

TAKOMA PARK POLICE DEPARTMENT - GENERAL ORDERS



TITLE: VICTIM/WITNESS ASSISTANCE		NUMBER: 654
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New X Amends Rescinds		Dated May 23, 2008
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01 Purpose: To provide guidance regarding proper victim/witness assistance to ensure that victims receive any information related to available services and witnesses are treated with fairness, compassion and dignity.

02 Policy: To develop, implement, evaluate and continue all appropriate victim/witness assistance programs, and coordinate activities with other government and private organizations designed to provide assistance.

03 Victim/Witness Coordinator Responsibilities:

A. The Coordinator is designated by the Criminal Investigations Commander. The Coordinator is responsible for administering and organizing the Department’s role in victim/witness assistance, and will ensure that the information provided to officers is current. The Takoma Park “Crime Victims and Witnesses: Your Rights and Services” pamphlet is printed and distributed by the Maryland State Board of Victim Services. Every three years, the Coordinator will complete a documented review of victim/witness needs and available resources, to include at least:

- * The extent and types of victimization,
- * An inventory of information and services,
- * Translation services as needed,
- * Community services and other victim assistance in or near Takoma Park, and
- * Identification of any victim needs that were not met by the Takoma Park program, and selecting those which it is feasible for the Department to meet.

B. Based on this analysis, policies and procedures will be evaluated and will govern how victim/witness services are implemented and delivered. The Department’s efforts will include those, which only first responders can provide effectively; those, which the Department is in a position to provide between first response and acceptance of the case for prosecution; and those pertaining to the maintenance of liaison with other criminal justice agencies and organizations that are concerned with victim and witness needs and rights.

C. The Coordinator will ensure the confidentiality of records and files of victims/witnesses and their role in case development, to the extent consistent with applicable law.

D. In coordination with the Police Information Officer, the Coordinator will make periodic efforts to inform the public and the media about the Department's victim/witness services. A yearly report on such services provided by the program will be included in the Department's Annual Report.

E. Victim/witness assistance training will be provided during recruit and field training of new officers, and via in-service training for other officers. Training and re-training will take place as needed by individual officer or as a squad.

04 Meeting Victim/Witness Needs:

A. The need for support during an officer's initial investigation may include, but is not limited to, providing protection, medical attention and reassurance. An officer should organize his/her support help into three phases:

1. Safety and Security: It is sometimes difficult to imagine how frightened a victim feels. Fear brought on by crime may last a long time, and may interfere with a victim's memory. To demonstrate concern and to encourage the victim to talk, the officer needs to say the obvious: "Are you all right?", "How do you feel?", "You are safe now". When the initial contact is terminated, the officer might suggest that the victim have a friend or relative respond to the scene for a continued sense of security.

2. Ventilation and Validation: Almost all victims will be upset, but will show it in different ways. Officers should attempt to calm the victim with simple statements, expressed in a way that is natural: "I'm glad you're all right", or "It's only normal to feel that way". Dealing with angry victims is sometimes a test of patience. Outrage about the criminal, the criminal justice system, or the Department, may be directed at the officer as he or she arrives on the scene. The officer should not take the anger personally, but realize it is a necessary release. Officers should allow the victim to "blow off steam". Officers should be ready to guide the victim through a short period of ventilation. People in a high state of stress caused by crime are often less able to recall vivid, specific details. Therefore, it is important to calm the victim so the victim can provide a good description.

3. Regaining Control: A distressing result of being a victim of crime is the sense of having lost control. However, although some victims may need to be told what to do, it is best for officers to allow the victim to take responsibility for his/her actions as soon as possible. Officers can encourage victims to make small decisions for themselves. These small decisions help the victim to regain a sense of control. Victims want to find logical explanations for having been victimized. Victims may ask why they were singled out, or may blame themselves for becoming victimized. It is important that officers not add to these negative feelings by blaming the victim.

B. Information: Officers should never leave a victim uninformed or misinformed. Victims want the truth. Officers should advise the victim of follow-up and investigative procedures. Officers will advise the victim to notify the Police Department, immediately, if the suspect or the suspect's companions threaten or intimidate him/her. Officers will provide the victim with the following:

1. Case number for the incident,
2. Contact information for Victim Assistance, and
3. Crime Victims and Witnesses Rights and Services brochure, authored by the State Board of Victim Services and published by Maryland Correctional Enterprises pursuant to the Maryland Code, Article 47, and Criminal Procedure Article, §11- 1002.

“Victim” means an individual who suffers direct or threatened physical, emotional, or financial harm as a direct result of a crime or delinquent act, including a family member or guardian of a minor, incompetent, or homicide victim.

C. Communication - Resource Mobilization and Information:

1. Victim/witness assistance information provided by the department is available 24-hours a day from the Police Communications office. Personnel will, familiarize themselves with the services of the Takoma Park Police Victim Assistant and have updated information provided by the Victim/witness Coordinator.
2. The first Department contact with a victim is most often made by Communications personnel. Dispatchers must be cognizant of the fact that expressions of concern and reassurance can have a direct impact on the victim's emotional state and level of satisfaction.
3. The officer conducting the initial investigation must take an assessment of the degree of both physical and psychological victimization, as indicated by the emotional state of the victim.
4. Officers will immediately notify the Victim/witness Coordinator when victims exhibit emotional and/or physical trauma. The Coordinator will follow-up with the victim within 24 hours.
5. The victim should be encouraged to contact victim assistance programs, and the Coordinator may provide information, arrange meetings and arrange reasonable transportation for the victim.
6. Victims of hate/violence (RRE) crimes or incidents will be handled in accord with General Order 646; which includes follow-up victim assistance guidance.

C. Follow-up: Whether or not a follow-up investigation occurs, the follow-up response to

victim/witness needs will include, but is not limited to:

1. Re-contacting the victim or witness periodically to determine whether needs are being met,
2. Coordinating with the appropriate State's Attorney's Victim/Witness assistance Unit to provide the victim or witness with information on procedures involved in the case and the victim's or witness's role in the proceedings,
3. If feasible, scheduling line-ups, interviews or other appearances at the convenience of the victim or witness, and providing transportation for the victim or witness to and from such appearances,
4. If feasible, provide victim or witness accompaniment at court appearances and interviews with representatives of the State's Attorney's Office and/or investigators.
5. If feasible, promptly returning victim property taken as evidence,
6. The victim or witness will be notified as soon as possible whenever a suspect is arrested, and in relation to any post-arrest proceedings.

05 Threats Against Victims or Witnesses:

A. Whenever a victim or witness reports receiving threats, a report will be taken. This report will be separate from the original report, but will be cross-referenced to the original case number. If the officer receiving the complaint judges that the victim has expressed specific, credible reasons for fearing further victimization or intimidation, the officer will immediately notify the shift supervisor.

B. The shift supervisor will notify the Criminal Investigations Commander, advising the Commander of specific information on the suspects and the threats.

C. The Criminal Investigations Commander will coordinate an appropriate response with command staff and the appropriate State's Attorney's office. This response may include, but is not limited to:

1. Providing extra patrol near and around the victim's home, if in Takoma Park,
2. Notifying the appropriate police agency and requesting reasonable precautions, if outside Takoma Park,
3. Offering the victim/witness words of encouragement, depending on specific threats,
4. Arresting the suspects, after coordination with the State's Attorney's office,

5. Depending on manpower limitations, providing protective custody for the victim or witness, and/or

6. Arranging for protective custody through coordination between the appropriate State's Attorney's office and Sheriff's office.

D. When an officer receives threats relayed from a credible source who is other than the victim/witness, the officer will follow the procedures above. The Criminal Investigations Commander will ensure that the victim or witness is made aware of the threats so that precautions can be taken.

06 Conflict Resolution Center of Montgomery County:

When an Officer encounters a situation in which parties do not have a clear criminal complaint against one another and in which mediation by a third party might resolve the situation, the Officer will refer the parties to the Conflict Resolution Center of Montgomery County, 2424 Reddie Drive, Suite 301, Wheaton, MD 20902, (telephone: 301-942- 7700, fax: 301-942-7970, [Email:crcmc@crcmc.org](mailto:crcmc@crcmc.org)). CRCMC services are voluntary, confidential and neutral. They are free to Montgomery County residents, except for City of Rockville residents. Parties cannot and should not be coerced into the process. Topics amenable to mediation might include: noise, pets, parking, tree trimming, and shared driveways and fencing. The mediation service will consider consumer/business complaints and family or housemate disagreements. Domestic violence, divorce or custody disputes are not topics for mediation referral.