



Office Of The Sheriff
Allegany County
Maryland

GENERAL ORDER NO: **4-400.00**

TO: All Patrol and Judicial Personnel

RE: VICTIM/WITNESS ASSISTANCE

PURPOSE: To establish procedures aimed at assisting witnesses and victims of crime through information and agency action as specified by law and agency policy.

EFFECTIVE DATE: 2003

REVISION DATE: 3/1/2016

4-401.00 Definitions

- .01 Victim (Article 27, Section 770A2) - 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.
- .02 Pamphlet - Notice published by the Victim Services Board which notifies victims of the rights, services, and procedures relating to the period of time before and after the filing of a charging document.

4-402.00 Organization and Administration

- .01 The ability of law enforcement officers to solve crimes and have successful prosecutions depends a great deal upon the willingness of victims and witnesses of crimes to become involved in the criminal justice system, (during investigation and subsequent judicial actions). Victims are often the forgotten element in the criminal justice process. Defendant's Constitutional Rights must be stringently upheld, or successful prosecution of the case is in jeopardy. A State's Attorney prosecutes the crime, but in actuality, represents the State of Maryland, and not the victim. More often than not, the victim is left in the dark as to the status of the investigation, expectations as a victim/witness, and procedures/organizations available to assist victims.

.02 The Sheriff ' s Office is committed to treating victims and witnesses with fairness, compassion, and dignity, and to provide assistance as specified in Article 27, Section 770, 848, and 851.

A. Developing, implementing, and the fostering of a victim/witness assistance program.

B. In-Service Training stressing actions that deputies can take to aid victims and witnesses.

C. Identifying specific personnel to receive appropriate victim/witness assistance training, and to coordinate the office ' s efforts.

.03 The Office will, when feasible, conduct an analysis of victim/witness assistance needs and available services within the office ' s service area. At a minimum, the analysis will include:

A. The extent and major types of victimization within the office ' s service area.

B. Compilation of information and service needs of victim/witness in general to include victims of:

1. Homicide related crimes

2. Suicide survivors

3. Victims of domestic violence

4. Abused and neglected (children and elderly)

5. Sexual crimes

6. Victims resulting from drunken driving offenses

C. Victim assistance and related community services available with the office ' s service area.

D. Identification of any unfulfilled needs and the selection of needs that are appropriate for the office to meet.

.04 The goal of the Sheriff ' s Office is to develop a victims/witnesses assistance function which will benefit the office through citizen good will and increased participation in the criminal justice process, while meeting certain specific needs of individual victims or witnesses. The Shift Supervisor's will assign specific personnel to coordinate the office ' s victims/witnesses function. Personnel assigned responsibilities of coordinator will report directly to the Shift Supervisor's regarding the activities of the Victim/Witness Assistance Program.

.05 Using the analysis as described in .03", the coordinator will:

- A. Plan specific implementation and delivery plans of assistance services.
- B. Ensure confidentiality of records and files of victims and witnesses and their role in case development to the extent consistent with applicable law.
- C. Develop plans to periodically inform the public and media about the agency ' s victim/witness assistance services.

.06 Liaison with other agencies

- A. The coordinator will ensure that the office maintains liaison with other organizations, governmental and non-governmental, having such programs or offering specific assistance services. Such a relationship between the office and other organizations will serve to:
 - 1. Allow governmental agencies with like goals and objectives regarding victim/witness assistance programs to maintain an exchange of ideas and training information that will enhance mutual efforts.
 - 2. Continually update agencies available to the community outside the office who provide services to victims/witnesses that cannot be offered by the Sheriff ' s Office, and who may be used as referral sources.
 - 3. Inform a variety of agencies working toward a common goal of victim assistance that other such sources exist, and through liaison create a working network with common goals.

B. An excellent source of organizations, which may be able to address specific needs of a victim, is the Community Services Directory compiled by the United Way. A copy of the directory will be maintained in the Communications Center. Examples of other agencies with the common goal of victim/witness assistance and examples of relationship with the office include, but are not limited to:

1. **Cumberland City Police.** Liaison with the City Police victim/witness coordinator will result in an exchange of operating procedures and training opportunities.
2. **Allegany County State's Attorney Office.** The State's Attorney's Office has a victim/witness coordinator primarily concerned with situations in which a suspect has been charged with a crime. Since agency personnel will be assisting victims/witnesses primarily in crimes where no charges have been brought, a working relationship with the State's Attorney's Office will compliment the joint effort of the two agencies in meeting the needs of victims/witnesses.
3. **FCRC.** Offers safer shelter for women who have been a victim of domestic violence. Excellent referral source for agency personnel responding to domestic disputes requiring a temporary separation of parties due to violent behavior.
4. **MADD of Western Maryland.** Offers support for victims of incidents involving drunk drivers.
5. **Allegany County Department of Social Services.** Provides financial and social support to people in need.
6. **Department of Juvenile Justice.** Provides information and support for juvenile and their families.

C. Agency personnel will be diligent in assisting victims, if at all possible, through services the office may provide or by referring the victim to an appropriate organization, (if available), that can address specific needs of victims.

.07 The office will keep sworn and non-sworn personnel informed as to agency and community victim/witness assistance programs activities. In-Service Training will be conducted, as needed, focusing on victimology and methods of assistance. New personnel will receive orientation on victim/witness assistance as part of their initial training.

4-403.00 Operations

.01 24-Hour Victim Assistance Contact

- A. Individual agency personnel will be responsible, as situations arise, for informing victims/witnesses of available agency services and of appropriate referral agencies.
- B. Information as to assistance provided by the office or other agencies in the County to victims/witnesses will be available 24 hours a day to people calling (301) 777-7114, or referred through the "911" emergency number.
- C. The Allegany County Sheriff's Office will be in operation 24 hours a day. Should a victim/witness make an inquiry and a specific deputy or Victim/Witness Assistance Coordinator not be available, the Duty Officer will serve as a 24-hour point of contact. Information will be provided regarding services by the Office as well as other agencies available, (both government and private), for victims/witnesses with specific needs to include: medical attention, counseling, or emergency financial assistance.

.02 Protection for Victims/Witnesses

- A. The office will provide appropriate assistance to victims/witnesses who have been threatened or who, in the judgment of the office, express specific, credible reasons for fearing intimidation or further victimization. The decision to assign agency personnel to physically protect a victim/witness will be made by the Shift Supervisor's or higher authority.
- B. Appropriate Assistance will be determined by:
 - 1. The nature of the case
 - 2. Resources available to the office
 - 3. Other requirements of the office
 - 4. The amount of apparent danger involved

- C. Appropriate Assistance may include, but not be limited to:
 - 1. Physically guarding a victim/witness, (only within office ' s jurisdiction)
 - 2. Escorts
 - 3. Words of encouragement or advice
- D. If the office becomes aware of danger to a victim or witness, a prompt attempt will be made to contact and alert the victim/witness, along with appropriate action. If the victim/witness is in another jurisdiction, an enforcement agency in that area will be contacted, informed of the situation, and a request for reasonable precautions made.

.03 Advocacy assistance will be afforded to victims of the following criminal activity:

- A. All felonies
- B. Misdemeanor offenses involving crimes against person
- C. Other crimes as deemed appropriate by the responding deputy

.04 Assistance to be given along with normal investigative routines during the preliminary investigation will include, at a minimum:

- A. Giving the victim/witness information of applicable assistance, which may be provided by the office.
- B. Giving information about applicable services such as counseling, medical attention, compensation programs, or emergency financial assistance and victim advocacy.
- C. Giving advice as to a possible course of action if a suspect or suspect ' s companion/family threatens or otherwise intimidates the victim or witness.
- D. Giving the victim the case number and subsequent steps in the processing of the case.
- E. Giving telephone number(s) that the victim/witness may call to report additional information about the case or to receive information about the status of the case, as to whether it is open, suspended, or closed.

.05 Assistance services to be provided during follow-up investigations, if any, include at a minimum:

- A. If in the opinion of the office, the impact of a crime on a victim/witness has been unusually severe, and has triggered above average victim/witness assistance, re-contacting the victim/witness periodically to determine whether needs are being met.
- B. If not an endangerment to the successful prosecution of the case, explaining to the victim/witness procedures involved in the prosecution of their case and their role in the procedures.
- C. If feasible, schedule line-ups, interviews, and other required appearances at the convenience of the victim/witness. Transportation may be provided by the office under certain circumstances; i.e., victim/witness has no transportation.
- D. If feasible, return property of victim/witness promptly which was taken as evidence, (excepting for contraband, disputed property, or weapons used in the course of the crime), as permitted by law or rules of evidence.
- E. If feasible, assign a victim advocate to the victim/witness during the follow-up investigation.

By Order Of:

Craig A. Robertson, Sheriff