

# **COVINGTON POLICE DEPARTMENT STANDARD OPERATING PROCEDURE**

**Subject: VICTIM / WITNESS ASSISTANCE PROGRAM**

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## **I. Purpose**

To emphasize that an effective response to the needs of crime victims is an integral part of the law enforcement mission. This essential function, performed by both sworn and civilian personnel, should address victims' needs by establishing a continuum of support as victims progress through the various phases of the criminal justice process.

As first responders, CPD personnel are uniquely positioned to provide care and support to victims of crime. These efforts can have both an immediate and long-term impact on the victim's emotional recovery by developing a sense of security and stability and potentially mitigating the traumatic effects of the crime.

## **II. Statement of Policy**

It shall be the policy of the Covington Police Department to treat victims and witnesses with fairness, compassion and dignity. Consequently, the department will remain dedicated to the development, implementation and perpetuation of appropriate victim/witness assistance programs and activities which will provide victims of crime with all reasonable assistance to: protect the victim/witness from further harm; to nurture cooperation between the police, victim/witness assistance organization and the victim/witness; and to enhance willingness on the part of the victim/witness to assist in prosecution of criminal offenders.

## **III. Definitions**

- A. Victim - Individuals or family members subjected to financial, emotional, psychological, or physical trauma as the direct result of a crime committed upon his or her person or property.
- B. Witness - Individuals or family members who has knowledge or evidence pertinent to the investigation of a crime.

## **IV. Responsibility**

The District Attorney's Office shall be responsible for the supervision and administration of the Victim/Witness Assistance Program.

**V. Goals, Objectives and Organization**

- A. To inform police officers of issues involving victim/witness rights and of resources available to them and to the victim/witness.
- B. To provide social assistance, referral, emotional support and other help to persons who are physically, financially or emotionally harmed by crime.
- C. To reduce the number of cases dismissed due to victim/witness problems during the interval, after arrest and before conviction.
- D. To provide professional handling by police, in their important investigative and prosecutorial role, to victims/witnesses.
- E. To improve the treatment of victims and witnesses by other organizations inside and outside the criminal justice system.
- F. To protect the rights of victims and witnesses and meet certain obligations in victim/witness assistance imposed by law.

**VI. Procedures**

A. Preliminary Investigation of a Crime

Officers conducting preliminary investigations are usually the first personnel present that a victim/witness comes in contact with. The success or failure of victim/witness cooperation may rely upon the treatment of this victim/witness during this initial contact; therefore, officers conducting preliminary investigation shall be prepared to render the following assistance:

- 1. Provide information to the victim/witness about applicable rights and services (e.g., counseling, medical attention, compensation programs, emergency financial assistance, victim advocacy, etc.) by means of the Victim/Witness Assistance Program pamphlet. Officers of the Covington Police Department will advise victims of the following crimes that they may be entitled to funds through the Crime Victims Compensation Program. Crimes included in this program are:

- |                     |                                |
|---------------------|--------------------------------|
| Homicide            | Kidnapping                     |
| Assault and Battery | False Imprisonment             |
| Feticide            | Cruelty to Children            |
| Burglary            | Sexual Offenses                |
| Arson               | Sexual Exploitation of a Child |
| Armed Robbery       | Homicide by Vehicle            |
| Feticide by Vehicle | Theft                          |
| Reckless Conduct    | Serious injury by vehicle      |

Officers should provide victims of the above crimes with a victim/witness pamphlet with applicable resource highlighted and proper case number, officer name, and any additional information that may be needed to assist the victim/witnesses recover funds through the compensation program.

2. Advise the victim/witness to notify the investigating officer and the district attorney's office if the suspect or the suspect's companions or family threatens or otherwise intimidates him or her.
3. Inform victims/witnesses about the case number, charges (if any), possible court date, if known, and subsequent steps in the processing of the case.
4. Provide pamphlets with appropriate telephone numbers and case numbers on them, so that the victim/witness can call to report additional information about the case and receive information about the status of the case (status of the case refers to active, inactive, cleared or exceptionally cleared. Officers must note that a brochure was given to the victim/witness in their incident report.
5. In addition, each officer will follow the procedures described in SOP P011 (Preliminary Investigation Responsibilities).

The Patrol and Criminal Investigating Division Commanders assume the responsibility of assuring that the above procedures are complied with.

**B. Follow-up Investigations**

The Captain over Criminal Investigations Division (CID) will assign an officer to conduct the follow-up investigation and to coordinate the following:

1. Briefing the victim/witness assistance coordinator about major cases.
2. Re-contacting the victim/witness periodically, in certain high priority cases, to determine whether needs are being met, by means of:
  - a. An initial telephone call, stating subject matter, case number and which officer is working the case;
  - b. Follow-up phone calls, advising the victim/witness of any changes in the case status, any arrests or other charges and other pertinent information;
3. Scheduling of line-ups, interviews and other required appearances at the convenience (if possible) of the victim/witness, and at the option of the department, providing transportation, if feasible.
4. Explaining to the victim/witness the procedures involved in the prosecution of their case and of their role in the process, if not an endangerment to the successful prosecution of the case.
5. When possible, coordinating with the District Attorney's office about returning promptly any victim/witness property taken as evidence (except for contraband, disputed property and weapons used in the course of the crime) where permitted by law or rules of evidence.
6. In addition, each officer assigned to conduct a follow-up investigation, will follow the procedures described in SOP P011 (Follow-up Investigation Responsibilities).

7. The assigned investigator will serve as the victim advocate to the victim/witness through the entire case.
8. All contacts with the victim witness will be recorded on the Investigative Checklist.

C. Victim/Witness Intimidation

Whenever a police officer or any other department personnel becomes aware of victim/witness intimidation he/she shall immediately notify the on-duty supervisor who will then take the following procedures:

1. Notify, the watch commander via chain of command the type of intimidation or threat.
2. Arrange for the safety and protection of the victim/witness if the watch commander feels the case warrants personal protection.
3. Initiate action to begin an extra patrol on the victims/witness' residence.
4. If the victim/witness is located outside the city, the Watch Commander will immediately contacts the appropriate law enforcement agency and advises them of the situation.
5. Provide, if needed, protective custody until the victim/witness can be removed to a place of safety.
6. Notify the victim's advocate or the CID Captain about the situation.
7. Investigate the situation and if possible arrest the offender.
8. Assist or designate personnel that will reduce the victim/witness anxiety.
9. Notify the Victim/Witness Assistance Coordinator.
10. Notify the District Attorney's Office.

D. Level of Assistance

The Covington-Newton County 911 Center will serve as a point of contact for victims and witnesses. The Communications Center shall inform callers, if requested, of services provided by the police department as well as referral to services provided by other agencies. If the caller requests an officer, the Communications Center will dispatch an officer or they will directed to the police department to meet with an officer. CSR personnel will also maintain a telephone number index and will serve as a secondary point of contact.

E. Confidentiality of Records

The Covington Police Department will ensure the confidentiality of all related records and files of victims and witnesses consistent with state, other applicable laws and in accordance with SOP A225 (Public Information).

F. Release of Media and Public Information

The Chief of Police or his designee in accordance with SOP A225 (Public Information Release) will release media and public information concerning the victim/witness assistance program. Generally, the Covington Police Department will provide access to media representatives who are entitled to review incident reports and supplemental reports; however, these will be made available through the records office.

G. Liaison with other Agencies

The Covington Police Department will maintain liaison and coordinate efforts with other criminal justice agencies and nongovernmental agencies and organizations concerned with victim/witness needs and rights, these include:

1. Ensuring that referrals of victims and witnesses to outside sources are based upon accurate and up-to-date knowledge of the services offered by those sources.
2. Maintaining an ongoing channel of communication by which to offer and receive suggestions about how the department can effectively work with outside sources to better serve the victim/witness.
3. The victim/witness coordinator shall be responsible for liaison with other agencies and organizations.

H. Training

All new, current, sworn and civilian employees of the Covington Police Department and Covington-Newton County Communications Center will be trained in the subject area concerning the victim/witness assistance program. Recruit officers will receive training during their field-training program (FTO). All civilian new employees will receive training during orientation. All other employees will be trained during in-service training, which will be coordinated by the departmental training officer and the victim/witness coordinator.

I. Notifying Next of Kin

In the event of a death or serious injury, the shift commander or assigned investigator, in a timely and personal manner, will be responsible for notifying the next of kin. Whenever possible, assistance should be obtained from the clergy, a relative, close friend, or Victim Witness Coordinator. The Covington Police Department will assist all other agencies in notifying next of kin. This policy shall apply to accident or non-accident situations.

J. Death or Injury in the Line of Duty

In the event a member of the Covington Police Department is killed or seriously injured in the line of duty, it shall be the responsibility of the ranking officer on duty to notify the respective chain of command. The Chief of Police and/or his designee and a designated minister/chaplain will be responsible for the following procedures:

1. Notification of family members in a timely fashion.
2. Assist the family at the hospital.

3. Offer support for the family at the funeral and burial.
4. Assist the family with legal and benefit matters.
5. Assist in arranging counseling for family on financial areas or other problem areas.
6. Support the family during criminal process, if any.
7. Maintain long term contact with the family to see that their needs are being met.

NOTE: Due to the seriousness of the situation, no personal information about the officer(s) should be released to the media until proper notification can be made. Officers should refrain from any radio traffic concerning this event and the condition of fellow officers out of respect to the next of kin.

K. Crime Victims' Compensation

The 1988 Georgia General Assembly recognized that many innocent persons suffer personal injury, severe financial hardship or death as a result of criminal acts. As a result, the 1988 Legislature determined that there is a need for assistance for such victims of crime. Accordingly, it is the General Assembly's intent that under certain circumstances, aid, care and assistance be provided by the state for such victims of crime, thus the Georgia's Crime Victim's Compensation Fund began.

Crimes included in this program are:

Homicide	Kidnapping
Assault and Battery	False Imprisonment
Feticide	Cruelty to Children
Burglary	Sexual Offenses
Arson	Sexual Exploitation of a Child
Armed Robbery	Homicide by Vehicle
Feticide by Vehicle	Theft
Reckless Conduct	Serious injury by vehicle

The eligibility requirements are as follows:

1. The application for crime victim compensation must be filed with the Criminal Justice Coordination Council within 180 days of the crime.
2. A report must be made to a law enforcement agency within 72 hours of the discovery of the crime.
3. The compensation fund reimburses victims for out of pocket expenses, including medical bill, funeral expenses, lost wages and loss of support for victims of disabled or deceased victims. The compensation fund does not compensate victims for pain and suffering or personal property damaged or stolen during the commission of a crime.

Compensation limits are as follows:

Medical and Dental	\$15,000.00
Economic Support	\$10,000.00
Funeral Expenses	\$6,000.00
Mental Health Counseling	\$3,000.00
Crime Scene Sanitization	\$1,500.00

Note: No claim shall exceed \$25,000 in the aggregate and are based on actual eligible expenses.

L. Victim Impact Statement

Georgia law states that a crime victim may report physical, psychological and economic injury caused by a defendant. A judge may consider this statement in determining the appropriate sentence, or any order of restitution to the victim. A victim may also forward the victim impact statement to the local probation office to be made part of a confidential probation file, and/or they may send a copy to the State Boards of Pardon and Parole to be made part of a confidential inmate file and may be utilized when considering an inmate for early release.

***This SOP supersedes any SOP previously issued.***

BY ORDER OF THE CHIEF OF POLICE:

*Stacey L. Cotton*

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Chief of Police