



Approved:  
*Chief Marcia Harnden*

Subject:

# 537. Victim Services Program

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## 537.1: PURPOSE AND SCOPE

This policy provides guidelines for the administration of the Albany Police Department Victim Services Program specific to the victim assistance specialist and assigned volunteers. The purpose of the Victim Services Program is to communicate with crime victims on case status, court dates, and assist with other important information. This program helps refer or direct victims to community resources.

## 537.2: POLICY

**It is the policy of the Albany Police Department to provide guidance and assistance to the victims of crime. The employees of the Albany Police Department will show compassion and understanding for victims and will make reasonable efforts to provide the support and information identified through the Victim Services Program.**

## 537.3: VICTIM ASSISTANCE SPECIALIST DUTIES

The victim assistance specialist is responsible for assisting primary and secondary victims of misdemeanor crime as they go through the criminal justice process. The duties include, but are not limited to:

- a. Identify and contact crime victims who have sustained monetary losses and obtain verification of those losses (estimates of damage, salary verification, etc.);
- b. Make available to the prosecuting attorney and courts documentation of losses incurred by the crime victims;
- c. Assist crime victims when it is necessary for them to attend a restitution hearing;
- d. Assist crime victims who inform the Victim Assistance Program (VAP) of nonreceipt of restitution payments by providing referral to persons who may assist the crime victim in obtaining a remedy for a violation of crime victims' right;
- e. Prepare crime victims, when practical, either by written or oral communication, of the various court procedures through which a case progresses (grand jury, arraignment, plea trial, etc.);

- f. Upon request or when deemed necessary by VAP staff, arrange for advocate(s) to accompany crime victims to court;
- g. When possible, advocates who accompany crime victims to court will remain with crime victims throughout their court appearances.

#### 537.4: VICTIM ASSISTANCE

The Victim Services Program will provide assistance to victims of crime. Victim assistance can include any of the following:

- a. Includes advocacy of the core services as well as acting as a liaison in locating and utilizing resources to improve the crime victims' emotional and mental health;
- b. Involve the crime victims in the sentencing process, including appearances at sentencing hearings, making the court aware of the victim's presence, and facilitating the crime victim's involvement in the preparation of presentence reports and the "Victim Impact Statement";
- c. Upon the crime victims' request, and to the extent practical, ensure consultation with crime regarding the plea discussions before final plea agreements are made;
- d. Assist crime victims in arranging for the provision of temporary childcare when appropriate;
- e. Upon request, arrange for transportation of crime victims when deemed necessary for their participation in the criminal justice proceedings;
- f. Upon request, intercede with an employer on the crime victims' behalf where the need for court appearance has caused, or will cause, an employed person to lose time from work and possibly jeopardize his/her employment;
- g. Orient personnel of the criminal justice system, who will or may have contact with crime victims, to the needs of crime victims in general and in special circumstances, to the needs of particular crime victims;
- h. Provide a safe waiting area separated from the defendant, defendant's family and friends;
- i. Notify the appropriate law enforcement agency if protection of the crime victim is requested or deemed necessary by VAP staff;
- j. When deemed necessary, advise the proper authorities of the need to include no contact provision with the crime victim as a condition of a release agreement and order and sentencing judgment;
- k. In those cases where tampering with or harassment of a crime victim occurs, encourage prosecutors to file proper charges and to give the charges priority in prosecutorial charging decisions;
- l. When hearings are cancelled, insure that a procedure exists to notify crime victims who have been requested or subpoenaed to appear, that the hearing has been cancelled, and that the victims' appearance has been excused, or continued to a future date, as the case may be.

**537.5: NOTIFICATION**

The victim assistance specialist will notify crime victims of the following information when applicable:

- a. Provide notice to victims of crime about their rights as a crime victim as soon as practical including providing information about specific rights which must be requested to become rights and provide access to information about how to remedy situations where crime victim notification rights are not honored;
- b. Upon crime victim request, inform crime victims in advance of any critical stage of the proceeding;
- c. Notify crime victims of the existence of the Crime Victim's Compensation Program (CVCP) and provide an explanation of available benefits by providing crime victims and relatives with an informational brochure and an application form;
- d. When requested, assist crime victims and relatives, who are not able to do so independently, in gathering information and completing their applications in order to submit a claim for compensation;
- e. Upon request, inquire as to the claim status and payments with the CVCP.

**537.6: FOLLOW UP**

The victim assistance specialist will assist crime victims with obtaining property that was held for the investigation. Follow up should include the following:

- a. Refer crime victims to those criminal justice authorities responsible for the return of property held as evidence; and
- b. Intercede on behalf of crime victims with those criminal justice authorities responsible for the return of property in order to obtain the early release of victims' property when necessary.