



Chapter: Community Engagement and Victim Services
Subject: 16-01 – Crime Victim’s Rights
Effective: October 18, 2024
Supersedes: Official Order 16-01, dated April 19, 2022
Distribution: Department Members

PURPOSE: This Order establishes department policy related to crime victim’s rights.

16-01-1 POLICY

It is the policy of the department to treat every victim of a crime or personal tragedy with the utmost dignity, sensitivity, and compassion as is professionally possible. Members shall be alert to the personal trauma experienced by victims, often accompanied by emotions such as anguish, grief, confusion, and frustration. Members shall be vigilant in recognizing these emotions and prepared to offer an extra measure of patience, sensitivity, understanding, and assistance as needed.

The information in this Order constitutes the department's policy regarding its responsibilities to victims of crimes pursuant to the William Van Regenmorter Crime Victim's Rights Act (CVRA), [MCL 780.751 et seq](#), and the Michigan Constitution, [Const 1963, art I, § 24](#). Enforcement members shall familiarize themselves with these statutory and Constitutional provisions.

16-01-2 INITIAL CONTACT

- A. During the preliminary investigation of an incident, enforcement members are responsible for providing victims with the information required by the Michigan Crime Victim's Rights Act. Additionally, the investigating member shall provide, as applicable:
- (1) Information regarding the availability of medical and emergency services, counseling, and compensatory benefits.
 - (2) Information regarding the availability of protection for the victim from the person accused of committing a crime against them, including protective orders.
 - (3) Information regarding the right to request a copy of the incident report and other documents related to the incident.
 - (4) The incident number and the name, business address, and business telephone number of the investigating member and the contact information for the post [Victim Advocate](#), if applicable.

16-01-3 MICHIGAN CRIME VICTIM'S RIGHTS NOTIFICATION

- A. Distribution of the UD-030: The Rights and Resources for Victims of Crimes Form (UD-030), shall be used by enforcement members following the initial contact with the victim of a reported crime or juvenile offense as required under [MCL 780.753](#), [MCL 780.782](#), and [MCL 780.813](#).
- (1) The UD-030 should be given to a crime victim by the investigating enforcement member during the initial contact but shall be given to the victim no later than 24 hours after the initial contact.
 - (2) When the victim is a corporation, sole proprietorship, partnership, or other business, the UD-030 should be given by the investigating enforcement member to the owner, manager, or designated person in charge during the initial contact, but shall be given to the victim no later than 24 hours after the initial contact.
 - (3) The form may be mailed to the reporting victim, but it shall be placed in the mail within 24 hours from the time of the initial contact.
 - (4) Members shall encourage a victim to call whenever a question or concern arises.
- B. Arraignment for a Crime: Not later than 24 hours after the arraignment of the defendant for a crime, the victim shall be given all of the information required by [MCL 780.755](#).
- C. Arrest for Serious Misdemeanor: Not later than 72 hours after the arrest of the defendant for a serious misdemeanor, the victim shall be given all of the information required by [MCL 780.815](#).
- D. Preliminary Hearing for a Juvenile: If the juvenile has been placed in a juvenile facility, the victim shall promptly be given all of the information required by [MCL 780.785](#).
- E. The notice required by Section 16-01-2 of this Order shall be made by the investigating enforcement member. Notices required by Sections 16-01-2 B, 16-01-2 C and 16-01-2 D of this Order shall be made by the investigating enforcement member unless notice is made by another member pursuant to an established work unit policy.
- F. Return of Victim's Property: The property belonging to the victim of a crime, juvenile offense, or serious misdemeanor may be returned as provided in [MCL 780.754](#), [MCL 780.783](#), and [MCL 780.814](#).

16-01-4 VICTIMS OF DOMESTIC VIOLENCE

As required by [MCL 764.15c](#), victims of domestic violence shall also be provided with the written "Information for Victims of Domestic Violence" contained on the UD-030.

16-01-5 VICTIMS OF SEXUAL ASSAULT

As required by [MCL 752.953](#), victims of sexual assault shall also be provided with written "Information for Victims of Sexual Assault" contained on the UD-030.

16-01-6 INVESTIGATIVE REQUIREMENTS

- A. The investigating enforcement member shall document in their report the following:
- (1) A paragraph heading, Advice of Victim's Rights, in the body of the investigative report for those crimes, juvenile offenses, and serious misdemeanors identified in the CVRA.

- (2) The narrative contained under this paragraph heading shall document the action taken according to this Order, such as to whom and when the UD-030 was given.
- B. The investigating enforcement member shall assist victims and witnesses during the investigation by:
- (1) Assisting in promptly returning victim/witness property taken as evidence (except for contraband, disputed property, weapons used during the crime, items certified by the prosecuting attorney as needing to be retained) with appropriate approvals and when permitted by law or rules of evidence, if feasible.
 - (2) Working with the victim/witness to schedule interviews, lineups, and other required appearances.
 - (3) Making referrals to the department's Victim Services Program, if a Victim Advocate is assigned to the post, for cases that meet the required criteria.

16-01-7 RELEASE OF VICTIM INFORMATION

- A. The Michigan Constitution, [Const 1963, art I, § 24](#), guarantees crime victims the right to be treated with respect for their dignity and privacy. Therefore, to the extent consistent with Michigan's constitution and other applicable laws, records and files of victims and witnesses will be kept confidential and shall not be released to the public without permission.
- B. Specific identifying information and visual representations of a victim are exempt from disclosure under the Freedom of Information Act, [MCL 15.231 et seq](#) pursuant to [MCL 780.758](#), [MCL 780.788](#), and [MCL 780.818](#).
- C. Requests for release of reports and records shall be handled according to the written directive related to the Freedom of Information Act.
- D. Requests for the Traffic Crash Report (UD-010), for those crimes, juvenile offenses, or serious misdemeanors identified in the CVRA shall be handled according to the procedure manual related to traffic crash investigations.

16-01-8 VICTIM SERVICES PROGRAM

- A. The department's [Victim Services Program \(VSP\)](#) is designed to increase interaction between crime victims and law enforcement and reduce further trauma to victims. The VSP shall, through the distribution of literature, pamphlets, and crime awareness materials, inform the public of victim services available through the department and the State of Michigan.
- B. If applicable, Victim Advocates provide trauma-informed, victim-centered criminal justice support, referrals to community services, and advocacy to those impacted by criminal circumstances; ensure the availability of consistent and comprehensive information to crime victims regarding the constitutional and statutory rights of crime victims; and build relationships with community members, colleagues, and other professionals in such a way as to promote mutual respect and public confidence.
- C. Victim Advocates may provide assistance to victims, including, but not limited to:
- (1) Following up with the victim to offer additional services, if applicable.
 - (2) Explaining the procedures involved in the criminal justice process.
 - (3) Scheduling interviews and other required appearances.

- (4) Providing victimization prevention information and other applicable victim information.
- (5) Aiding victims/witnesses who have been threatened or who, in the judgement of the investigating member and/or Victim Advocate, express specific credible reasons for fearing intimidation or further victimization.
- (6) Providing victim services and referrals.

DIRECTOR

Annual Review Responsibility:	Field Services Bureau and Grants and Community Services Division
Accreditation Standards:	CALEA 55.1.1, 55.2.3, 55.2.4, and 55.2.5