

Chapter: 55	Victim Witness Assistance
Effective: 03/01/2014	By the Order of: Patrick L. Gallagher, Chief of Police
Revised: 5/19/2021	

Chapter 55 Victim Witness Assistance

55.1 Administration

- 55.1.1 [Written Directive summarizes right for victims](#)
- 55.1.2 [Documented Review of victim/witness assistance](#)
- 55.1.3 [Agencies role in victim/witness](#)

55.2 Operations

- 55.2.1 [Assistance 24 hours a day from one contact point](#)
- 55.2.2 [Assistance to victims of threats and fear](#)
- 55.2.3 [Assistance during Preliminary investigations](#)
- 55.2.4 [Follow up investigations](#)
- 55.2.5 [Assistance upon arrest](#)
- 55.2.6 [Notifying next of kin of deceased, seriously injured](#)

55.1.1 Written Directive summarizes right for victims - Personnel of the New Bern Police Department will treat all victims and witnesses of crime with respect, fairness, compassion, and dignity.

The investigating officer/detective with support from the Craven County District Attorney's, Victim/Witness Legal Assistant will ensure victims and witnesses are aware of the availability of the following services.

1. Crisis intervention counseling.
2. Emergency referrals or direct assistance with the following:
 - a. Medical care;
 - b. Emergency food supplies;
 - c. Provision of clothing;
 - d. Provision of shelter;
 - e. Financial assistance;
 - f. Child assistance;
 - g. Repair or cleanup of property;
 - h. Transportation;
 - i. Death notification; and
 - j. Assistance with body identification.
3. Supportive services during investigation include:
 - a. Supportive individual counseling;
 - b. Assistance with victim compensation applications;
 - c. Assistance with private insurance claims;
 - d. Employer, landlord and creditor intervention;
 - e. Appropriate social service referrals;
 - f. Consultation and networking with hospitals, medical and mental health professionals;

- g. Information regarding the status of stolen, recovered or removed property;
 - h. Information regarding arrest detention status of suspects, bail and pre-trial release;
 - i. Information regarding victim compensation;
 - j. Information regarding protection, continuing shelter and restraining orders;
 - k. Specific information regarding the criminal justice system; and
 - l. Accompaniment to physical lineups and court if needed.
4. Supportive services available during criminal prosecutions include:
- a. Coordination of victim appearances at court limiting the number of appearances, if desired, and if possible;
 - b. Apprizing the victim of case progress by phone or personal contacts;
 - c. Provide the victim with personal support through any hearings, interviews and the trial, if desired;
 - d. Provide the victim with transportation to and from court, if necessary;
 - e. Give the victims the opportunity to express to the District Attorney's Office their opinions regarding restitution, diversions, dismissals and plea bargains;
 - f. Provide a place in the courthouse that is safe and separate from suspects and defense witnesses;
 - g. Provide assistance in preparing impact statements for use in plea bargaining and sentencing; and
 - h. Provide rehearsals and courtroom walk-through for victims, if desired.
5. Supportive services available after case disposition include:
- a. Inform the victim of the offender's status following the disposition of the case, if requested;
 - b. Inform the victim of their rights regarding the provision of a victim impact statement at a parole hearing, and advise the victim of the date and location of the hearing;
 - c. Provide personal support during appeals or motions for new trials;
 - d. Long term counseling and social service referrals;
 - e. Notification to the probation officer when restitution is not made, violation of restraining orders or other conditions of probation; and
 - f. Accompanying the victim to any parole hearing.

55.1.2 Documented Review of victim/witness assistance - The Department's Victim Assistance Program shall be supervised by the Investigations Section Lieutenant or designee. At least every two (2) years, the Crime Analyst/Planning and Research Officer will conduct an analysis of victim/witness assistance needs and available services within the Department's service area. This analysis will include at a minimum:

- 1. The extent of major types of victimization within the service area;
- 2. An inventory of general information and service needs of victims and witnesses (including homicide and suicide survivors) and special victims, such as those victimized by domestic violence, abuse or neglect (especially children and the elderly), sexual crimes, and drunken drivers;
- 3. Victim assistance and related community services available within the service area;
- 4. Identification of unfulfilled needs;
- 5. Identification of needs that are appropriate for the agency to meet; and
- 6. The extent to which the Department is meeting these needs.

55.1.3 Agencies role in victim/witness

A. Implementation and Delivery of Services by Agency Personnel - In accordance with NC General Statute [15A-830](#), victims and witnesses of the following offenses will be provided a Victim Witness Assistance Pamphlet along with the case number and phone number of the primary investigating officer/detective:

1. All Felony offenses committed against an individual
2. Death by Motor Vehicle Offenses
3. Assaults
4. All domestic violence offenses as defined by General Statute 50B
5. Serious Misdemeanor Assaults
6. Any Attempt of one of the listed offenses

B. Confidentiality of Victims and Witnesses - Every employee of this department will strive to provide the best service possible to protect the rights and privileges of citizens that are victims or witnesses of crime. Departmental personnel will respect the confidentiality and privacy of victims and witnesses to the fullest extent possible consistent with federal, state and local laws.

C. Providing Resource Information to Media and Public – The New Bern Police Department Public Information Officer (PIO) will work closely with the local news media to disseminate information to the public concerning the Department’s victim/witness assistance services.

The New Bern Police Department maintains Victim, Witness Assistance Pamphlets that inform the reader of the services available, which are disseminated to victims and witnesses to criminal activity.

The New Bern Police Department maintains a Victim, Witness Assistance Information Line at (252) 672-4357 or 672-HELP, which provides the caller with the services available to victims and witnesses to criminal activity.

D. Relationship between New Bern Police, Victims/Witnesses Efforts of Other Organizations - The investigating officer/detective will maintain a liaison with the District Attorney’s Office, North Carolina Victim Assistance Network, and all agencies in the area capable of providing support and service needs to victims and witnesses.

55.2.1 Assistance 24 hours a day from one point of contact

A. Information Regarding Victims/Witnesses provided by New Bern Police Department – The New Bern Police Department maintains a 24 hour information line in which the caller is informed of the services that are provided by victim/witness assistance providers in the area. The information line can be accessed by calling (252) 672-4357 or 672-HELP.

B. Referral Information Regarding Services Offered by Outside Agencies. - The Department will work closely with the Craven County District Attorney’s Office to offer support and assistance to victims to increase the speed of their emotional and physical recovery. This program renders aid and support to victims as they continue through the criminal justice system.

The investigating officer/detective will maintain a liaison with government and private sector services available to victims/witnesses in need of medical attention, counseling, and emergency financial assistance offered in the Craven County area.

55.2.2 Assistance to victims of threats and fear – Employees of the department will advise victims or witnesses that if they are threatened, harassed or intimidated, they should immediately contact the police department. Department employees will give a high priority to all complaints received from victims and witnesses that

are being threatened, harassed or intimidated. The responding officer will immediately notify the Investigations Section Lieutenant or designee who will initiate the necessary action. If the threat to the victim or witness is immediate in nature, the employee receiving the complaint will assign an officer to take appropriate and immediate action.

If an employee of the Police Department receives information that a victim or witness may be subject to danger, the employee will immediately notify the on-duty Patrol Team Supervisor or officer-in-charge who will take immediate action to either provide protection for the victim or witness or notify the Investigations Section Lieutenant if the time and situation allows.

If the victim or witness is in another jurisdiction and the department receives information that they are in danger, the employee receiving the information will contact the shift supervisor or Investigations Section Lieutenant who will contact the law enforcement agency in the jurisdiction where the victim/witness is located and advise the authorities of the situation and the necessity to act.

55.2.3 Assistance during Preliminary investigations

- A. Providing Victims/Witnesses Information about Applicable Services** - The primary officer taking a case report for a listed offense will be responsible for ensuring that victims/witnesses are provided a “Surviving Crime” pamphlet and the information is documented in the case report. In serious offenses in which detectives from the Criminal Investigations Unit respond to the scene and assume the investigation, the primary detective assumes the responsibility of providing the victim witness assistance information and documenting its issuance in the case report.

Members of the New Bern Police Department may also direct victims and witnesses to call the Victim Witness Assistance Information Line at (252) 672-4357 or 672-HELP.

- B. Advising Victims/Witnesses of Their Expectations if Threatened** – Employees of the New Bern Police Department will advise victims or witnesses that if they are threatened, harassed or intimidated, they should immediately contact local law enforcement or dial 911.
- C. Providing Victims/Witnesses with Case Number and Investigative Steps** – Members of the New Bern Police Department will provide Victims/Witnesses with the case number of the case they are involved in. The Victims/Witnesses will also be informed of the procedures that will be followed during the course of the investigation.
- D. Providing Victims/Witnesses with Telephone Information to Contact for Further Information** – Members of the New Bern Police Department will provide Victims/Witnesses with the telephone number of the primary investigating officer to allow the Victim/Witness to make inquiries into their case and provide additional information.

55.2.4 Follow up investigations

- A. Follow Up with Victims/Witnesses to Ensure Their Needs are Being Met Within Guidelines** - Officers will contact victim/witness within ten (10) days of being assigned a case for follow-up investigation. During the follow up contact, the officer will ascertain if the victim/witness are being afforded the services in which they are entitled to pursuant to this chapter. If the officer deems that the resources are not being provided accordingly, the officer will report same to the Investigations Section Lieutenant via the officer’s chain of command.

The Investigations Section Lieutenant or designee will then evaluate the situation and determine if victim/witness assistance needs are being met. If the Lieutenant or designee decides that the services are not being met, they will take appropriate action to ensure the needs are met.

- B. Explanation to Victims/Witnesses of the Prosecution Steps and Their Role in the Process** - The officer should advise the victim/witness of the procedures involved in the prosecution of their case and their role in those procedures. This contact is to be documented in a supplemental report.
- C. Scheduling of Follow-Up Investigative Processes** - Officers will schedule lineups, interviews, and other required appearances at the convenience of the victim/witness if possible. If necessary and feasible, officers will provide transportation to such required appearances.
- D. Return of Victims/Witnesses Personal Property** - Officers should make necessary arrangements to return victim/witness property taken as evidence (except for contraband, disputed property, and weapons used in the course of the crime), where permitted by law and rules of evidence.
- E. Assignment of Victim Advocate** – In cases in which officers determine that the victim/witness requires additional service, the officer will refer the victim/witness to the Investigations Section Lieutenant or the District Attorney’s Office Victim/Witness Legal Assistant.

55.2.5 Assistance upon arrest – When an officer arrests a suspect in a case, the officer assigned to conduct the follow-up investigation will, when possible, advise the victim/witness of the arrest, location where the arrest took place, and the amount of bond. Should the officer become aware that the suspect has posted a bond or has been released on their own recognizance; the officer will notify the victim/witness and document this contact in a supplemental report.

55.2.6 Notifying next of kin of deceased, seriously injured - When it becomes necessary to notify next-of-kin of persons deceased, seriously injured, or seriously ill, whenever possible, allow hospital medical personnel to make the notification; if the hospital is unable to do so, the highest ranking officer or designee should make the notification. Department Chaplain, when available, should be called upon to assist with these notifications.