;

5. Persuading the victim to take up temporary residence at a relative's home or at a hotel until

 court injunction and / or arrest can be made;

6. Use of on-duty police officers at a fixed post outside the location of the victim / witness (note:

 this solution should only be used when other alternatives are not feasible);

7. Coercive protection detention and custody of a material witness to a homicide or other serious

 felony, when there is a likelihood that there will be violence against the victim / witness

 (note: this solution should not be used without specific permission from the Chief of Police

 and the appropriate prosecutor);

8. Documentation of all reports of threats or intimidation on an Incident Report to be read at roll

 call by all officers coming on-duty. The District Attorney's or Prosecutor's Office will be

 promptly notified of any threats received.

**VII. ORIENTATION OF ALL EMPLOYEES**

The Training Officer will be responsible for the training of all existing personnel and any subsequent personnel in the agency's role in the Victim / Witness Assistance Program. In addition, refresher training will be offered at least once every two (2) years. Initial and subsequent training may be accomplished through standard roll call training.

**VIII. LEVELS OF VICTIM / WITNESS ASSISTANCE**

In addition to information available by the first and second responder, the liaison officer will be available Monday through Friday during normal working hours to handle any additional inquiries. During non-duty hours, personnel of the Communications Center will be furnished with the referral services offered within the service area.

In an emergency, the liaison officer may be contacted during off-duty hours to handle a delicate situation.

**IX. ANALYSIS OF VICTIM / WITNESS ASSISTANCE NEEDS**

The Laurens County Superior Court Victim Assistance and Domestic Violence Program will conduct an analysis of victim / witness needs and the available services to deal with these needs. The analysis will include:

* The extent and major types of victimization within Laurens County;
* an inventory of information and service needs of victims / 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;
* victim assistance and related community services available in the area; and
* identification of all victim / witness needs which are unfulfilled by other agencies, and the selection of those needs that are appropriate for the department to provide assistance.

**X. VICTIM ASSISTANCE SERVICES TO DUBLIN POLICE PERSONNEL**

Whenever a police officer has been killed or seriously injured as a result of a line-of-duty incident, department personnel shall attempt to render appropriate assistance. Such assistance may include, but not be limited to any of the following:

* Timely and compassionate notification of the spouse, next of kin and other family members;
* Assisting the family of slain or injured officers at the hospital;
* Supporting the family at the funeral and burial of slain officers;
* Helping the family with legal and benefits matters;
* Counseling the family regarding finances and other possible problems;
* Supporting the family during criminal proceedings (if any); and,
* Maintaining long-term contact with the family and keeping informed of needs.