

University of Chicago Police Department

GENERAL ORDER

<i>Effective Date</i> July 20, 2018		<i>Number</i> GO 708
<i>Subject:</i> Victim/Witness Assistance		
<i>References:</i> CALEA: 55.1.1, 55.1.3, 55.2.1, 55.2.2, 55.2.3, 55.2.4, 55.2.5, 55.2.6		
<i>Reevaluation Date</i> Annually		<i>No. Pages</i> 4
<i>Amends</i> 14 MAR 2018 version 29 JUL 2013 (O.D.P.)		<i>Rescinds:</i>
<i>Approved By:</i> Kenton W. Rainey, Chief of Police	Signature: Original signed document of file in Accreditation Office	

708.1 PURPOSE

The purpose of this order is to state the Department's commitment to victim/witness assistance, and establish the Department's role in victim/witness assistance.

708.2 DEFINITIONS

Victim: (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 Illinois Bill of Rights for Victims and Witnesses of Violent Crimes 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 Illinois Compiled Statutes 625 ILCS 5/11-501 or 720 ILCS 5/9-3; (6) in proceedings under the Juvenile Court Act of 1987, parents, legal guardians, foster parents, or single adult representative of a minor or disabled person who is a crime victim.

Violent Crime: Any felony in which force or threat of force was used against the victim, or any offense involving sexual exploitation, sexual conduct or sexual penetration, child pornography, domestic battery, violation of an order of protection, stalking, or any misdemeanor which results in death or great bodily harm to the victim or any violation of Section 9-3 of the Criminal Code of 1961, or Section 11-501 of the Illinois Vehicle Code, if the violation resulted in personal injury or death, and includes any action committed by a juvenile that would be a violent crime if committed by an adult. "Personal injury" shall include any Type A injury as indicated on the traffic crash report completed by a law enforcement officer that required immediate professional attention in either a doctor's office or medical facility. Type A injury shall include severely bleeding wounds, distorted extremities, and injuries that required the injured party to be carried from the scene.

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

708.3 RIGHTS OF VICTIMS AND WITNESSES

The University of Chicago Police Department will treat victims and witnesses with fairness, compassion, and dignity. The rights of victims and witnesses are described in Illinois Compiled Statutes 725 ILCS 120/1, Rights of Crime Victims and Witnesses Act.

708.4 DEPARTMENT ROLE IN VICTIM/WITNESS ASSISTANCE

- A. Implementation and delivery of victim/witness assistance services by Department personnel. Appropriate services and referrals shall be made on initial contact with victims and witnesses. The follow-up investigator shall conduct additional assessments and make further referrals as required.
- B. Confidentiality. The confidentiality of victims/witnesses and their role in case development will be maintained to the extent consistent with applicable statutes.
- C. The Department will inform the public and media about the Department's victim/witness services.
- D. Relationship between the Department and victim/witness efforts of other agencies and organizations. The needs of victims and witnesses will be determined and appropriate services will be provided in cooperation with, and without duplicating, assistance provided by other agencies and organizations.

708.5 24 HOUR VICTIM/WITNESS ASSISTANCE

The Department has a telephone line available 24 hours per day, seven days per week, for victim/witness assistance information and referral services. The ECC is normally the point of contact for information regarding victim/witness assistance supplied by the Department directly and referral information regarding services offered in the Department's jurisdiction by other organizations (governmental or private sector) for victims and witnesses. See GO 701.8.

708.6 ASSISTANCE TO THREATENED VICTIMS/ WITNESSES

- A. The Department provides appropriate assistance to victims/witnesses who have been threatened or who, in the judgment of the Department, express specific credible reasons for fearing intimidation or further victimization. Department employees, upon becoming aware of a threat made against a victim/witness, will notify their supervisor. Criteria used in determining appropriate assistance include, but are not limited to:
 - 1. Nature of the problem.
 - 2. Type of help or remedy required.

3. The agency best suited to provide a remedy.
- B. Any threats to a victim/witness will be documented and forwarded to an Investigations supervisor. Appropriate follow-up assistance will be determined by the nature of the case and the resources available, commensurate with the danger faced by the victim/witness.
- C. If the victim/witness is in another jurisdiction, the Department will immediately contact the appropriate agency to advise it of the situation and request that precautions be taken. Normally, this contact will be made by a supervisor.
- D. The State's Attorney's Office will be advised of threats received by victims/witnesses. The threat and notification to the State's Attorney's office shall be documented in the appropriate police report and a copy forwarded to the State's Attorney's office.

708.7 VICTIM/WITNESS ASSISTANCE – PRELIMINARY INVESTIGATION

Officers shall render appropriate victim/witness services during the preliminary investigation, to include, at a minimum:

- A. Providing information to the victim/witness about applicable services.
- B. Advising the victim/witness what to do if the suspect or the suspect's companions or family threatens or otherwise intimidates them.
- C. Informing victims/witnesses of the case incident number and subsequent steps in the processing of the case.
- D. Providing a telephone number that the victim/witness may call to report additional information about the case or to receive information about the status of the case.
- E. Provide to the victim, the UCPD "Victim Assistance Information" brochure, having the victim sign the perforated acknowledgement. The acknowledgement will be separated from the brochure and turned in with the police report.
- F. Notification/assignment of the Dean On Call, or Sexual Assault Dean On Call, as victim advocate for student victims. See GO 511.5, Notification Procedures.

708.8 VICTIM/WITNESS ASSISTANCE - FOLLOW-UP INVESTIGATION

Victim/witness assistance services to be provided during the follow-up investigation (if any) by the investigating officer include, at a minimum:

- A. Re-contacting the victim/witness within a reasonable period of time to determine whether further assistance is required, if in the opinion of the Department, the impact of a crime on a victim/witness has been unusually severe and has triggered above-average need for victim/witness assistance.

- B. Explaining to victims/witnesses the procedures involved in the prosecution of their cases and their role in those procedures, if not an endangerment to the successful prosecution of the case.
- C. Scheduling line-ups, interviews, and other required appearances at the convenience of victim/witness and arranging or providing transportation.
- D. Returning promptly victim/witness property taken as evidence where permitted by law or the rules of evidence.
- E. Ensure copies of incident and supplemental reports are forwarded to the State's Attorney's Office, if required.
- F. When the Department re-opens a closed case to resume investigating, they shall provide notice of the re-opening of the case to crime victims and witnesses, except where the State's Attorney determines that disclosure of such information would unreasonably interfere with the investigation. (725 ILCS 120/4.5(a-5))

708.9 ARREST/POST-ARREST VICTIM/WITNESS ASSISTANCE

When known, the investigating officer or the arresting officer will attempt to promptly notify the victim/witness of the following:

- A. The arrest of the offender, including charges and custody status.
- B. Information relating to intimidation or further victimization as outlined in section 6 of this directive.

708.10 NEXT OF KIN NOTIFICATION

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

- A. Death notifications will be made in person. The officer may request a supervisor to assist.
 - 1. The notifying officer will ensure that a friend, neighbor, or family member is present or immediately available before leaving the notified party.
- B. Notification of injury or serious illness should be made by medical authorities who are better equipped to answer questions which may arise.
 - 1. If medical authorities are unable to make notification, it will be made in person by police personnel. The next of kin will be assisted in contacting the medical authorities to obtain necessary information.