

CAMBRIDGE POLICE DEPARTMENT

Title: *VICTIM/WITNESS ASSISTANCE*

Procedure: 2.300

Date Issued:

Revised:

PURPOSE:

To establish guidelines that will assure that victims and witnesses will be treated with fairness, compassion and dignity.

To establish guidelines concerning crime victims rights.

POLICY:

It is the policy of the Police Department to insure that crime victims and witnesses receive the highest level of professional service and assistance. The Police Department is committed to the development, implementation, and continuation of appropriate victim/witness assistance programs and activities.

DEFINITIONS:

Victim - A person who suffers physical, financial, or emotional harm as the direct result of a crime committed upon his or her person or property. Also regarded as victims are a spouse, child, parent or legal guardian of a minor victim and a spouse, child, sibling, parent or guardian of a homicide victim.

Witness - A person who has information relevant to an investigation of a crime. When the witness is a minor, this includes an appropriate family member.

PROCEDURE:

GENERAL PROVISIONS

1. Officers will provide assistance to the victims of a major or traumatic crime. These victims have the right and reasonable expectation to:

Be treated humanely and understandingly.

Have their self-respect and privacy protected whenever possible.

Be advised of available counseling and victim benefits.

Have explained to them the working of the criminal justice system and what is expected of them.

Have a thorough, professional and timely investigation conducted and have the details of that investigation given to the Prosecutors Office for consideration.

Expect the courts to order restitution for their losses and have the court enforce payment in a timely manner in all cases where restitution is a possibility.

Be consulted once complaints have been signed and the case begins its way through the criminal justice system.

Expect that the trial will be conducted in a reasonable period of time without lengthy and unnecessary delays and continuances.

Expect that upon the finding of guilty, consideration during sentencing will be given to the trauma and loss suffered by the victim.

Expect that their rights and feelings as victims be given at least as much consideration as is given to the offender.

RESPONSIBILITY

1. The Criminal Investigations Division supervisor will have the responsibility for administering and coordinating the Department's victim/witness assistance program. The program will include, but is not limited to, the following:

At least every two-(2) years, prepare an analysis of victim/witness assistance needs and available services within the service area. NOTE: To the extent that the Victim/Witness Assistance Program conforms to this standard, their analysis may be used, but must include:

The extent and major types of victimization.

An inventory of information and service needs of victim/witness 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.

Identification of all unfulfilled needs and the selection of those that are appropriate for the Department to meet.

Making recommendations for policy and procedure changes in relating to the analysis of victim/witness assistance needs.

Ensuring the confidentiality of records and files relating to victims and witnesses consistent with applicable laws.

Periodically inform the public and media about the Department's victim/witness assistance program.

Maintaining liaison with other criminal justice, governmental and non-governmental agencies

concerned with victim/witness needs and rights.

OPERATIONS

1. The communications center will provide 24-hour access to victim/witness assistance information to include:

Victim/witness assistance by the Department directly.

Services offered by other agencies for victim/witnesses in need of assistance.

A list of all available victim/witness assistance service agencies will be kept in the communications center.

2. Officers conducting a preliminary investigation involving a victim/witness should, at a minimum:

Provide information about applicable counseling, medical attention, emergency financial assistance, and victim advocacy services.

Advise the victim/witness of available options, if the suspect directly or indirectly engages in threats or intimidation.

Provide the case report number, officer's name, and information on follow-up procedures.

Provide the telephone number of the police department for the victim/witness to report additional information or receive information about the status of the case.

Inform the victims of domestic violence of their rights as defined by State Law. Preprinted forms are available and will be given to domestic violence victims. The officer conducting the initial investigation will note in the incident/offense report that this information was provided.

Inform the victims of violent crimes of their right to file a claim as provided for by the Victims Compensation Act. Victims should be advised to contact the

States Attorneys Office for additional information. The officer conducting the initial investigation will note in the incident/offense report that this information was provided.

3. Officers conducting follow-ups will:
Determine if the victim/witness's needs are being met considering the impact and severity of the incident, re-contacting the victim/witness if appropriate.

If not an endangerment to the successful prosecution of the case, explain to the victim/witness their involvement and procedures for prosecution of their case.

If feasible, schedule line-ups, interviews and other required meetings at the convenience of the victim/witness and, if necessary, provide transportation.

If feasible, return property held as evidence as soon as permitted by laws and rules of evidence.

Update the victim/.witness as to arrest, charges, custody status and court dates of the offender.