



GENERAL ORDER OPS-24 VICTIM ASSISTANCE

EFFECTIVE MARCH 19, 2019

This General Order contains the following numbered sections:

- I. POLICY
- II. ADMINISTRATION AND MANAGEMENT
- III. GENERAL RIGHTS OF CRIME VICTIMS
- IV. VICTIM ASSISTANCE SECTION FUNCTIONS
- V. DUTY OFFICER GUIDELINES
- VI. PRELIMINARY INVESTIGATION GUIDELINES - INVESTIGATING MEMBER
- VII. PRELIMINARY INVESTIGATION GUIDELINES – VAS STAFF
- VIII. FOLLOW UP INVESTIGATION GUIDELINES
- IX. ARREST/POST-ARREST PROCEDURES
- X. DEATH NOTIFICATIONS
- XI. ASSISTANCE FOR LIMITED ENGLISH PROFICIENT PERSONS
- XII. CANCELLATION

I. POLICY

The Howard County Department of Police (HCPD) shall ensure that the rights of victims are protected and that they are treated with fairness, compassion, and dignity. The Department is committed to the development, implementation, and continuation of victim assistance programs and activities consistent with available resources and a realistic needs assessment.

II. ADMINISTRATION AND MANAGEMENT¹

- A. The authority and responsibility for the administration and coordination of the Victim Assistance Program rests with the Victim Assistance Section (VAS) Supervisor.
- B. Since the patrol officer is the first person to have contact with the victim of a crime, it is the patrol officer's responsibility to see that the needs of the victim are addressed and satisfied. Patrol responsibilities in providing victim and witness assistance are directed by the respective District Commanders, in consultation with the VAS Supervisor.
- C. VAS staff will monitor victim services by providing victims with information on how to submit comments and concerns via telephone, email using the "contact us" web link, or the citizen survey. The VAS Supervisor will evaluate all comments and concerns with the intention of working toward improving services offered and provided to victims of crime.

III. GENERAL RIGHTS OF CRIME VICTIMS

- A. A victim of crime is entitled to be treated with dignity, respect, and sensitivity during all phases of the criminal justice process.
- B. Legal rights address issues of compensation, restitution, suspect apprehension, impact statements, notification on court proceedings, return of property, and more.

IV. VICTIM ASSISTANCE SECTION FUNCTIONS²

- A. The Supervisor of the Victim Assistance Section shall:
 1. Ensure the confidentiality of victims and their role in case development to the extent consistent with applicable Maryland law.³

¹ CALEA 55.1.1a

² CALEA 55.1.1e

³ CALEA 55.1.1b

2. Define the VAS's goals and objectives on a fiscal year basis in conjunction with the development of Departmental goals.
 3. Maintain liaison with other criminal justice agencies, governmental and non-governmental agencies and organizations concerned with victim needs and rights.⁴
- B. All members shall receive information on VAS programs.
1. Non-sworn employees, when they are hired, shall be informed about existing agency and community victim assistance programs serving the public as well as agency personnel.
 2. The Department shall conduct training of its sworn personnel in victim 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.
 3. Sworn and civilian personnel directly involved in agency victim assistance efforts shall receive an appropriate level of training and retraining.
- C. The VAS will:
1. Coordinate efforts to periodically inform the public and the media about the agency's victim assistance services.⁵
 2. Provide the Communications Division and Duty Officer stations with appropriate materials regarding victim assistance and referral information efforts.
- D. An analysis shall be conducted every two (2) years of victim assistance needs and available services within Howard County that includes:⁶
1. The extent and major types of victimization within Howard County;
 2. An inventory of information and service needs of victims in general;
 3. Victim assistance and related community services available within Howard County; and
 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 the Department.

V. DUTY OFFICER GUIDELINES

- A. Each District Station shall maintain crime victim referral information, including governmental and private sector, to address needs of medical attention, counseling, and emergency financial assistance. This information will be available on a 24-hour basis to provide continuity of service to those in need.⁷
- B. Each Duty Officer will attempt to provide as much referral assistance as possible to facilitate the needs of crime victims.

VI. PRELIMINARY INVESTIGATION GUIDELINES – INVESTIGATING OFFICER

- A. Upon first contact, every victim, regardless of severity of the crime, shall receive:

⁴ CALEA 55.1.1d

⁵ CALEA 55.1.1c

⁶ CALEA 55.1.2

⁷ CALEA 55.1.1c and 55.2.1

1. A copy of the Maryland “Crime Victims and Witnesses: Your Rights and Services” booklet which is provided by the Governor’s Office of Crime Control and Prevention (§ 11-104 [b] of the Criminal Procedure Article). This will ensure that all victims of crime are apprised of basic criminal justice procedures and are directed to a number of useful resources.
 2. A copy of the Howard County “Local Guide for Victims and Witnesses” brochure which is provided by the HCPD to ensure victims of crime are apprised of local resources available in the community, to include the Department’s VAS.⁸
 3. The officer will use the check box on the report face sheet to indicate the distribution of the booklets.
- B. Officers will provide the victim with:⁹
1. The case number and explain subsequent steps in the processing of their case.¹⁰
 2. The investigating officer’s phone number in the event the victim wishes to report additional information about the case or to receive an update on the status of the case. If immediate action is needed, the victim should be directed to contact an on-duty officer.¹¹
- C. Victims shall be encouraged to report incidents of threats or intimidation to the Department.¹²
1. Threats to victims will be documented in an Incident Report and forwarded to the immediate supervisor of the investigating officer as well as the Supervisor of the VAS. Appropriate assistance will be determined by the nature of each individual case and the resources available to the Department and, if possible, be commensurate with the danger faced by the victim.
 2. When appropriate, the Office of the State’s Attorney will be notified of threats received by victims. Notification will be made verbally and confirmed in writing.
- D. Officers shall offer to transport a rape/sexual assault victim to an approved Department of Health & Mental Health Facility, i.e. Howard County General Hospital. (§ 11-924 of the Criminal Procedure Article).
- E. Domestic violence (DV) victims shall be protected from harm when responding to a request for assistance. Officers shall:
1. Accompany the victim to his or her residence so that he or she may remove personal clothing and personal effects (immediate needs items only) from the home (§ 4-502 [a][2][i][ii] of the Criminal Procedure Article). This includes personal effects of any children who will accompany the victim.
 2. Notify the victim of specific DV rights (§ 4-503 of the Family Law Article).
 3. Provide the victim with an HCPD Domestic Information Form, which details the necessary referral telephone numbers, legal rights and charging procedures.
 4. The victim may file a petition for relief from abuse in District Court or Circuit Court (§ 4-503 [a][2][iii] of the Family Law Article).

⁸ CALEA 55.2.3a

⁹ CALEA 55.2.3a

¹⁰ CALEA 55.2.3c

¹¹ CALEA 55.2.3d

¹² CALEA 55.2.2 and 55.2.3b

- F. Officers will coordinate with VAS staff to ensure there is no interruption of or delay in providing services to victims, and will routinely communicate with VAS staff to provide up-to-date information on cases.
- G. In all instances where a juvenile is identified as the victim of a crime or is a witness to a violent or otherwise serious offense, the juvenile's parent or guardian will be notified as soon as possible.
 - 1. Every effort will be made to complete the notification prior to the investigating officer's conclusion of contact with the juvenile and prior to the juvenile leaving the location of the incident or location of the police contact.
 - 2. The notification shall be documented within the initial report, to include name, address, phone and their relationship to the juvenile victim, for example: parent/adult sibling, etc.

NOTE: These duties are to be completed by the responding officer, not the VAS, and shall be adhered to for all crime victims.

VII. PRELIMINARY INVESTIGATION GUIDELINES – VAS STAFF

- A. During the preliminary investigation of any criminal incident, VAS staff will review police reports to identify victims who meet the criteria for outreach services. Victims may also come to the attention of the VAS via other sources, such as referral from court commissioners or other agencies. Once identified, victim's needs will be assessed and addressed.
 - 1. The VAS maintains an outreach program that provides crisis intervention, support, information, and referral to local county and non-profit organizations as appropriate for each victim. Outreach is conducted in person, via telephone, by letter and by brochure distribution.
 - 2. VAS activities are provided in conjunction with services rendered by police officers and other agencies.
- B. Contact is made with victims for the purpose of listening, answering questions, and further assessing victim needs for counseling, financial compensation, crime prevention tips, information about their incident and the criminal justice process, or other services. Appropriate referrals and recommendations will be made at this stage.
 - 1. VAS staff members may ask specific questions of the victim to ascertain additional facts relevant to the incident that may lead to further investigation or case closure. Any supplemental information derived from these contacts will be forwarded to the investigative member and their supervisor on a Supplemental Incident report.
 - 2. VAS staff members may act as liaisons between victims and officers, facilitating communication and easing demands on sworn personnel by handling routine inquiries and requests. It is incumbent upon officers to communicate routinely with VAS staff, providing up-to-date information regarding case development and status. Generally, this shall only require that officers respond to VAS staff's request for assistance or information.
- C. Records will be maintained that document all victim contacts and activity, to include referrals and case outcomes.

VIII. FOLLOW UP INVESTIGATION GUIDELINES

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

1. Re-contact the victim periodically to update them on the status of their case.¹³
 2. Explain to victims the procedures involved in the prosecution of their case and their role in those proceedings.¹⁴
 3. If feasible, schedule line-ups, interviews and other required appearances at the convenience of the victim and, at the option of the investigating member, provide transportation.¹⁵
 4. In accordance with all applicable policies and when otherwise possible, promptly return victim property taken as evidence (except for contraband, disputed property and weapons used in the course of the crime), where permitted by law, rules of evidence, or approved by the Office of the State's Attorney.¹⁶
- B. Officers shall coordinate with VAS staff to ensure there is no interruption of or delay in providing services to victims. Officers will routinely communicate with VAS staff to provide up-to-date information on cases.
- C. During the follow up portion of the investigation VAS staff will:
1. Re-contact the victim periodically to determine whether needs are being met.¹⁷
 2. Assist with explaining criminal justice processes, scheduling line-ups, interviews and other required appearances.¹⁸
 3. Assist with the return of victim property (except for contraband, disputed property and weapons used in the course of the crime), where permitted by law, rules of evidence, or approved by the Office of the State's Attorney.¹⁹
 4. Assign a victim advocate, if available, to the victim/witness during the follow-up investigation.²⁰

IX. ARREST/POST ARREST PROCEDURES

Upon the arrest and post-arrest processing of a suspect, the investigating member, or VAS staff member at the request of the investigating member, will advise the victim of the arrest and the post-arrest proceedings of the suspect including the criminal charges placed against the suspect (exception: unwaived juvenile defendants) and the arrestee's custody status.²¹

X. DEATH NOTIFICATIONS

The VAS Supervisor will assist with death notifications as directed, and in accordance with General Order OPS-01, Death Notifications.²²

¹³ CALEA 55.2.4a

¹⁴ CALEA 55.2.4b

¹⁵ CALEA 55.2.4c

¹⁶ CALEA 55.2.4d

¹⁷ CALEA 55.2.4a

¹⁸ CALEA 55.2.4b & c

¹⁹ CALEA 55.2.4d

²⁰ CALEA 55.2.4e

²¹ CALEA 55.2.5

²² CALEA 55.2.6

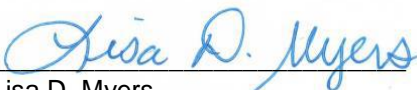
XI. ASSISTANCE FOR LIMITED ENGLISH PROFICIENT PERSONS

- A. Limited English Proficient (LEP) individuals are those persons who cannot speak, read, write, or understand English well enough to interact effectively with government agencies, to include the Department. Refer to General Order OPS-19, Limited English Proficiency, for additional guidance.
- B. Every effort will be made to ensure access to victim services to those LEP individuals.
- C. Agency personnel who are certified interpreters will be will be utilized whenever possible.
- D. Available translation and interpretation services will be utilized to assist these victims when no agency personnel are available.

XII. CANCELLATION

This General Order Cancels and replaces General Order 95-07, OPS-24, Victim Assistance, dated June 13, 2003.

AUTHORITY:



Lisa D. Myers
Chief of Police