

*Maryland-National Capital Park Police  
Prince George's County Division*

**DIVISION DIRECTIVE**

TITLE <b>VICTIM/WITNESS ASSISTANCE PROGRAMS</b>		PROCEDURE NUMBER <b>PG436.0</b>	
SECTION <b>Operational Procedures</b>	DISTRIBUTION <b>A</b>	EFFECTIVE DATE <b>02/01/05</b>	REVIEW DATE <b>02/01/07</b>
REPLACES <b>PG436.0 "Victim/Witness Assistance Programs", issued 02/15/02</b>			
RELATED DIRECTIVES	REFERENCES <b>CALEA 55</b>	AUTHORITY <b>Commander Larry M. Brownlee, Sr.- Division Chief</b>	

**I. POLICY**

The M-NCPPC Park Police Division is dedicated to the belief that crime victims/witnesses have certain rights that should be protected. These rights include that they be treated with fairness, compassion and dignity. The patrol officer is the first Police Division employee who typically has contact with a crime victim/witness and it is their responsibility to ensure that the needs of the victim/witness are addressed and satisfied with the resources available in the community. In addition, the Division is committed to the development, implementation and continuation of victim/witness assistance programs and activities consistent with available resources and a realistic needs assessment.

**II. PURPOSE**

The purpose of this directive is to provide a basic framework for the victim/witness assistance program within the Division.

**III. ADMINISTRATION AND MANAGEMENT**

The victim/witness assistance program will be administered and managed by the Investigative Operations Section Victim Assistance Unit Coordinator and supervised by the Investigative Operations Manager or designee.

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#### **IV. RIGHTS OF THE CRIME VICTIMS/WITNESSES**

In accordance with Criminal Procedure Article 11-1002 of the Maryland Code, crime victims/witnesses shall:

- A. Be informed by appropriate criminal justice agencies of these guidelines;
- B. Be treated with dignity, respect, courtesy and sensitivity;
- C. Receive crisis intervention assistance, if needed, or be informed by the appropriate criminal justice agency where crisis intervention assistance, emergency medical treatment, creditor intercession services or other social services and counseling may be obtained;
- D. Be notified in advance of dates and times of trial court proceedings in the case and, on written request, of post sentencing proceedings, and be notified if the court proceedings to which they have been summoned will not proceed as scheduled;
- E. Be advised of the protection available and, on request, be protected by criminal justice agencies, to the extent reasonable, practicable and, in the agency's discretion, necessary, from harm or threats of harm arising out of the crime victim/witnesses cooperation with law enforcement and prosecution efforts;
- F. During any phase of the investigative proceedings or court proceedings, be provided, to the extent practicable, a waiting area that is separate from a suspect and the family and friends of a suspect;
- G. Be informed by the appropriate criminal justice agency of financial assistance, criminal injuries compensation and any other social services available as a result of being a crime victim/witness and receive assistance or information on how to apply for services;
- H. Be advised of and, on request, be provided with employer intercession services, when appropriate, by the State's Attorney's Office or other available resource to seek employer cooperation in minimizing an employee's loss of pay or other benefits resulting from participation in the criminal justice process;
- I. On written request, be kept reasonably informed by the police or the State's Attorney of the apprehension of a suspect, closing of the case, and an office to contact for information about the case;
- J. Be advised of the right to have stolen or other property promptly returned and, on written request, have the property promptly returned by law enforcement agencies when means can be employed to otherwise satisfy evidentiary requirements for prosecution unless there is compelling law enforcement reason for retaining it;

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- K. For a crime of violence, as defined in Criminal Procedure Article 11-104 of the Maryland Code, on written request, be kept informed by pretrial release personnel, the State's Attorney or Attorney General, as appropriate, of any proceeding that affects the crime victim's interests, including bail hearing, dismissal, nolle prosequi, or setting of charges, trial, disposition, whether at hearing, trial, or appellate level;
- L. On request of the State's Attorney to and in the discretion of the judge, be permitted to address the judge or jury or have a victim impact statement read by the judge or jury at sentencing before the imposition of the sentence or at any hearing to consider altering the sentence;
- M. Be informed, in appropriate cases by the State's Attorney of the right to request restitution and, on request, be provided assistance in the preparation of the request and advice as to the collection of the payment of any restitution awarded;
- N. Be entitled to a speedy disposition of the case in which the individual is involved as a crime victim or witness in order to minimize the length of time the individual must endure responsibilities and stress in connection with the matter;
- O. On written request to the parole authority, be informed any time there is to be a hearing on provisional release from custody and any time the offender is to receive such a release;
- P. On written request to the Patuxent Institution, Division of Correction, or Parole Commission, as appropriate, have a victim impact statement read at any hearing to consider temporary leave status or a provisional release; and
- Q. On written request to the agency that has custody of the offender after sentencing, be informed by the agency any time the offender escapes or receives a mandatory supervision release.

## **V. VICTIM ASSISTANCE UNIT FUNCTIONS**

The Coordinator of the Victim Assistance Unit will ensure that the following tasks are performed as designated:

- A. Ensure the confidentiality of victims/witnesses and their role in case development to the extent consistent with applicable Maryland law.
- B. Will analysis the victim assistance needs and the available services within the jurisdiction of the M-NCPPC Park Police/Prince Georges Division every three (3) years. The analysis will include:
  - 1. Major types of victimization within the jurisdiction of the M-NCPPC Park

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2. Inventory of the information and service needs of victims in general.
  3. Update the victim assistance and related community services available within the County of Prince George's as VWAP resources.
  4. Identification of all unfulfilled needs of victims and the implementation of procedures and programs to address those needs which are realistic and within the resources available in Prince George's County.
- C. Define the Victim Assistance Unit's goals and objectives on a fiscal year basis in conjunction with the development of Divisional goals.
  - D. Maintain liaison with other criminal justice agencies, governmental and non-governmental agencies and organizations concerned with victim needs and rights.
  - E. Ensure that all non-sworn employees, when they are hired, are informed about existing agency and community victim assistance programs serving the public as well as agency personnel.
  - F. Ensure that the Division conducts training of its sworn personnel in victim/witness rights and needs, and the Department's role in meeting those rights and needs, during both the classroom and field training portion of recruit training.
  - G. Ensure that sworn and civilian personnel directly involved in agency victim/witness assistance efforts receive ongoing and retraining as appropriate.
  - H. Provide the Communications and Park Police stations with materials regarding victim/witness assistance and referral information.
  - I. Coordinate with the Public Information Officer (PIO) efforts to inform the public and the media about the agency's victim/witness assistance services.

## **VI. PARK POLICE OFFICER GUIDELINES**

- A. The Park Police Officers shall maintain crime victim/witness referral information (Governmental and private sector) at their disposal to address needs of medical attention, counseling, and emergency financial assistance on a 24 hour basis to provide continuity of service to those in need.
- B. The Park Police Officer will attempt to provide as much referral assistance as possible in order to facilitate the needs of the crime victim/witness.
- C. The Park Police Officer will hand out the "Crime Victims and Witnesses: Your Rights and Services" brochure to all victims/witnesses when writing a crimes

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report. The officer will then write in his/her narrative that he/she has issued the brochure to the victim/witness and note if the victim/witness is non-English speaking.

- D. The Park Police Officers should consider using the victim's clergy, a relative, or a close friend for support to inform the victim's family or next-of-kin that the victim was seriously injured or deceased as a result of being a victim of a serious crime. This tactic would be useful and compassionate in the notification process.

## **VII. PRELIMINARY INVESTIGATION GUIDELINES**

During the preliminary investigation of any criminal incident, the investigating officer will ensure that the following services are provided to the victim, at a minimum:

- A. Give information to the victim/witness about applicable services (i.e.-counseling, medical attention, compensation programs or emergency financial assistance, victim advocacy, emergency response numbers and victim assistant phone number);
- B. Advise the victim to contact the Park Police for a follow up report about what to do if the suspect or the suspect's companions or family threatens or otherwise intimidates him/her;
  - 1. Threats to victims will be documented in an Incident/Crime Reports and forwarded to the immediate supervisor of the investigating officer as well as to the Coordinator of the Victim Assistance Unit. Appropriate assistance will be determined by and the resources available to the Park Police and, if possible, be commensurate with the danger faced by the victim/witness.
  - 2. When appropriate, the State's Attorney's office will be notified of threats received by victims/witnesses. Notification will be made verbally and confirmed in writing.
  - 3. Inform victims/witnesses about the incident case number and subsequent steps in the processing of the case.
  - 4. Provide the investigator's phone number in the event the victim wishes to report additional information about the case or wishes to receive information about the status of the case.

## **VIII. FOLLOW-UP INVESTIGATION GUIDELINES**

During the follow-up portion of the investigation of a serious crime, and as dictated by the investigating officer's supervisor, the following services shall be provided, at a minimum:

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- A. Contacting the victim/witness periodically to determine whether the victim/witness needs additional assistance;
- B. Explaining to victims/witnesses the procedures involved in the prosecution of their cases and their role in those proceedings;
- C. If feasible, schedule line-ups, interviews and other required appearances at the convenience of the victim/witness and, at the option of the investigating officer, providing transportation;
- D. If feasible, return promptly victim's 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;
- E. If indicated and feasible, assign a victim/witness advocate from the Victim Assistance Unit (Investigative Operations Section) to the victim/witness during the follow-up investigation (after consultation with the Victim Assistance Unit Coordinator).

## **IX. ARREST/POST-ARREST PROCEDURES**

Upon the arrest and post-arrest processing of a suspect, the investigating officer will advise the victim of the arrest and the post-arrest proceedings of the suspect including the criminal charges placed against the suspect (exception: un-waived juvenile defendants) and the arrestee's custody status.

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