



2-66 VICTIM AND WITNESS ASSISTANCE

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

2-78 Domestic Violence (Formerly 2-78)

B. Form(s)

Domestic Violence Packet
PD 1390 Resources and Information for Victims of Crime
PD 1391 Information for a Victim of a Misdemeanor Crime

C. Other Resource(s)

NMSA 1978, § 31-26-8 Procedures for Providing Victims with Preliminary Information;
Law Enforcement Agencies

D. Rescinded Special Order(s)

None

2-66-1 Purpose

The purpose of this policy is to provide requirements for Albuquerque Police Department (Department) personnel when assisting victims or witnesses of any criminal offense by providing resources and information.

2-66-2 Policy

It is the policy of the Department to provide assistance to victims and witnesses of crime in cooperation with other state and local agencies, as outlined in NMSA 1978, § 31-26-8 Procedures for Providing Victims with Preliminary Information; Law Enforcement Agencies, and for Department personnel to update the victims of crimes with significant developments in their case.

Additionally, it is the policy of the Department to promote the community's trust by ensuring that Department personnel provide support and respect to victims and witnesses of any criminal offense by understanding and striving to meet the seven (7) critical needs of victims.

N/A 2-66-3 Definitions

None

7 2-66-4 Procedures



A. Seven (7) Critical Needs of Victims

1. Department personnel shall strive to meet the seven (7) critical needs of victims by:
 - a. Safety: Protecting victims from perpetrators and re-victimization;
 - b. Support: Offering support and showing respect for the victim;
 - c. Information: Keeping victims informed and letting them know that knowledge is power;
 - d. Access: Providing victims access to services to make their interactions with law enforcement easier;
 - e. Continuity: Ensuring that there is continuous provision of support and services from law enforcement;
 - f. Voice: Giving victims opportunities to communicate with law enforcement about their case; and
 - g. Justice: Doing their job for the sake of justice for the victims
2. Department personnel shall account for the needs, support, respect, and convenience of the victim when imposing additional requirements on the victim/witness, such as attending line-ups, interviews, and other required appearances that shall be arranged at the convenience of the victim/witness.
3. When feasible, Department personnel shall provide transportation of the victim/witness to the required appearance.

B. Investigation of or Support for Criminal Investigations

1. Department personnel who investigate or support criminal investigations shall:
 - a. Inform the victim of medical services and crisis intervention services that are available to them;
 - b. Provide the victim with the Uniform Incident Report number and a copy of the Resources and Information for Victims of Crime form, consistent with NMSA 1978, § 31-26-8; and
 - i. The victim may refuse to accept the Resources and Information for Victims of Crime form.
 - c. Provide the victim with the phone number for the Bernalillo County District Attorney's Office (505-222-1099).

C. Victim Notifications

If there are no viable investigative leads at the time of the preliminary investigation, and the initial investigating officer is closing the case pending further information, they shall advise the victim that the case will be closed.

D. Information to Be Provided to Victims and Witnesses

1. Preliminary Investigation



N/A

- a. At the time the preliminary investigation is conducted, the primary officer shall provide the following information to victim(s) and witness(s):
 - i. The officer's information with the case and Computer-Aided Dispatch (CAD) number in writing;
 - ii. A Domestic Violence Packet at domestic violence scenes, consistent with SOP Domestic Violence (refer to SOP Domestic Violence for sanction classifications and additional duties); and
 - iii. Information for a Victim of a Misdemeanor Crime form when a victim needs to file a private complaint or needs further guidance on misdemeanor crimes.

2. Follow-up Investigations

- a. Department personnel who are the primary investigator for a criminal investigation shall ensure that the following information is provided to the victim(s)/witness(s) on felony criminal investigations and misdemeanor criminal investigations, either verbally or in writing, as quickly as possible but no later than seventy-two (72) hours when:
 - i. An arrest is made on the investigation that directly relates to the allegations;
 - ii. A judge issues an arrest warrant;
 - iii. The case is considered solved and closed but forwarded to a prosecutor for review;
 - iv. A case is closed without an arrest;
 - v. The case agent changes; or
 - vi. When another agency takes over primary investigative duties.



2-66 VICTIM AND WITNESS ASSISTANCE

Related SOP(s), Form(s), Other Resource(s), and Rescinded Special Order(s):

A. Related SOP(s)

~~1-45 Family Abuse and Stalking Training Team~~

~~2-78 2-78~~ Domestic Violence (Formerly 4-25) (Formerly 2-78)

B. Form(s)

Domestic Violence Packet

~~PD 1390 Resources and Information for Victims of Crime~~

~~Misdemeanor Crime Victim Information Notice~~ PD 1391 Information for a Victim of a Misdemeanor Crime

~~PD 1390 Resources and Information for Victims of Crime~~

C. Other Resource(s)

NMSA 1978, § 31-26-8 Procedures for Providing Victims with Preliminary Information; Law Enforcement Agencies

D. Rescinded Special Order(s)

None

2-66-1 Purpose

The purpose of this policy is to provide requirements for Albuquerque Police Department (Department) personnel when assisting victims or witnesses of any criminal offense, by providing resources and information. ~~Department personnel will update the victims of crimes with significant developments in their case.~~

2-66-2 Policy

It is the policy of the Department to provide assistance to victims and witnesses of crime in cooperation with other state and local agencies, consistent with as outlined in NMSA 1978, § 31-26-8 Procedures for Providing Victims with Preliminary Information; Law Enforcement Agencies, and for Department personnel will to update the victims of crimes with significant developments in their case.

Additionally, it is the policy of the Department To promote the community's ensure trust with our community, by ensuring sworn Department personnel will keep update the victims of crimes included with in significant case developments that Department personnel provide support and respect to victims and witnesses of any criminal offense. This is accomplished by understanding and striving to meet the seven (7) critical safety needs for a of victims.



N/A 2-66-3 Definitions

~~None: Safety, support, Information, access, continuity, voice, and justice. ., such as arrests, the status for a cold case status, or the closure of a case without an arrest.~~

~~The needs, support and respect and convenience of the victim shall be accounted for when imposing Additional requirements imposed on the victim/witness, such as attending line ups, interviews, and other required appearances that shall be arranged at the convenience of the victim/witness. The Department, if feasible, shall provide transportation of the victim/witness to the required appearance.~~

- ~~Seven (7) critical needs Safety: Protecting victims from perpetrators and re-victimization~~
- ~~Support: Offering support and showing respect for the victim~~
- ~~Information: Keeping victims informed and letting them know that knowledge is power~~
- ~~Access: Providing victims access to services to make their interactions with law enforcement easier~~
- ~~Continuity: Ensuring continued provision of support and services from law enforcement~~
- ~~Voice: Giving victims opportunities to communicate with law enforcement about their case~~
- ~~Justice: Doing their job for the sake of justice for the victims~~

7 2-66-~~43~~ Procedures

A. Seven (7) Critical Needs for a of Victims

1. Department personnel shall strive to meet the seven (7) critical needs for a of victims by:
 - a. Safety: Protecting victims from perpetrators and re-victimization;
 - b. Support: Offering support and showing respect for the victim;
 - c. Information: Keeping victims informed and letting them know that knowledge is power;
 - d. Access: Providing victims access to services to make their interactions with law enforcement easier;
 - e. Continuity: Ensuring that there is continuous provision of support and services from law enforcement;
 - f. Voice: Giving victims opportunities to communicate with law enforcement about their case; and
 - g. Justice: Doing their job for the sake of justice for the victims
2. Department personnel shall account for the needs, support, respect, and convenience of the victim when imposing additional requirements on the



victim/witness, such as attending line-ups, interviews, and other required appearances that shall be arranged at the convenience of the victim/witness.

3. When feasible, Department personnel shall provide transportation of the victim/witness to the required appearance.

B. Investigation of or Support for Criminal Investigations

~~A.1.~~ 1. Department personnel who investigate or support criminal investigations; investigations shall:

~~1.a.~~ a. Inform the victim of medical services and crisis intervention services that are available to victims them;

~~b.~~ b. Provide the victim with the ~~criminal offense report incident~~ Uniform Incident Report number and a copy of the Form Resources and Information for Victims of Crime form, which includes the following statement: "If within thirty (30) days you are not notified of an arrest in your case, you can may call (telephone number for the law enforcement agency) to obtain information on the status of your case.", consistent with N.M. Stat. Ann. MSA =1978, § 31-26-8; and

~~2.i.~~ i. The victim may refuse to accept the ~~Form Resources and Information for Victims of Crime form~~.

~~3.c.~~ c. Provide the victim with the phone number for the Bernalillo County District Attorney's Office (~~(505-222-1099)~~); and

~~4.~~ Provide victims of sex crimes, domestic violence incidents, and stalking crimes the phone number to the Department's Family Advocacy Center (505-243-2333), as indicated in the ~~Form Resources and Information for Victims of Crime form~~.

3 ~~B.~~ The victim may refuse to accept the ~~Form Resources and Information for Victims of Crime~~.

~~C.~~ Confidentiality

~~1.~~ Department personnel shall maintain ~~The confidentiality of victims and witnesses shall be maintained, and their role in a case's development shall be kept confidential to the extent consistent with applicable law.~~

C. Victim Notifications

If there are no viable investigative leads at the time of the preliminary investigation, and the initial ~~sworn personnel~~ investigating officer is closing the case pending further information, they shall advise the victim that the case will be closed ~~shall be advised of the case closure~~.



D. Information to Be Provided to Victims and Witnesses

1. Preliminary Investigation

- a. At the time the preliminary investigation is conducted, the primary ~~sworn personnel~~ officer shall provide the following information to the victim(s) and witness(es):
- ~~i. The sworn personnel's officer's business card information with the Incident case Number in the and Computer-Aided Dispatch (CAD) number indicated on the back in writing;~~
 - ~~ii. The Emergency and non-emergency phone numbers available twenty four (24) hours a day:
1. Police emergency phone number (911); and
2. Police non-emergency phone number (505-242-COPS (2677)) or 505-242-2677;~~
 - ~~iii. Police case follow-up information for the Criminal Investigations Division (CID) or the Department substations;~~
 - ~~iv. ii. A Domestic Violence Packet at domestic violence scenes, consistent with SOP Domestic Violence (refer to SOP Domestic Violence for sanction classifications and additional duties); and~~
 - ~~v. iii. Information for a Victim of a Misdemeanor Crime form Misdemeanor Crime Victim Information Notice when a victim needs to file a private complaint or needs further guidance on misdemeanor crimes;~~
 - ~~vi. A phone number to report any additional information and/or to receive follow-up information about a case (i.e., CID or Department substation). This phone number should be indicated on the sworn personnel's business card;~~
 - ~~vii. The District Attorney's Victim Impact Program phone number (505-841-7020) to provide a manner for victims of crimes to contact a Program Advocate in domestic violence and sexual assault cases; and
1. The Victims Advocates can provide comprehensive victim assistance that includes: emotional support; criminal justice information; assistance in filing Crime Victims Reparation applications for medical, funeral, and psychological counseling expenses, notification, and support for next of kin, referrals; and crisis intervention.~~
 - ~~viii. If there are no viable investigative leads at the time of the preliminary investigation, and the initial sworn personnel is closing the case pending further information, the victim shall be advised of the case closure.~~

N/A

2. Follow-up Investigations

- ~~a. If When Field Services Bureau (FSB) sworn personnel or a Department detective~~ Department personnel who are the primary investigator for a criminal investigation shall ensure that are assigned conduct a follow-up investigation, the following information shall be provided to the victim(s)/witness(es) on felony criminal investigations and encouraged on misdemeanor criminal investigations, either verbally, or by using handout material in writing, as quickly as possible but no later than seventy-two (72) hours when:



ALBUQUERQUE POLICE DEPARTMENT
PROCEDURAL ORDERS

SOP 2-66 (Formerly 2-25)

P&P Draft 06/15/2022

~~i. Updated victim/witness statuses on the case status;~~

- ~~ii. Once any individual is charged with the crime the prosecutor's office takes over responsibility for contacting and updating the victims/witnesses; Explanation of process involved in the prosecution of their case and their role in the prosecution;~~
- ~~iii. Additional requirements imposed on the victim/witness, such as attending line ups, interviews, and other required appearances that shall be arranged at the convenience of the victim/witness. The Department, if feasible, shall provide transportation of the victim/witness to the required appearance; and~~
- ~~iv. The victim(s)/witness(es) shall be informed of the following regarding property taken from them as evidence:~~
- ~~1. The property shall be returned to them as quickly as possible after the conclusion of the case;~~
 - ~~2. Where and when the victim(s)/witness(es) may retrieve the property; and~~
- ~~An explanation to the victim(s)/witness(es) that property that is considered contraband, in dispute of ownership, and/or weapon(s) used in the commission of a crime, may not be returned, consistent with applicable laws or regulations related to evidence.~~

~~Contact the victim or the next of kin of a deceased victim of the crime as quickly as possible but no later than seventy two (72) hours when:~~

- ~~a.~~
 - ~~i. An arrest is made on the investigation that directly relates to the allegations;~~
 - ~~ii. A judge issues an arrest warrant;~~
 - ~~iii. The case is considered solved and closed but forwarded to a prosecutor for review;~~
 - ~~iv. A case is closed without an arrest;~~
 - ~~v. The lead investigator case agent changes; or~~
- ~~3. When another agency takes over the primary investigative duties.~~

~~E. Response to Threats of Intimidation of Victims/Witnesses~~

~~1. Sworn personnel shall advise Victims and witnesses shall be advised to immediately to notify the Department anytime they are threatened or intimidated by contacting the detective assigned to their case. For new incidents, victims and witnesses shall be advised to call the police non-emergency phone number (505-242-COPS or 505-242-2677).~~

~~F.vi. Stalking investigations shall be performed consistent with SOP Family Abuse and Stalking Training Team (FASTT).~~