



2-66 — VICTIM'S RIGHTS

Related SOP(s): None ~~AWITNESS ASSISTANCE~~

2-66-1 Purpose

The purpose of this policy is to provide guidelines to Department personnel assisting victims of any criminal offense.

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 and as provided for by state and local law.

2-66-3 Procedures

A. Officers that investigate criminal offenses shall:

1. Inform the victim of medical services and crisis intervention services available to victims;
2. Provide the victim with the police report number for the criminal offense and a copy of the following statement: "If within thirty days you are not notified of an arrest in your case, you may call (telephone number for the law enforcement agency) to obtain information on the status of your case."
3. Provide the victim with the name of the District Attorney for the judicial district in which the criminal offense was committed and the address and telephone number for that district attorney's office.

B. The victim may refuse the provided information.

~~A. Confidentiality~~

~~The confidentiality of victims and witnesses will be maintained, and their role in case development will be kept confidential to the extent consistent with applicable law.~~

~~B. Information to be Provided to Victims and Witnesses~~



~~1. Initial/Preliminary Investigation~~

- ~~a. At the time the initial/preliminary investigation is conducted, the primary officer will provide the following information to the victim(s) and witnesses:~~
- ~~i. The officer's business card with the Incident Number (CAD) indicated on the back.~~
  - ~~ii. Emergency and non-emergency phone numbers available 24 hours a day:
    - ~~• Police Emergency Dispatch (911)~~
    - ~~• Police Non-Emergency Dispatch (242-COPS)~~~~
  - ~~iii. Police case follow-up information (Criminal Investigations Division, or Substations)~~
  - ~~iv. A Domestic Violence Packet, including: as outlined in FSB SOP on Domestic Violence~~
  - ~~v. A Misdemeanor Crime Victim Information Sheet (PD Form 3087) when a victim needs to file a private complaint or needs further guidance on misdemeanor crime assistance.~~
  - ~~vi. A number to call to report any additional information and/or to receive follow-up information about a case, i.e. Substation or Criminal Investigations Division. (This number should be indicated on the officer's business card.)
    - ~~• The District Attorney's Victim Impact Program number (841-7020) for victims of violent crimes.~~
    - ~~• The 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.~~~~
  - ~~vii. A Traffic Accident Information Card at accident scenes~~
  - ~~viii. If there are no leads at the time of the preliminary investigation, and the initial officer is closing the case, pending further leads, officers shall advise the victim of that fact so as not to give false hope to the victim.~~
  - ~~ix. 911 operators/police dispatchers will provide information to victims/witnesses regarding services available. This will be accomplished through the 24-hour telephone system in the Emergency Communications Center (ECC). Communications Division.~~

~~2. Follow-Up Investigations~~

- ~~a. If an officer or detective conducts a follow-up investigation, the following information will be provided to the victim/witness either verbally or by using handout material:~~



- ~~i. Update on victim/witness on the case status.~~
- ~~ii. 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 will be arranged at the convenience of the victim/witness. The Department, if feasible will provide transportation of the victim/witness to the required appearance.~~
- ~~iv. The victim/witness will be informed of the following regarding property taken from them as evidence:
  - ~~• The property will be returned to them as quickly as possible after the conclusion of the case.~~
  - ~~• Where and when the victim/witness may retrieve the property.~~
  - ~~• An explanation to the victim/witness 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 in accordance with applicable laws or rules of evidence.~~~~

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

~~Victims and witnesses will be advised to notify the police department immediately any time they are threatened or intimidated.~~

~~D. Domestic Violence Reports and Notifications of Victims~~

~~The following language will be incorporated in every incident report and criminal complaint involving domestic abuse:~~

- ~~1. "The arrest of the offender was in whole or in part based on probable cause to believe, he/she committed domestic abuse against the victim."~~
- ~~2. The arresting officer at the scene of a domestic abuse incident will ask the victim the following:
  - ~~a. Telephone number where he/she may be contacted personally, or if a telephone number is not available;~~
  - ~~b. The officer will ask for a telephone number where a message can be left for the victim to provide notification, or in those instances where a telephone number is not available;~~
  - ~~c. The officer will get an address where notification can be made.~~
  - ~~d. The arresting officer will notify APD Communications (via added remarks) of the telephone number and/or address where the victim can be notified.~~~~



~~3. APD Booking and MDC Procedures~~

- ~~a. The pre-booking slip contains a section that indicates domestic abuse arrest and a section for the CAD number. The arresting officer must indicate domestic abuse arrest and supply the MDC booking clerk the CAD number.~~
- ~~b. APD Communications will then make every reasonable attempt to notify the victim that the offender has been released from custody.~~
- ~~c. In cases where a telephone is not available, APD Communications will create a "10-10" event and dispatch the arresting officer to make notification at the victim's location. When the arresting officer is no longer on duty or when he/she is busy on another call, the next available officer will be dispatched to make the notification.~~

~~E.C. Stalking Investigations, refer to the Criminal Investigations Division SOP.~~

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