

DEKALB POLICE DEPARTMENT

Subject: **Victim & Witness Services**

Policy #: **406.8**

Effective: New Policy, effective 1-1-19

Originally Issued As: General Order # 11 of 3-14-96

Revision Effective: NA

FTO Training Task: NA

Reference Material: ILCS

ILEAP Standards Covered: ADM.23.01-23.03

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**PURPOSE:** The purpose of this policy is to establish guidelines to be followed by officers and employees of this agency in the appropriate treatment of victims and witnesses of crime.

**POLICY:** It is the policy of the department to treat victims and witnesses of crime with dignity and respect, providing professional police service and thorough investigations to bring perpetrators to justice. Employees shall follow the guidelines of this policy, as well as any applicable statutes, in providing service to victims and witnesses of crime. The department's policy is designed to ensure that all victims and witnesses of crimes are treated with fairness, compassion, dignity, and professionalism.

**DEFINITIONS:**

**PROCEDURE:**

**A. Summary of Victim Rights Applicable to the Police Department , as listed in 725 ILCS 120/4:**

1. The right to be treated with fairness and respect for their dignity and privacy and to be free from harassment, intimidation, and abuse throughout the criminal justice system.
2. The right to notice and to a hearing before a court ruling on a request for access to any of the victim's records, information, or communications which are privileged or confidential by law.
3. The right to be reasonably protected from the accused through the criminal justice process.
4. Refer to the listed statute for the complete list of victim rights required by law, most of which are applicable to the judiciary rather than the police department.  
[ILEAP ADM.23.01]]

**B. Department al Services**

1. The department will provide all personnel with an understanding of victim and witness services through internal training and with a copy of this policy and the applicable state statutes.
2. Department employees will provide victims and witnesses with community service resources available to them.
3. The department will support other agencies which use assistive services to victims and witnesses, such as the State's Attorney's Office and Safe Passage, both of which utilize a Victim/ Witness Advocate Program.
4. Employees will take appropriate steps to ensure that victims and witnesses receive the assistance to which they are entitled by law and the provisions of this policy.
5. The Communications Center maintains a 24-hour emergency single point of contact regarding all requests for victim/witness assistance supplied directly by the department.
6. The on-duty shift supervisor shall act as the single point of contact for all referral information for services offered by other organizations. When necessary, the on-duty shift supervisor should confer with command staff for assistance or referral resources.

**C. Services Rendered During the Preliminary Investigation**

1. Within 48 hours of initial contact, provide victims who have suffered direct physical or psychological harm as a result of a perpetrated or attempted violent crime, with a written statement and explanation of the rights of crime victims.
2. This statement includes an "acknowledgement of rights" to be signed by the crime

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- victim. This signed statement shall be included in the case file and a copy provided to the victim.
3. Give information to victims and witnesses about applicable services, such as counseling, medical attention, the Crime Victim Compensations Act, emergency financial assistance programs, legal services, and victim advocacy. [ILEAP ADM.23.02(a)]
  4. Advise victims and witnesses to call the police if threatened or intimidated by the suspect or anyone else on the suspect's behalf. [ILEAP ADM.23.02(b)]
  5. Inform victims and witnesses of the case number and subsequent steps in the processing of the case. [ILEAP ADM.23.02(c)]
  6. Provide the department's telephone number so victims and witnesses may call to report additional information about the case or to receive information about the status of the case. [ILEAP ADM.23.02(d)]
  7. Answer the questions and concerns of the victims and witnesses to the best of the officer's abilities and make available a listing of additional services to address any special needs.
  8. Provide victims and witnesses a copy of the Illinois Bill of Rights for Victims and Witnesses of Violent Crimes handout as issued by the Illinois Criminal Justice Information Authority.
  9. Arrange for interpretive services if needed.
  10. Petition for an emergency protective order if necessary. [ILEAP ADM.23.02(e)]
  11. Provide or arrange for transportation for victims to safe places or medical facilities. [ILEAP ADM.23.02(f)]
  12. If the victim is reporting a sexual assault or sexual abuse, ensure criteria in Policy 402.7, Sexual Assault Investigations is followed.
  13. Utilize or advise victims and witnesses of 2-1-1 which can be called to provide additional resources.

**D. Services Rendered During Follow-up Investigations**

1. Explain to victims and witnesses the procedures involved in the prosecution of the case, their role in those procedures, and their assurance of confidentiality throughout, provided such disclosure does not jeopardize the successful prosecution of the case. [ILEAP 23.03(a)]
2. Schedule line-ups, interviews, and other required appearances at the convenience of victims and witnesses whenever possible, and to offer transportation if necessary. [ILEAP 23.03(b)]
3. Return property taken as evidence to victims and witnesses as soon as legally possible. [ILEAP 23.03(c)]
4. Refer victims and witnesses to the DeKalb County State's Attorney's or Safe Passage's Victim/Witness Advocate Programs.
5. Notify the victims and witnesses upon the arrest and during the post-arrest processing of the suspect of the following information: the date of the arrest; charges placed against the arrestee; and any changes to the arrestee's custody status.
6. At the request of the crime victim, officers investigating a case shall provide notice of the status of the investigation, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation, until such time as the alleged assailant is apprehended or the investigation is closed.
7. When an investigator re-opens a closed case to resume investigation, they shall provide notice of the re-opening of the case to the victim whenever possible, except where the State's Attorney determines that disclosure of such information

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would unreasonably interfere with the investigation.

**Policy becomes effective on 1-1-19 by authority of the Chief of Police.**

NOTE: This policy and procedure summarizes the department's position on this specific matter. This policy is for general direction and guidance primarily designed for use by the department's members. This policy is for internal use only and does not create or enlarge an officer's liability in any way. This policy shall not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of an internal departmental complaint and then only in a non-judicial administrative setting.