


Atlanta Police Department Policy Manual		Standard Operating Procedure
Effective Date: July 6, 2022		APD.SOP.3100 Victim Witness Assistance
Applicable To: All Employees and Victim Advocates		Review Due: 2026
Approval Authority: Interim Chief Darin Schierbaum		
Signature: Signed by DS		Date Signed: 7/5/2022

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1. PURPOSE

The Atlanta Police Department in collaboration with Atlanta Victim Assistance, Inc. (AVA), formerly known as Victim Witness Assistance Program Inc. (VWAP), shall provide comprehensive services to victims and witnesses of crimes in accordance with the Georgia Crime Victims' Bill of Rights. AVA advocates shall assist investigating officers by providing after-action aid to victims and witnesses involved in a criminal case.

2. POLICY

The Atlanta Police Department, in conjunction with AVA's mission, shall provide follow-up assistance to persons who are victims or witnesses of crimes covered under the State of Georgia's Crime Victims' Bill of Rights. (CALEA 6th ed. Standards 55.1.1a)

3. RESPONSIBILITIES

(CALEA 6th ed. Standards 55.1.1d)

3.1 The Criminal Investigations Division (CID) and Field Operations Division (FOD) commanders shall monitor the successful and consistent implementation of AVA advocates into the Department's first response procedures and the subsequent investigation. They shall monitor their division's use of advocates and ensure the Department's policy towards victims and witnesses is effective and meeting expectations.

3.2 The Chief Administrative Officer (CAO) shall ensure AVA advocates have access to logistical resources such as telephone lines, computer/internet access, proper identification, adequate office furniture and office space in the section or unit, allowing for confidential discussions and secure file storage.

3.3 The section and/or unit commander shall include AVA advocates into the procedure process for police officers and investigators handling crimes.



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- 3.4 Supervisors shall ensure employees under their immediate supervision are aware of and utilize the services of AVA advocates when they respond to and/or investigate reports of crimes. They shall also refer all applicable incident reports they review to advocates for possible victim or witness assistance, if not previously referred by the reporting officer or investigator. (CALEA 6th ed. Standard 55.2.3b)
- 3.5 Investigators and officers shall identify victims or witnesses of crimes who require the services of AVA. Officers shall ensure that the victim/witness is aware of the Crime Victims' Bill of Rights and AVA regardless of whether the person wants to speak to an advocate or not. (CALEA 6th ed. Standard 55.2.4e)
- 3.6 AVA Advocates shall administer services based on AVA's mission statement and promulgated through Georgia statute. Advocates shall follow the guidelines as outlined in the AVA and Atlanta Police Department Memorandum of Understanding (MOU) and adhere to all applicable Department policies and procedures.
- 3.7 The Training Academy shall develop advocate and officer training related to the integration of AVA into the Department. The Training Academy shall train AVA advocates on the policy and procedures of the Department that effect their inclusion on a crime scene and the subsequent investigation. The Training Academy shall also ensure that officers and recruits are aware of the AVA mission, the Crime Victims' Bill of Rights, and the officer's responsibility to connect advocates with the victims/witnesses.
- 3.8 The Public Affairs Unit shall be responsible for preparing public service announcements informing the public and the media of AVA and the Department's policy in ensuring victim and witness assistance services. (CALEA 6th ed. Standard 55.1.1c & 55.2.1a)
- 3.9 The Communications Division and Electronic Maintenance Unit (EMU) shall ensure first responding officers and investigators have communication access to AVA advocates. The Communications Section shall also maintain a list of current advocates and the AVA main office phone number for officers, victims, or witnesses who are in need of services. (CALEA 6th ed. Standard 55.2.3d)
- 4. ACTION
 - 4.1 Atlanta Victim Assistance, Inc. (AVA)
 - 4.1.1 AVA shall have access to an office or desk in the zone precinct or unit to facilitate working closely with first responders.
 - 4.1.2 AVA advocates shall fulfill the MOU and "Service Protocol" by providing the following during an investigation:
 - 1. Providing immediate follow up contact to referred victims; (CALEA 6th ed. Standard 55.2.4a)
 - 2. Making referrals to appropriate shelter or safe houses; (CALEA 6th ed. Standard 55.2.5)
 - 3. Making referrals to appropriate social service agencies; (CALEA 6th ed. Standard 55.2.5)
 - 4. Assisting victims with Victim Compensation claims; (CALEA 6th ed. Standard 55.2.3a)
 - 5. Providing personal advocacy when appropriate; (CALEA 6th ed. Standard 55.2.3a)



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6. Creating safety plans when needed for all victims/witnesses serviced; (CALEA 6th ed. Standard 55.2.3b)
 7. Making referrals for appropriate civil remedies.
 8. Compiling data on a weekly basis.
 9. Maintaining database records.
 10. Providing victims with timely information on the status of the defendant's case and court proceeding; and (CALEA 6th ed. Standards 55.2.4a, b; 55.2.5)
 11. Providing the victims/witnesses with printed material to document the services available, the steps in the criminal justice process, and contact information. (CALEA 6th ed. Standards 55.2.1; 55.2.3a, b, c; 55.2.4b; and 55.2.5)
- 4.1.3 Advocates shall receive instruction, guidance, and supervision from the zone or unit commander, or their designee, regarding protocol and procedures for each specific zone or unit.
 - 4.1.4 All advocates working within the Atlanta Police Department shall answer directly to AVA's administration and adhere to AVA's chain of command in conjunction with the Criminal Justice Coordinating Council's funding requirements.
 - 4.1.5 Hours of operation for AVA advocates shall consist of shifts based on the needs of the zones and units, generally 8:00AM-5:00PM, with flexibility for follow-up activity in court and with social services agencies. Additionally, a 24-hour AVA emergency phone number shall be available for zone officers should the need for victim advocacy assistance arise after hours. (CALEA 6th ed. Standard 55.2.1b)
 - 4.1.6 On a daily basis, advocates shall check the records management system for any incident reports that require a referral and have not been pulled or forwarded to them.
 - 4.1.7 Advocates shall have access to the records management system to conduct background checks and arrest information of a defendant in order to make informed referrals.
 - 4.2 On-Scene Response
 - 4.2.1 AVA advocates shall be identifiable by a City-issued identification card with "Victim Advocate" written in large text, their picture, and their full name. Advocates shall wear either blue, white, or black shirts and/or black vests with the AVA emblem printed in the upper left-side chest area and "Victim Advocate" written on the back.
 - 4.2.2 The identification card, visible at or above the waist, and the shirt or vest must be worn to gain access to where victims/witnesses are located. Advocates shall present their identification card upon request by an officer, investigator, or citizen.
 - 4.2.3 AVA advocates shall not approach or enter a scene until it has been rendered safe by the primary responding officer or investigator on scene. Before entering or speaking to victims or witnesses, the advocate shall advise the on-scene supervisor and the primary (reporting) officer or investigator they are at the scene and ready to assist. The primary (reporting) officer or investigator shall inform the advocate when it is safe and appropriate for them to enter an area or to speak to victims or witnesses.



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- 4.2.4 Advocates shall provide a card to victims/witnesses with information about AVA services, the Crime Victims' Bill of Rights, and the subsequent steps in the criminal justice process at the scene. Advocates shall also provide victims/witnesses with their direct contact information, along with the incident case number, for follow-up questions or information. (CALEA 6th ed. Standards 55.2.3 c, d)
- 4.2.5 Upon speaking with a victim or a witness, if the advocate is given any information that is relevant to the criminal investigation, they shall immediately report this to the primary (reporting) officer or investigator at the scene or as soon as possible after receiving the information.
- 4.2.6 AVA advocates may be attached to a subpoena to report to court by the primary officer or investigator if it is determined they can provide credible testimony regarding statements made by victims or witnesses. A subpoena shall mandate the advocate to appear in court.
- 4.2.7 AVA advocates shall adhere to APD.SOP.2010 "Work Rules" 4.1.14 "Confidentiality of Department Business," 4.1.15 (Right to Know), and APD.SOP.1060 "Public Affairs." (CALEA 6th ed. Standard 55.1.1b)
- 4.3 Officer Referrals to AVA Advocates
(CALEA 6th ed. Standard 55.1.1a, e)
- 4.3.1 First responding officers and investigators shall refer victims and witnesses of crimes or other traumatic incidents to AVA advocates when it is apparent, they shall need further aid and services beyond the immediate police presence. These referrals shall be available to victims and witnesses 24 hours a day. (CALEA 6th ed. Standards 55.2.1b & 55.2.4e)
- 4.3.2 Under Official Code of Georgia Annotated (OCGA) Title 17, Chapter 17, "Crime Victims' Bill of Rights," victims of certain crimes must be afforded certain basic rights just as the accused are afforded certain basic rights. Therefore, the first responding officer shall ensure the victim is aware of such rights and, through partnership with AVA; this shall be done as soon as possible after the victimization. Those basic rights for crime victims are: (CALEA 6th ed. Standard 55.1.1a-e)
1. Designate an immediate relative to act on their behalf (OCGA § 17-17-4).
 2. Receive prompt notification of the arrest, release, or possible release of the accused, provided the victim provides a landline telephone number (OCGA § 17-17-5 and 17-17-7).
 3. Compensation for certain expenses related to their victimization (OCGA § 17-17-6).
 4. Access to available community-based victim service programs (OCGA § 17-17-6).
 5. Information regarding the steps in the criminal case (OCGA § 17-17-6).
 6. Possibility of pretrial release of the accused (OCGA § 17-17-6).
 7. Express their opinion on the pending release of the accused (OCGA § 17-17-7).
 8. Confidentiality involving the release of personal information (OCGA § 17-17-10).
 9. Express their opinions regarding the disposition of the case (OCGA § 17-17-11).



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4.3.3 Those crimes covered by the Crime Victims' Bill of Rights are:

Homicide, Robbery & Burglary	All Sexual Offenses
Assault and Battery	Elder Abuse
Kidnapping, False Imprisonment	Arson, Bombs and Explosives
Reckless Conduct/Physical Injury	Theft
Cruelty to Children	Homicide, Feticide or Serious Injury by Vehicle
Feticide	Forgery, Fraud & Identity Theft
Stalking/Aggravated Stalking	Sale or Harmful Materials to Minors
Cruelty to Person 65 Years of Age or older	

- 4.3.4 AVA advocates may be called to the scene of crimes as defined by OCGA § 19-13-1 "Family Violence" or whenever the primary officer or investigator believes a referral would be appropriate. If an officer has specific, credible reasons to believe further immediate violence or victimization may occur then a supervisor shall be contacted in conjunction with AVA services. Appropriate assistance (e.g., counseling, referrals, temporary relocation, temporary protective orders, and directed patrols) from AVA resources or the Atlanta Police Department shall be given based upon the overall circumstances of the incident. (CALEA 6th ed. Standards 55.2.1a, 55.2.2 & 55.2.3b)
- 4.3.5 When an officer is called to an incident involving victims or witnesses of a crime in section 4.3.3 or family violence, they shall contact the appropriate AVA advocate.
- 4.3.6 If a language barrier exists, the primary officer or investigator may contact an AVA advocate who can assist with translation. In addition, the primary officer or investigator shall notify dispatch radio and their supervisor of the existing language barrier. If there is no one available to assist, the Atlanta Police Department language line services shall be requested as specified in APD.SOP.6143 "Limited English Proficiency." (CALEA 6th ed. Standards 55.2.1a) (GLECP 6th ed. Standard 8.5)
- 4.3.7 The reporting officer shall give each victim and witness a card with AVA information that shall include: the advocate's name, a direct advocate phone number, the incident case number, the reporting officer's or investigator's name, emergency contact number for AVA assistance, the victim's Bill of Rights, and the possible subsequent steps in the criminal justice process. (CALEA 6th ed. Standards 55.2.1a & 55.2.3c)
- 4.3.8 The reporting officer or investigator shall follow-up with advocates who have spoken to victims or witnesses for any information relevant to the investigation.
- 4.3.9 The reporting officer or investigator shall indicate in the incident report that the victims/witnesses were provided AVA contact information.
- 4.3.10 Notification of the next-of-kin involving deaths, the seriously injured, or the seriously ill shall be handled by the ranking officer at the scene with the assistance of a chaplain, AVA advocate, or other relative or close friend of the victim. If the notification is outside of the Atlanta Police Department's jurisdiction, the ranking officer shall contact the appropriate law enforcement agency through Communications to notify the next-of-kin and provide the family with information on contacting the investigating officer and the assigned AVA advocate. (CALEA 6th ed. Standard 55.2.6 & 55.2.3c)



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- 4.4 Reporting Process
(CALEA 6th ed. standard 55.1.2 & 55.2.3c)
 - 4.4.1 AVA advocates shall prepare and provide a copy of the monthly service report to their respective zone and/or unit commander. The monthly service report shall cover at a minimum the major types of victimization serviced, an inventory of the information and service needs provided, and identification of unfulfilled needs or other appropriate needs to be met.
 - 4.4.2 Zone or unit commanders shall compile the reports into an annual report by the 15th of January and forward them to the division commander for review by the end of January. The report shall be maintained in the commander's administrative files for three years.
 - 4.4.5 AVA administration shall forward a copy of its annual report to the Chief of Police, and the Planning, Research, and Accreditation Unit commander by January 31st of each year.
- 5. DEFINITIONS
 - 5.1 Atlanta Victim Assistance (AVA) Advocate: An AVA Advocate is an employee under the supervision of the Atlanta Victim Assistance Program. The AVA Advocate serves in a collaborative role between the City's Municipal Court and the Atlanta Police Department (APD) to provide comprehensive services to victims, their families, and the Department, that include a better understanding of criminal justice system procedures. The AVA Advocate provides the Department with information on cases from victims and their families.
 - 5.2 Crimes: Those crimes identified under the Crime Victims' Bill of Rights, Georgia Code Title 17, Chapter 17 and as defined under Family Violence, Georgia Code 19-13-1.
 - 5.3 Family Violence: The occurrence of one or more of the following acts between past or present spouses, persons who are parents of the same child, parents and children, stepparents, and stepchildren, foster parents and foster children, or other persons living or formerly living in the same household: (1) Any felony; or (2) commission of offense of battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, or criminal trespass. The term 'family violence' shall not be deemed to include reasonable discipline administered by a parent to a child in the form of corporal punishment, restraint, or detention. (OCGA § 19-13-1)
- 6. CANCELLATIONS

APD.SOP.3100 "Victim Witness Assistance" effective July 1, 2018
- 7. REFERENCES

Commission on Accreditation for Law Enforcement Agencies 6th Edition, Standards 55.1.1, 55.2.1, 55.2.2, 55.2.3, 55.2.4, 55.2.5 & 55.2.6.

Georgia Code § Title 17, Chapter 17 "Crime Victims' Bill of Rights"

Georgia Code § 19-13-1 "Family Violence" defined

Georgia Law Enforcement Certification Program (GLECP) 6th Edition, Standard 8.5

2013 Victim Witness Assistance Program, Inc., and the Atlanta Police Department Memorandum of Understanding.



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8. SIGNIFICANT CHANGES

- 8.1 Sections 3.3, 3.10, 4.4.3 and 4.4.4 amended to remove the requirement for an annual analysis to be completed by the Tactical Crime Analysis Unit; the Department opts out of the requirements of CALEA 6th ed. Standard 55.1.2.