



Policy 805

Subject	
VICTIM AND WITNESS ASSISTANCE AND RELOCATION	
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By Order of the Police Commissioner

POLICY

It is the policy of the Baltimore Police Department (BPD) to protect and, when necessary, relocate crime victims and witnesses.

PURPOSE

The purpose of this policy is to establish procedures to identify, protect, and relocate at-risk individuals who may testify in criminal proceedings (e.g., victims and witnesses) and to establish a coordinated Witness Assistance Program (WAP).

GENERAL

1. The practice of victim/witness intimidation creates an atmosphere of fear and non-cooperation within the community, and reduces the public's confidence in the criminal justice system's ability to protect them.
2. Recognizing that witness intimidation is a threat to public safety, the City of Baltimore has appropriated funds for the exclusive purpose of ensuring the safety of witnesses to criminal activity that may be called by the State to testify at a criminal trial in Baltimore City.
3. Witness intimidation calls for service shall be dispatched via landline. Under no circumstances shall the nature of the call be broadcast over the police radios.

NOTE: The address of the relocation shall be held in the **strictest of confidence**, and shall not appear in any reporting. The address of the relocation is to be disseminated on a "need to know" basis.

4. During regular business hours all requests for Emergency Housing Relocation shall be directed to the Witness Relocation Unit at: (410) 396-5584 or (410) 361-9854. If no detective is on hand to answer the phones, call the Communications Unit and a detective will be notified. After regular business hours the Communications Unit will be notified to contact the duty detective.

DEFINITIONS

Witness Intimidation — A term referring to the illegal practice of threatening victims/witnesses in order to pressure or extort them not to testify or to change their testimony. Witness intimidation includes physically harming another, threatening to harm another, and destroying property with the intent of retaliating against victims and witnesses. Witness intimidation can occur at any stage of a case (i.e., immediately following a crime; during the investigation; at the time charges are filed and the periods before, during and after trial).

Housing Relocation — Temporary housing for individuals, particularly victims, witnesses and their families, who have been threatened, intimidated or harassed because of their involvement in the community and/or a criminal case.

Witness Assistance Unit — The Office of the State's Attorney for Baltimore City, assumes primary responsibility for relocating victims and witnesses who have been threatened, intimidated or harassed because of their importance to the successful prosecution of a criminal case.

Ombudsman's Office — The Baltimore City Department of Housing and Community Development is a community service provider whose responsibilities include helping individuals and families displaced by housing and weather-related emergencies, evacuating buildings in the case of an emergency, and relocating residents in harm's way.

Witness Relocation Liaison — The Commanding Officer, Witness Relocation Unit, shall act as the BPD liaison with the Ombudsman's Office, Baltimore City Department of Housing and Community Development, and the Witness Assistance Unit/Office of the State's Attorney for Baltimore City.

REQUIRED ACTION**Member**

1. Upon receipt of a call for service/information that an individual is unable to remain at their primary residence due to an imminent threat of serious bodily harm, or it is in the best interest to relocate a victim/witness due to threats, intimidations, or retaliations:
 - 1.1. Respond as quickly and safely as possible to the location.
 - 1.2. Ensure the family and the dwelling is rendered safe. Request additional police units as needed.

NOTE: Do not broadcast the nature of the call over the police radio.

- 1.3. Keep the individuals and witnesses separated and, if necessary, transport them in unmarked vehicles to a safe location.
- 1.4. Detain/Arrest offenders in keeping with current policies. Notify the Police Liaison at Baltimore City Central Booking and Intake Facility whenever a person is arrested for witness intimidation and similar offenses.
2. Contact a permanent-rank supervisor to conduct a preliminary evaluation.

3. Complete necessary reporting and forward copies to the Witness Relocation Unit at: emergencyrelocation@baltimorepolice.org.

First-Line Permanent-Rank Supervisor (Patrol and Specialized Units)

1. Respond as quickly and safely as possible to the location.
2. Conduct a preliminary evaluation, including:
 - 2.1. Calls for service;
 - 2.2. Prior incidents;
 - 2.3. Suspect(s) information;
 - 2.4. Criminal histories; and
 - 2.5. Gang affiliations to determine type and level of threat.
3. During your interview(s), consider the following factors (although this list is not all-inclusive, it will aid in determining whether or not to contact the Witness Relocation Unit):
 - 3.1. Has a threat to inflict serious bodily injury been directed?
 - 3.2. Is the individual a community activist and/or highly involved in the community?
 - 3.3. Is the individual a victim or witness to a criminal case?
 - 3.4. Is there criminal physical evidence, such as a threatening message, graffiti or property damage, on the individual's personal property?
 - 3.5. Is there past documentation of intimidation or similar occurrences?
 - 3.6. Has information developed that support the version of the events?
4. Once determined that a threat exists, contact the Communications Unit at: (410) 396-2284 to notify the Witness Relocation Liaison. Be guided by their instructions.

NOTE: If appropriate, ascertain if the victim(s) has a family member or friend they may reside with until the matter is resolved. Transport victim(s) in keeping with Policy 503, *Transportation of Passengers in Departmental Vehicles*.

5. Ensure all reports are completed to include:
 - 5.1. Offense Reports; and
 - 5.2. Any additional information relative to the case.
6. Assist the Witness Relocation Unit by:

- 6.1. Providing immediate security with, preferably, a uniformed member in a marked patrol vehicle outside the primary residence until the relocation has occurred.
- 6.2. Assisting with transporting participants to the relocation address and/or other locale. All transportation of participants shall be conducted in unmarked vehicles. Utilize unmarked vehicles from other units, as needed.
7. Ensure special attention is provided to the individual's primary residence for at least 30 days following the date of relocation. Appropriately document criminal and/or noteworthy activities, and forward copies to the Witness Relocation Unit.
8. If the individual(s) recants or refuses assistance, obtain as much information as possible. Note the recant/refusal in any reporting.

District Commander

When an emergency housing relocation occurs in your district, ensure special attention is provided to the participant's primary residence for at least 30 days.

Shift Commander, Communications Unit

1. Ensure dispatchers notify members when calls for service contain a Premise and Hazard Information File for emergency housing relocation.
2. Upon being alerted of a call for service relating to witness intimidation or similar issue:
 - 2.1. Have the appropriate area dispatcher notify a primary unit and the sector supervisor to telephone the Communications Unit.
 - 2.2. Advise each of the assigned units, via landline, of the nature of the call, address of the caller/participant and any other pertinent information.

NOTE: Do not broadcast the nature of the call and/or the address of the relocation over the police radio.

3. When requested, ensure the duty officer of the Witness Relocation Unit has been notified.

Police Liaison, Baltimore City Central Booking and Intake Facility

Whenever a person is charged with Witness Intimidation and/or similar charge, track their detention status.

Liaison, Witness Relocation Unit

1. Respond to the location and initiate the process of relocation.
2. Once all documentation is obtained by the Witness Relocation Unit, conduct a threat assessment.

3. Ensure a Witness Relocation case folder is created.
4. Upon completion of the Risk Assessment Report, forward the report to the Office of the State's Attorney for Baltimore City.
5. Ensure the relocation information and follow-up information are entered into the Witness Relocation Database (in Lotus Notes) and the Premise and Hazard Information File of the Computer Aided Dispatch (CAD) system.
6. Transport the victim(s) to the "Safe House."

NOTE: The address of the relocation shall be held in the **strictest of confidence**, and shall not appear in any reporting. The address of the relocation is to be disseminated on a "need to know" basis.

7. Once the victim(s) is secured in the safe house, notify the proper law enforcement jurisdiction as needed based on each case. Liaison and district personnel will assist with daily knock and talks and the gathering of intelligence on target threat group(s).
8. Forward new cases to command.

NOTE: The witness will remain in the Witness Assistance Program and in regular contact with the SAO until such time as: (1) the witness has completed testifying in the proceeding(s), or the investigation or case has been closed; and (2) the Witness Relocation Liaison makes a determination that the risk has been reduced to an acceptable level, whether through the witness's relocation or because of the termination of the case.

Commanding Officer, Witness Relocation Unit

1. Develop a comprehensive Standard Operating Procedure for the safe handling of relocation participants.
2. Ensure that within 24 hours following the relocation, weekly follow-up(s) are conducted on the participants. Note conditions of the participants, threat status, and any other noteworthy events.
3. If follow-up investigations reveal intelligence vital to the Patrol Bureau and/or CIB, ensure that the Shift Commander of the affected Jurisdiction/District/Section/Unit is immediately notified.
4. Store Emergency Housing Relocation case folders in a locked repository.
5. Ensure copies of all reporting are forwarded to Police Commissioner's Office; Deputy Police Commissioner, Patrol Bureau; and the Chief, Patrol Division, and faxed to the agency responsible for the relocation.

Criminal Investigation Bureau

1. Forward additional information pertaining to a threat to the Witness Relocation Unit.
2. Advise the Witness Relocation Unit if an Assistant State's Attorney is assigned to the case.

3. Advise the Witness Relocation Unit if the suspect was arrested or a warrant has been issued.
4. Provide the Witness Relocation Unit with weekly updates on the case.
5. Assist the Witness Relocation Unit with transport of the victim(s) to court proceedings.
6. Provide the Witness Relocation Unit with threat assessment updates on the victim.
7. Assist in moving the threat from the community, along with patrol and the Witness Relocation Unit.
8. Remain in contact with the victim throughout the relocation process.

ASSOCIATED POLICY

Policy 503, *Transportation of Passengers in Departmental Vehicles*.

RESCISSION

Remove and destroy/recycle Policy 805, *Victim and Witness Assistance and Relocation*, dated 16 March 2016.

COMMUNICATION OF POLICY

This policy is effective on the date listed herein. Each employee is responsible for complying with the contents of this policy.