

CHAMPAIGN POLICE DEPARTMENT

POLICY and PROCEDURE

POLICY NUMBER: 55.2

SUBJECT: VICTIM / WITNESS ASSISTANCE -
OPERATIONS

EFFECTIVE DATE: 10/01/09
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PURPOSE:

The purpose of this policy is to provide for appropriate levels of victim/witness assistance services to be offered prior to preliminary investigations, during preliminary, ongoing, and follow-up investigations, and following the arrest of a suspect.

DEFINITIONS:

Victim: For the purposes of this directive, "victim" means (1) a person physically injured in this State as a result of a violent crime perpetrated or attempted against that person; (2) a person who suffers injury to or loss of property as a result of a violent crime perpetrated or attempted against that person; (3) the spouse, parent, child, or sibling of a person killed as a result of a violent crime perpetrated against the person killed; or the spouse, parent, child, or sibling of any person granted rights under the "Rights of Crime Victims and Witnesses Act" who is physically or mentally incapable of exercising such rights, except where the spouse, parent, child, or sibling is also the defendant or prisoner; (4) any person against whom a violent crime has been committed; (5) any person who has suffered personal injury as a result of a violation of Section 11-501 of the Illinois Vehicle Code, or of a similar provision of a local ordinance, or of Section 9-2 of the Criminal Code of 1961, as amended.

Witness: Any person who personally observes the commission of a violent crime and who will testify on behalf of the State of Illinois in the criminal prosecution of the violent crime.

Preliminary Investigation: Generally defined as the activity which begins when officers arrive at the scene of an incident.

Follow-up Investigation: An extension of the preliminary investigation. The purpose of follow-up investigation is to provide additional information which could allow a case to be closed, result in the arrest of an offender, and/or permit the recovery of evidence.

POLICY:

55.2.1 LEVELS OF VICTIM WITNESS ASSISTANCE

- A. The City of Champaign maintains an emergency telephone number (911) which victims/witnesses can call to receive assistance. The emergency telephone number is publicized and the telephone is answered 24 hours per day, seven days per week.
- B. Callers shall be provided the appropriate services with telephone numbers for:
 - 1. The Victim and Witness Assistance division of the Champaign County State's Attorney Office.
 - 2. Crisis referral hot lines, including a 24-hour per day number for counseling and assistance.
 - 3. Local mental health services.
- C. There are a wide variety of services for victim/witnesses available throughout the Champaign County area. The Department's role in providing victim/witness assistance is primarily accomplished through referral.

55.2.2 ASSISTANCE TO THREATENED VICTIMS AND WITNESSES

- A. Employees, upon becoming aware that a threat has been made against a victim and/or witness, will obtain the information necessary to document the incident in a police report and notify a shift supervisor of the incident. Reports documenting threats to a victim or witness shall be forwarded to the Investigations Division. Appropriate follow-up assistance shall be determined depending upon the nature of the individual case and the resources available to the Department, and shall be commensurate with the danger faced by the victim/witness. Typically, an investigations supervisor will determine the type of assistance provided.
- B. If the victim/witness is in another jurisdiction, the shift supervisor shall ensure that contact is immediately made with the appropriate department to advise them of the situation and request that reasonable precautions are taken. The results of this contact shall be confirmed by computer message during the same shift, if possible.
- C. The State's Attorney's Office shall be advised of the threats received by victims/witnesses. The threat and notification to the State's Attorney's office shall be documented in the police report and a copy shall be forwarded to the State's Attorney's office.

55.2.3 VICTIM/WITNESS ASSISTANCE DURING PRELIMINARY INVESTIGATION

A. Officers shall render appropriate victim/witness services during the preliminary investigation, including:

1. Giving information to victims/witnesses about applicable services, including counseling, medical attention, compensation of emergency financial assistance, and victim advocacy.
2. Advising victims/witnesses what to do if the suspect, or someone acting on the suspect's behalf, threatens or otherwise intimidates them.
3. Providing victims/witnesses with the corresponding report number and explaining the steps involved in the subsequent processing of the case.
4. Providing a telephone number that victims/witnesses may call to report additional information about the case, or to receive information regarding the status of the case.

55.2.4 VICTIM/WITNESS ASSISTANCE IN FOLLOW-UP INVESTIGATIONS

A. Victim/witness assistance services to be provided during the follow-up investigation include, but are not limited to:

1. Periodically re-contacting the victim/witness to ensure his/her assistance needs are being met if the impact of the crime on the victim/witness has been unusually severe.
2. Explaining to the victim/witness the procedures involved in the prosecution of their case and their role in those procedures.
3. Scheduling line-ups, interviews, and other required appearances at the convenience of the victim/witness, and if necessary and reasonable, providing transportation.
4. Promptly returning property to the victims/witnesses when the case has been adjudicated, when the law permits, and/or when the rules of evidence have been satisfied.
5. Requesting that a victim/witness advocate, if available, assist the victim/witness during the follow-up investigation.

55.2.5 ARREST/POST ARREST VICTIM/WITNESS ASSISTANCE

A. When known, the investigating officer or arresting officer shall endeavor to promptly notify the victim/witness of the following:

1. When an arrest has been made.
2. What charges are pending against the person who was arrested.
3. Any known court dates.

B. The requirements of this section may be met by the victim/witness programs of other agencies including the Champaign County State's Attorney's Office.

C. Notification is not required on failure to appear warrants.

55.2.6 NEXT OF KIN NOTIFICATION

A. The Department is, at times, called upon to notify citizens of the death, injury, or serious illness of a family member. It is the Department's policy to honor such requests whether they come from a citizen or another law enforcement agency.

1. In the event of a death notification, such notification will be made in person. The officer assigned shall request assistance from either a supervisor or another officer.

a. If the request is made by an outside agency, reasonable attempts to verify the information shall be made prior to any notification.

b. The notifying officer will, whenever possible, attempt to obtain assistance from the clergy, a relative, or a close friend.

c. Attempts to notify next of kin shall be exhausted prior to such information being released to the news media. Only sworn supervisors are authorized to release this information.

2. It is preferable that medical authorities that are better equipped to answer questions, which may arise, make notification of injury or serious illness.

a. The next of kin shall be assisted in contacting the medical authorities or the requesting outside agency to obtain necessary information. The officer shall determine what, if any, additional assistance is necessary.

ISSUING AUTHORITY



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