	Alexandria Police Department **Directive 10.4**	

VICTIM/WITNESS ASSISTANCE

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10.4.01 PURPOSE AND POLICY

The purpose of this directive is to emphasize the needs of all victims and witnesses of criminal and non-criminal incidents and the responsibility of the Police Department to provide support, information and guidance for these individuals.

Law enforcement officers are often in a unique position to provide initial assistance to victims and witnesses of crime and other traumatic incidents that may have both immediate and long-term impact on their emotional recovery. Victims and witnesses who have been treated with fairness, compassion and dignity tend to recover sooner and tend to be more cooperative. Therefore, it is the policy of this Department to participate in victim/witness assistance programs and activities initiated by the Commonwealth's Attorney's Office and other City and private agencies. **[55.1.1]**

10.4.02 AUTHORITY

The authority and direction governing this directive is provided in part by the Victims of Violent Crime Task Force Report (dated April 1989); the President's Task Force on Victims of Crime (1982); the Victim and Witness Rights Act of 1995 (Virginia Code §19.2-11.01), and Virginia Codes §16.1-253.1, 16.1-279.1, 18.2-119, and 19.2-81.

10.4.03 RESPONSIBILITIES

A. The Victim/Witness Coordinator (the CIS lieutenant or designee) will: **[55.1.3.d]**

1. Coordinate and administer the Department's role in victim/witness assistance, except for domestic violence cases. The responsibilities include liaison with other City agencies, including the Commonwealth's Attorney's Office, the Department of Community and Human Services including the Domestic Violence Program and Sexual Assault Center; and other organizations providing victim/witness assistance;
2. Serve as the Department's resource on victim/witness assistance programs; and
3. Review reports and analysis produced by the Victim-Witness Assistance Program of the Commonwealth Attorney's Office.

B. The Domestic Violence Unit will coordinate and administer the Department's role in victim/witness assistance in domestic violence cases. The responsibilities include liaison with other City agencies, including the Commonwealth's Attorney's Office, the Department of Community and Human Services including the Domestic Violence Program and Sexual Assault Center; and other organizations providing victim/witness assistance. **[55.1.3.d]**

C. The Training Coordinator will:

1. Provide newly hired sworn employees with training in victim/witness rights and needs in the role of law enforcement; and
2. Ensure sworn personnel and other employees directly involved in department victim/witness assistance efforts are provided an opportunity for related training.

D. The Department of Emergency Communications (DEC) will, as the initial contact with the agency for most victims: **[55.1.3.c]**

1. Provide information 24 hours a day regarding victim/witness assistance provided by the Department, *by referral to the Victim/Witness Assistance Program phone number as listed on the Rights of Virginia Crime Victims Card;* and **[55.2.1.a]**
2. Provide information 24 hours a day regarding services offered by other organizations in the City (both governmental and private sector) for victims/witnesses in need of medical attention, counseling, and emergency financial services, *by referral of the organization's phone number*. A list of such services, along with phone numbers, will be maintained in Communications.**[55.2.1,b]**

E. The Program Coordinator (Commonwealth's Attorney's Office) manages the Victim/Witness Assistance Program, the victim services specialist(s), and maintains close cooperation and liaison with all court components, including the Commonwealth's Attorney's Office, the Sheriff's Office, and the Probation and Parole Office. The coordinator meets periodically with City agency heads to provide management systems whereby crime victims in need of community services would be linked immediately with appropriate services.

F. The Victim Services Specialist(s) (Victim/Witness Assistance Program) provides comprehensive services to all victims of crime including misdemeanor crimes. Specialists provide court information to victims and witnesses, prepares adult and child witnesses for participation in trial proceedings through counseling, informs

them of support services available, conducts courtroom tours, assists with the filing of protective orders, and accompanies them in court during the trial. They assist victims of violent crimes or their survivors with filing claims for crime victim compensation, and conduct training in victim assistance for representatives of various other city and state agencies. The program also provides crisis intervention, victims' rights information and services and referrals to victims of crime, usually within forty-eight hours of the commission of a crime.

10.4.04 INVESTIGATIONS [55.1.3.a, 55.2.4]

A. <u>During preliminary investigations, officers will:</u>

1. Inform victims of their rights as victims of crime (as mandated for all law enforcement personnel in Virginia Code §19.2-11.01) and inform <u>all</u> <u>victims</u> <u>and</u> <u>witnesses</u> about applicable services such as sources of counseling, medical attention, compensation programs or emergency financial aid, and victim's advocacy. This will be accomplished by providing the Alexandria Services for Victims of Crime card (APD-137, yellow, English or APD-137S, white, Spanish). One side of the card contains information regarding the rights of crime victims, and the other side lists emergency and non-emergency phone numbers for city agencies and other services, including: **[55.2.3.a; 55.2.4.e]**
    a. Police Department
    b. Fire Department, including ambulance services;
    c. Alexandria Department of Community and Human Services;
    d. Alexandria Community Services Board;
    e. Child Protective Services;
    f. Victim/Witness Assistance Program (through the Commonwealth's Attorney's Office);
    g. Sexual Assault Center;
    h. Domestic Violence Program;
    i. Criminal Injuries Compensation Fund;
    j. Adult Protective Services; and
    k. Magistrate's Office.
    l. Statewide Automated Victim Information and Notification (SAVIN) System
    m. Center for Alexandria's Children
2. Provide advice about what to do if the suspect or the suspect's companions or family threatens or intimidates the victim/witness (a violation of Virginia Code §18.2-460). **[55.2.3.b]**
3. Give to the victim/witness a business card containing the case number, and explain subsequent steps in the processing of the case; **[55.2.3.c]**
4. Advise the victim to call the Police Department's non-emergency phone number to report additional information about the case or to receive information about the

status of the case. The number is listed on the Alexandria Services for Victims of Crime card (see section 10.4.04, A.1, above). A direct phone number to the investigating officer may be substituted. **[55.2.3.d]**

5. Explain the assistance the Police Department can provide to a victim/witness who has been threatened or who fears further victimization. **[55.2.2]**

B. The follow-up investigation will be a coordinated effort between the officer/detective assigned to the case and the Victim/Witness Assistance Program in the Commonwealth's Attorney's Office. The following services will be provided through this coordinated effort.

1. The Victim/Witness Assistance Program will:

   a. Re-contact the victim/witness periodically to determine whether needs are being met when the impact of a crime has been unusually severe and has already triggered referral to an assistance agency; **[55.2.4.a]**

   b. Explain procedures and practices involved in prosecuting the case, including the role of the officer/detective and victim/witness, so long as such information does not endanger successful prosecution;

   c. As early as possible provide advance notification of judicial proceedings relating to the cases, such as rescheduling, status, and disposition.

2. The officer/detective assigned to the case will:

   a. Schedule line-ups, interviews and other required visits at the convenience of the victim/witness, and when necessary provide transportation to court, interviews, line-ups, etc. **[55.2.4.c]**

   b. Expedite the return of property taken as evidence, unless the property is needed for trial (except for contraband, disputed property, weapons used in a crime, etc.).

   c. Document the disposition of all property in the final supplemental report. **[55.2.4.d]**

   d. Protect the confidentiality of victims/witnesses in accordance with department policy as outlined in Directive 10.21, Media Relations.

   [55.1.3.b]

   e. Provide assistance to victims/witnesses who have been threatened or intimidated.

   f. Inform the victim or witness of the arrest, charges and custody status of the suspect.

   g. Inform the victim or witness that they can be notified when a defendant is released on a bond if they register through the Virginia Statewide Automated Victim Information and Notification (SAVIN) System. The victim or witness may also contact the Victim/Witness Program Coordinator for a local jail hold to be entered for a personal notification from the Alexandria Sheriff's Office.

   h. When assigned to a homicide case, provide the victim/witness coordinator with family information so that the coordinator may contact the victim or witness as soon as possible to offer services.

C. The Department will provide appropriate levels of security to victims and/or witnesses who have been threatened or who express credible reasons for fearing intimidation or further victimization, including: **[55.2.5]**

   a. Full investigation of any alleged violation of law relating to the obstruction of justice.

   b. Physical security for victims/witnesses within the City limits of Alexandria, when deemed necessary by the police chief or designee.

   c. Requesting physical security from other law enforcement agencies for victims and/or witnesses located outside of the City limits of Alexandria, when deemed necessary by the Chief of Police or designee.

10.4.05 VICTIM/WITNESS PROGRAM

A. The information in this section is provided for the information of all Police Department employees.

B. The Victim/Witness Assistance Program (Alexandria Commonwealth's Attorney's Office, Victim/Witness Unit) performs the following:

   1. Reviews all offense reports daily, and using this information:

      a. Provide form DC-301 (Request for Confidentiality by a Crime Victim) to any victim who requests it. If the victim completes the form, file the original with the appropriate court. **[55.2.4.b]**

      b. For homicide cases, make every effort to contact the relatives to advise them of the services available within the City.

      c. For cases involving arrests for violent crimes not including domestic violence, notify victims/witnesses of arrests, charges and custody status of suspects. **[55.2.5]**

      d. Advise victims/witnesses that Victim/Witness Assistance personnel can accompany them to any line-ups if the victim/witness wishes.

      e. Contact all victims of Part 1 crimes to offer services and inform them of their rights.

   2. Refers victims and/or witnesses to the following programs, which serve both females and males:

      a. Victims/witnesses in domestic violence cases are referred to the Domestic Violence Program,

      b. Victims/witnesses in sexual assault cases are referred to the Sexual Assault Center.

   3. Attempts to enhance the willingness of victims/witnesses to cooperate with police and prosecutors.

   4. Orients victims/witnesses to the judicial system and assists them with preparation for testifying in court.

   5. Escorts victims/witnesses throughout the court proceedings.

6. Notifies victims/witnesses of court dates, court continuances, changes in case status and case disposition.
7. Provides crisis intervention and other social service referral to victims/witnesses of crime.
8. Assists with obtaining financial assistance such as restitution and compensation by:
   a. Informing victims of their right to court ordered restitution, explaining how money is collected and disbursed and informs victims of their right to civil remedies if the defendant fails to make restitution. The Victim/Witness Assistance Program will be the point of contact for victims to report the failure of a defendant to make restitution and will assist in the enforcement of the restitution order.
   b. Assisting crime victims in filing for crime victim's compensation and assistance.
   c. Assisting witnesses in obtaining reimbursement for travel expenses.
9. Assists crime victims in preparing a victim impact statement to be included in the defendant's pre-sentencing report.
10. After an arrest and sentencing, informs victims of their right to notification of the release of a defendant from custody. Victim/Witness Program staff will enter data into the City's Comprehensive Judicial Information System to facilitate notification to victims of a defendant's release from the Alexandria Detention Center.
11. Informs victims of their rights to be notified of the custody status of an inmate in the Department of Corrections; the status of a defendant's appeal; and to provide parole input (oral and written) and to be notified of pending parole hearings or release. Notification forms from the Department of Corrections, Attorney General's Office and Parole board (when a defendant is parole eligible) are sent to the victim at the conclusion of court proceedings.
12. Makes presentations about victim/witness issues and services to City and private agencies, civic groups, and public functions. In-service training is provided at the police academy and to agencies whose staff are often subpoenaed to testify in court (i.e., Child Protective Services, mental health agencies, etc.).
13. Serves as a core member of the City's Domestic Violence Intervention Project, Sexual Assault Response Team and Child Abuse Multidisciplinary Team.

By Authority Of:

Earl L. Cook
Chief of Police