



## VICTIM/WITNESS SERVICES

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#### **I. Purpose**

The purpose of this Written Directive is to establish guidelines, responsibilities and procedures for providing crime victim and witness assistance.

#### **II. Policy**

It shall be the policy of the University of Maryland, Baltimore Police Force (UMBPF) that victim/witness activities on campus will be guided by and in accordance with this Written Directive.

#### **III. Background**

The UMBPF is committed to the development, implementation and continuation of appropriate victim/witness assistance programs and activities. Specific programs and activities will be implemented by the Chief of Police and will also depend upon an analysis of victim/witness assistance needs as identified herein.

#### **IV. Victims and Witnesses**

##### **A. Agency Philosophy**

All victims and witnesses will be treated with fairness, compassion and dignity and all members of the UMBPF are required to support crime victims and adhere to victim assistance procedures as described in this Written Directive.

##### **B. Rights of Victims and Witnesses**

1. The following is a summary of the seventeen guidelines which prescribe the ways in which victims and witnesses of crime will be treated and helped by members of the UMBPF: (These guidelines are now part of the Annotated Code of Maryland)
  - a. Victims will be treated with dignity, respect, courtesy and sensitivity.

- b. Victims will receive emergency help as needed.
  - c. Victims will receive notification of court dates or cancellation of those dates.
  - d. Victims will be advised of law enforcement protection that is available.
  - e. UMBPF officers will protect victims from harm arising out of prosecution and law enforcement efforts.
  - f. At the hospital or at the police station, victims will be provided a waiting area apart from the accused.
  - g. Victims will be informed of any available financial assistance or social service available.
  - h. Victims will receive referrals to agencies to receive help with financial problems occurring as a result of the crime.
  - i. Victims will be assisted with prompt property return.
  - j. Victims will be able to participate through a written statement (victim impact) and/or oral address (allocution) in the sentencing phase of the trial.
  - k. Victims will be informed of restitution procedures and information.
  - l. Victims will receive speedy handling of the case in which they are involved.
  - m. Victims will be advised of employer intercession services by the States Attorney's Office.
2. In addition, the following information is available to victims when requested in writing:
- a. A case progress report from the UMBPF and the State's Attorney's Office (SAO) for Baltimore City.
  - b. The procedure for a prompt return of property by the UMBPF.
  - c. The procedure for reading a victim impact statements at any hearing that considers a release of the incarcerated criminal.
  - d. Information on when the convicted offender is scheduled to be released from prison or jail.
  - e. Notification when the offender escapes or receives a mandatory release from prison.

C. Administering and Coordinating Victim/Witness Assistance

1. The Operations Commander is responsible for administering and coordinating the Victim/Witness Assistance Program. The immediate supervision of the program, however, will be the responsibility of the Victim/Witness Coordinator.
2. The Operations Commander will coordinate the activities of the Victim/Witness Coordinator, patrol personnel, criminal investigators and Police Communications Officers (PCO) to accomplish the goals of the UMBPF.

V. **Responsibilities of the UMBPF**

A. Communications Center

Police Communication Operators (PCO) will dispatch calls for service as soon as possible and obtain a description of suspect(s) and relay information accurately to responding units. The PCO shall keep the victim or caller on the phone as long as practical to obtain as much information as possible until the officer's arrival.

B. First Responder

1. All UMBPF personnel shall render whatever assistance is required to any victim including those instances where cultural and language differences may exist. First Responders who are confronted with language barriers are encouraged to use interpreters and translator services. Translator or interpreter services information is available through the Communications Center. Smart Phone translator applications may also be used should translator service not be available in a timely manner.
2. First Responder, upon arrival at the incident scene shall:
  - a. Advise the dispatcher of their arrival;
  - b. Determine location and condition of the victim and summon medical assistance if needed. Security personnel shall request police assistance;
  - c. Police shall determine if the suspect is still at crime scene; and
  - d. Police shall notify a supervisor and request assistance of investigator if required.
3. The first responder shall also:
  - a. Preserve the crime scene (See Written Directive 11.2 "Collection and Preservation of Evidence" of the UMBPF Policy and Procedure Manual);
  - b. The first responder shall demonstrate concern for the crime victim. To this end, first responders shall freely provide information about available social services and accommodate any other reasonable need; and

- c. Police First Responders shall identify and separate witnesses (See Written Directive 6.3A “Preliminary Investigations” of the UMBPF Policy and Procedure Manual).
4. The police officer shall complete the preliminary police report documenting the incident for further investigation and prosecution. The report must be factual, clear and specific using the victim’s own words when possible. Upon completion of the initial investigation, the first responder shall provide the victim with their name and badge number, classification of crime, date of report and phone number to obtain or relay additional information, including periodic reports about the status of the case, by use of the printed Victim/Witness form (s).
5. The police officer shall provide victim/witness information about applicable services available including counseling, medical attention, compensation programs or emergency financial assistance and victim advocacy.
6. The police officer shall also advise the victim/witness about what to do if the suspects or suspect’s companions threatens or otherwise intimidates them.
7. Victims/Witnesses should be informed of the case number and subsequent steps in the processing of the case as well as the telephone number that the victim/witness may call to report additional information about the case or to receive information about the status of the case.

C. Follow-Up Investigations

1. When the investigator arrives, the patrol officer will give a summary of what has occurred and remain to assist the investigator until relieved by proper authority. If a security officer is a first responder to an incident, he/she shall remain on scene to brief the sworn officer and the investigator. The investigator shall:
  - a. Interview the victim separately and private from witnesses (See Written Directive 6.30 “Criminal Investigations” of the UMBPF Policy and Procedure Manual)
  - b. Assess the medical and/or psychological needs of the victim by arranging for appropriate treatment as soon as possible. (The victim may want or need to be examined and be reassured of their physical condition or they may want or need to speak to someone for psychological support (relative, friend, or counselor). Because the victim may be confused or unable to express their needs, the investigator may want to refer the victim to another agency after the interview has been concluded.)
2. The investigator shall also provide transportation for crime victims and witnesses including transporting them in UMBPF vehicles when necessary to accomplish a police purpose. They may also be transported to a medical facility, the Pine Street Police Annex, or other criminal justice agency, or to a safe shelter. Before transporting, the investigator will request guidance and approval from the Patrol Supervisor. Once the victim/witness is

taken to the necessary destination, the investigator will escort the victim/witness inside and notify the proper authority of their arrival.

**D. Criminal Investigator Responsibilities**

The Criminal Investigator's purpose is to follow-up the preliminary investigation, to provide additional investigative information to effect an arrest and to prepare the case for prosecution. Guidelines for obtaining statements and collecting evidence can be found in Written Directive 11.2 "Collection and Preservation of Evidence" and Written Directive 6.30 "Criminal Investigations" of the UMBPF Policy and Procedure Manual.

**E. Responsibility of Victim/Witness Coordinator**

1. The assignment of the Victim/Witness Coordinator may occur at any time following the report of a crime.
2. The Victim/Witness Coordinator shall notify the victim when the UMBPF closes (clears) a case by any of these means:
  - a. Victim Non-Cooperation;
  - b. Non-Prosecution (Explain to the victim that a lack of prosecution or legal insufficiency does not reflect on their credibility);
  - c. Unfounded (Only when it is proven that the offense did not occur); and
  - d. Exceptional Clearance (Consult the UCR guidelines for this procedure and explain the reasons to the victim).
3. The Victim/Witness Coordinator shall also:
  - a. Keep the victim informed of the results of hospital or lab tests.
  - b. Notify the victim if the defendant makes bond or has a bond reduction hearing scheduled.
  - c. Work closely with UMBPF criminal investigators and the State's Attorney Office (SAO).
  - d. Provide victim/witness assistance 7 days a week, 24 hours a day.
  - e. Maintain liaison with other criminal justice agencies, governmental and non-governmental agencies and organizations concerned with victim/witness needs and rights.
  - f. Document any threats or violent acts committed against the victim/witness since the initial incident and make notifications to CID and others as required.

- g. The Victim/Witness Coordinator, in conjunction with CID, will schedule line-ups, interviews and other required appearances at the convenience of the victim/witness.
- h. Victim/Witness Coordinator will become thoroughly familiar with all laws concerning Victim/Witnesses and all updates.

#### F. Return of Property

The investigating officer will notify the victim where the property is stored, when it can be reclaimed and how to reclaim it. The victim shall not be charged any fees for the collection, storage and preservation of property. The return of the property shall be expedited using photographs as much as possible instead of the actual property. If property is needed for evidence, the victim shall be informed that their property will be returned as soon as legal requirements have been satisfied.

#### G. Required Reports and Surveys

1. The Victim/Witness Coordinator will be responsible for submitting a quarterly report to the Operations Commander outlining the results of liaison contacts.
2. The Operations Commander will submit the quarterly report information to the Director of Public Safety as part of the Quarterly Report and the Annual Report.
3. Under the direction of the Operations Commander, the Coordinator shall be responsible for conducting a survey of victim/witness assistance needs and available services within the UMBPF jurisdiction will also be completed at least every three years. The analysis will include the following elements:
  - a. The extent and major types of victimization within the Agency's service area.
  - b. An inventory of information and service needs of victims/witnesses in general including homicide or suicide survivors, those victimized by robbery and assault, sexual crimes, drunken drivers, etc.
  - c. Victim assistance and related community services available within the service area.
  - d. Identification of all unfulfilled needs and the selection of those needs appropriate for the Agency to meet.
4. Obtaining information needed to assess victim/witness services will be the responsibility of the Victim/Witness Coordinator and the follow-up Investigator.

## **VI. Goals, Objectives and Agency Structures**

### **A. Goals and Objectives**

1. The goal of the UMBPF is to ensure that all victims and witnesses receive professional handling consistent with training.
2. Additionally, victims/witnesses will be advised of what to expect in the prosecution phase of the investigation.
3. It is also the goal of the UMBPF to train members on their role in the Victim/Witness Program.
4. UMBPF officers will treat all victims/witnesses with fairness, compassion and dignity.
5. On initial contact, UMBPF officers will provide available and needed service to victim/witnesses and provide them with a list of community services available within our service area. When providing services, however, members shall not duplicate assistance activities offered by the Victim/Witness Unit of the Baltimore City Judicial System.

### **B. Agency Structure for Victim/Witness Coordination**

1. Chief of Police
2. Director of Public Safety
3. Operations Commander
4. Patrol Lieutenants
5. Victim/Witness Coordinator
6. Criminal Investigators

## **VII. Delivery Procedures**

### **A. Victim/Witness Assistance**

1. The policy governing the implementation and delivery of victim/witness assistance services by UMBPF personnel is determined, in part, by the results of an analysis of Victim/Witness needs.
2. First responders will also provide needed assistance including psychiatric referrals through the Victim/Witness Coordinator. The Victim/Witness Coordinator will make every effort to provide or refer victim/witness to a psychologist and/or psychiatrist when required.

3. Victims/Witnesses with special needs, such as homicide or suicide survivors and those victimized by sexual crimes and drunken drivers, will be given information regarding counseling and psychiatric services.
4. The Director of Public Safety and the Operations Commander will ensure the confidentiality of records and files for victims/witnesses and their role in case development to the extent provided by law.
5. The Chief of Police will periodically inform the public and media about the UMBPF victim/witness assistance services.

#### B. Liaison/Other Victim/Witness Agencies

1. The Victim/Witness Coordinator will maintain liaison with other criminal justice agencies, governmental and nongovernmental agencies and organizations concerned with victim/witness needs and rights. The agencies we need to liaison with will be based, in part, on our assessment and survey process. The purpose of this liaison is at least two fold:
  - a. To ensure that our referrals of victims/witnesses to outside sources are based on accurate and up to date knowledge of the services offered by those sources.
  - b. To maintain an ongoing channel of communication by which to offer and receive suggestions about how the UMBPF and outside sources can more effectively work together in order to better serve the victim/witness.
2. The liaison may be initiated by letter, phone call, or in person.
3. The Victim/Witness Coordinator will submit a quarterly report through the chain of command to the Chief of Police containing a summary of meetings with outside agencies.

#### C. Training of Sworn and Non-Sworn Personnel

1. The Education and Training Lieutenant is responsible for the training of sworn and non-sworn personnel, concerning victim/witness rights programs and the role of the program in meeting our law enforcement mission. The Victim/Witness shall receive additional specialized training annually.
2. The training of sworn personnel will be conducted during and after their graduation from recruit training or during Field Training for lateral police officers. Police Communications Operators and Security Officers shall be trained before assuming their official duties.
3. The Education and Training Lieutenant will ensure that Patrol Supervisors, Security Supervisors, the Communications Supervisor and all Field Training Officers are appropriately trained in order to effectively direct their personnel in handling their



victim/witness responsibilities. Field Training Officers will evaluate probationary sworn and non-sworn personnel in this important phase of training.

4. The Education and Training Lieutenant will ensure that all sworn and non-sworn personnel, receive training / retraining to address the findings of the triennial survey analysis conducted. The Education and Training Lieutenant will also ensure Specialized Unit members receive additional specialized training annually.

## **VIII. Operations**

### **A. Levels of Victim/Witness Assistance**

1. The UMBPF will have a phone line available 24 hours a day, 7 days per week for victim/witness assistance information and referral services. This phone number is provided to all students, staff and employees in their orientation packets, as well as various pamphlets and other publications throughout the University Campus. The phone number will also be provided to victim/witnesses when incidents occur on campus.
2. The phone in the Communications Center is manned by UMBPF personnel who will have a list of the available Victim/Witness Coordinator (s) on-call for the month. If the Victim /Witness Coordinator (s) are unavailable, calls will be taken by the Patrol Supervisor.
3. The Victim/Witness Coordinator will be the single point of contact for information about referral services for victims and witnesses and the Patrol Supervisor is the single point of contact for all other available information including case-specific information until the CID investigator is assigned the case.

### **B. Providing Appropriate Assistance**

1. Threats to victims and/or witnesses will be documented by the Victim/Witness Coordinator and forwarded to the Operations Commander. An appropriate response will be determined by the nature of each individual case, the danger faced by the victim/witness and the resources available to the UMBPF. When the Victim/Witness Coordinator determines the type of assistance to be offered, a recommendation will be forwarded through the chain of command to the Chief of Police for approval and/or comments.
2. Appropriate assistance may range from placing the threatened victim/witness in protective custody to offering words of encouragement to the threatened person.
3. If the UMBPF becomes aware of danger to a victim/witness, police officers will promptly attempt to contact, alert and offer appropriate assistance to the victim/witness.
4. If the victim/witness is currently in another jurisdiction, the Victim/Witness Coordinator will immediately phone the appropriate agency to inform them of the situation and request that reasonable precaution is taken. The results of this contact will be documented

on a Follow-up Report. The Patrol Supervisor will ensure that this documentation is complete and contains all of the pertinent facts.

5. The Victim/Witness Coordinator will advise the SAO of all threats received. Notification will be made verbally and subsequently confirmed in writing.
6. If appropriate, the assigned judge and the Sheriff of Baltimore City (who is charged with court security) will be advised prior to trial of threats received by victim/witnesses.

C. Victim/Witness Assistance Services

Any time the status of a case is changed, the Victim/Witness Coordinator will within 10 days, make official notification of the change to the victim. This official notification may be accomplished verbally or in writing. Whether the notification is verbal or written, the date and time of the notification will be noted on a Follow-up Report.

D. Follow-Up Investigations

1. UMBPF follow-up Investigations will involve victim/witness assistance services.
2. Those services include the following activities:
  - a. Re-contacting the victim/witness periodically to determine whether needs are being met and if in the opinion of the criminal investigator the impact on a victim/witness has been unusually severe and has triggered above-average assistance from the UMBPF, periodic contact will be made to determine if further assistance is needed.
  - b. Explain the procedures involved in the prosecution of their cases and their role in those cases, if not an endangerment to the successful prosecution of the case.
  - c. When possible, scheduling photo line-ups, interviews and other required appearances will be at the convenience of the victim/witness. CID investigators will also make UMBPF transportation available to accomplish these tasks.
  - d. When possible, property will be returned promptly to the victims and witnesses where permitted by law and the SAO. This includes recovered evidence, except for contraband, disputed property or weapons.
  - e. Assigning a victim advocate, if available, to the victim/witness during follow-up investigations.

## **IX. Death or Serious Injury Notifications**

### **A. Death Notifications**

1. A Patrol Supervisor, Security Supervisor, or Support Staff Supervisor will contact the Patrol Lieutenant whenever a death notification or serious injury notification is needed for the family of an agency member.
2. The Patrol Lieutenant will immediately notify the Chief of Police, Director of Public Safety, Support Services Commander and the Operations Commander when a notification is required.
3. The Operations Commander or the Support Services Commander will ensure that the UMBPF provides assistance to sworn personnel, non-sworn personnel, and their families following line-of-duty deaths or serious injury. The notification will include:
  - a. Notifying the family in a timely and compassionate manner.
  - b. Assisting the family at the hospital.
  - c. Supporting the family at the funeral and burial.
  - d. Assisting the family with legal and benefit issues and/or referrals.
  - e. Seeking counseling for the family regarding financial and other possible problems and/or referral to the appropriate agency.
  - f. Supporting the family during criminal procedures and maintaining long-term support contact with the family.
4. The UMBPF does not maintain or employ a full-time Psychologist; however, if agency personnel or their families feel they would require the services of a Psychologist or Psychiatrist, a referral will be made to the Employee Assistance Program or other services for assistance.

### **B. Contact for Services**

The UMBPF supports its personnel involved in critical incidents. The Victim/Witness Coordinator is designated as the contact person for initial informal counseling and the referral of other services.

### **C. Critical Incident**

A critical incident may be any situation faced by a member of the UMBPF that causes them to experience unusually strong emotional reactions (either at the scene or subsequent to the incident) that may have the potential to interfere with the member's ability to function as a police officer.

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### **Written Directive System Impact**

Upon approval and publication, this edition of WD 14.2 supersedes all previous editions. Additionally, WD 14.2 incorporates and replaces SOM 14.2 Victim / Witness Services and CSM 10.1 Victim / Witness Services. SOM 14.2 and CSM 1.01 will be purged from the manual system and deactivated in PowerDMS.

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Chief of Police / Associate Vice President for Public Safety

CALEA Standard (s): 22.2.4; 55.2.3; 55.2.4; 55.2.5