

		DIRECTIVE 6.67			
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Victim Services Unit

Directive: 6.67

The Wilmington Police Department is committed to the fair, compassionate and dignified treatment of crime victims. All personnel are expected to show patience and respect in their dealings with victims, whether the contact is brief or ongoing.

This directive describes the implementation and delivery of victim/witness assistance services by agency personnel. The Wilmington Police Department Victim Service Program is established to offer direct and referral services to crime victims. Some victim services are law-enforcement focused whereas others may require mental-health and social service expertise. Accordingly, police may work closely with the Department Social Worker(s), referring victims for follow-up attention. (55.1.3 a)

The agency provides appropriate assistance to victims/witnesses who have been threatened or who, in the judgment of the investigators and/or the social worker, express specific, credible reasons for fearing intimidation or further victimization. (55.2.2)

Cases will be referred in several ways. Crime Analysis, Detectives, Patrol and Community Policing officers may all refer victims to and consult the civilian specialists. The victim service coordinator will review crime reports to select cases for follow up by the unit.

The department's program will cooperate with victim/witness efforts of other agencies and organizations. (55.1.3 d)

In the event that a victim is in need of the victim services unit, for non-emergency situations,

officers may refer them to call 576-3622 for the victim services unit. In an emergency or a situation where the victim services unit should be contacted immediately, officers can first try the above number (during working hours). During non-working hours the members of the victim services unit can be called by Communications personnel on a 24 hr basis.

Information regarding victim/witness assistance supplied by the agency directly and referral information regarding services offered in the agency's jurisdiction by other organizations (governmental or private sector) for victim/witnesses will be available 24 hours a day from Communications personnel. The Delaware Helpline can be called at 211 from 8pm to 8 am Monday through Friday for information about social services. Communications personnel should also have available to them, a list of several organizations offering services in our jurisdiction for victims in need of medical attention, counseling and emergency financial assistance. (55.2.1a & b)

A. The Commanding Officer of the Criminal Investigations Division is the Supervisor of the unit.

1. The Supervisor will delegate management tasks to the Coordinator of Victim Services who is one of the civilian specialists in that unit.
2. The Commanding Officer of the Criminal Investigations Division is designated as the person to certify the eligibility of immigrant crime victims who are applying for the "U Visa."

B. The Victim Services Coordinator will:

1. Hire and supervise civilian staff (social workers) of the program.
2. Assign cases to social workers.
3. Collect data; including statistics, evaluative data and other materials as needed for internal or external use.
4. Recommend any policies or changes to enhance the Department's services to crime victims or be required by law or regulation.
5. Complete a documented review of victim/witness assistance needs and available services within the agency's service area at least every three years. The analysis shall include the following elements:
 - a. What are the needs of victims and other witnesses?
 - b. How are those needs being met by other government agencies and by community organizations?

- c. What needs remain unfulfilled?
- d. Of those, which ones are appropriate for the agency to meet?

This should result in a list of victim/witness services that the agency can provide without duplicating the efforts of other victim/witness services in the jurisdiction. At a minimum, such services would include only those that first responders can provide effectively, those that the agency is in a unique position to provide between first response and the time when (and if) the case is accepted for prosecution. To the extent that another organization's survey of victim/witness needs conforms to this standard, the agency may adopt that survey in whole or part as its own.(55.1.2)

- 6. Research the eligibility of immigrant crime victims who are applying for the "U visa." Prepare the paperwork for the signature of the supervisor within the Department who is designated to certify the victim as an eligible, cooperative witness.
- 7. Be responsible for agency efforts to inform the public and media about the agency's victim/witness assistance services. (55.1.3 c)

C. Social Workers

The social workers deal directly with crime victims, either alone or in cooperation with sworn personnel. The social worker's duties include comforting, assessing needs and identifying appropriate resources, etc. They do not affect an investigation or the prosecution of cases, except by providing a liaison between the victim and the criminal justice system. The victim service program helps crime victims whether or not there is an investigation or prosecution.

The social workers are available to any officer for consultation on victim-related matters; for example, questions about community resources. They may assist with death notifications. The social workers also deal with student interns and outside organizations as assigned.

During the preliminary investigation:

- 1. The social workers will contact victims; in person, by phone or letter, to give information about applicable services, e.g., counseling, medical attention, compensation program, emergency financial assistance, and victim advocacy. (55.2.3 a) The social worker will advise the victim/witness about what to do if the suspect or the suspect's companions or family threatens or otherwise intimidates him or her. The social worker will inform the victim/witness of the case number and the subsequent steps in the processing of the case, as well as providing the 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. (55.2.3 a,b,c,d)

2. The social workers will usually be available by cell phone if called to respond to the scene, police station, emergency room etc. as requested by the detective supervisor. This will ensure timely supportive counseling for certain victims. This includes police and their families in line-of-duty deaths or injuries.
3. The social workers document services to victims. Case files and other records are maintained and stored so as to ensure client confidentiality. (55.1.3.b)
4. The social workers will assess victims' needs and follow up as indicated. Follow up may mean continued involvement with the victim service worker, with or without engaging other service providers. Field and home visits may be part of the follow up. (Some cases may be referred entirely to other victim service programs such as the Delaware Victim Center.)
5. The social workers are responsible for periodically informing and training police in victim-related matters.
6. The social workers see to the ongoing publicizing of the Wilmington program.
7. The social workers will ensure ongoing liaison with concerned agencies and groups.
8. The social workers may seek and supervise volunteers, including graduate students.
9. The social workers assist victims in filing claims with the Victims' Compensation Assistance Program.
10. The social workers support victims in dealing with the criminal justice system by ascertaining the status of the case, and by accompanying the victim to court when requested. (55.2.3.d & c)
11. The social workers will design and implement evaluation procedures regularly.
12. The social workers will also provide the following victim/witness assistance services during the follow-up investigation:
 - a. When the impact of a crime on a victim/witness has been unusually severe, the social worker will re-contact the victim/witness

periodically to determine whether needs are being met; (55.2.4 a)

- b. If not an endangerment to the successful prosecution of the case, the social worker will explain to victims/witnesses the procedures involved in the prosecution of their cases and their role in those procedures; (55.2.4 b)
 - c. If feasible, the social worker will work with investigators to schedule line-ups, interviews, and other required appearances at the convenience of the victim/witness and, at the option of the department, provide transportation; (55.2.4 c)
 - d. If feasible, the social worker will work with investigators in returning promptly victim/witness property taken as evidence (except for contraband, disputed property, and weapons used in the course of the crime), where permitted by law or rules of evidence; (55.2.4 d)
 - e. If feasible, the Department will assign a social worker/victim advocate to the victim/witness during follow-up investigation. In most cases, an advocate will already have been assigned. (55.2.4 e)
13. Any and all of the above enumerated victim/witness assistance services may continue to be provided upon arrest and during post-arrest processing of the suspect. In addition, where feasible, the victim/witness may be notified of the arrest, the charges and the custody status of the suspect. The victim/witness was given information about the VINE program to register with the Department of Corrections on the green "Victims' Bill of Rights" card provided at the initial police contact. (55.2.5)
14. The social workers are available to assist police with death notifications or any other notifications of next of kin in cases of illness, injury or other emergencies. (55.2.6)

D. Police Officer

State law requires police to give written information to the victim at the initial contact: In July 1992, Governor Michael Castle signed into law a bill giving the victim(s) of a crime a number of rights. This is the Victims' Bill of Rights. (55.1.1)

- 1. The Wilmington Department of Police must provide victims with the following written information Patrol officers should use the small cards prepared for this purpose and available in the roll call room. The card must include:
 - a. An explanation of the victim's rights under Title 11.Chapter 94,

section 9410;

- b. Information concerning the availability of social service and other assistance to victims; (55.2.1 a & b)
- c. A copy of the initial incident report;
- d. Notice of the availability of a victim service unit within the Department, or, in the absence of a unit within that law-enforcement agency, the availability of the Statewide Victim Center; (55.2.1.a)
- e. Notice of the Violent Crimes Compensation Board (since 2009 renamed the Victims' Compensation Assistance Program.) (55.2.3.a)
- f. Notice of the availability of information concerning pre-trial release; and, (55.2.5)
- g. Source of information at the investigating law-enforcement agency where the victim may check the status of any arrest. (55.2.3.d)
- e. Under section 9406 (b) at the initial contact, the victim shall be provided written information by the investigating law-enforcement agency to whom (sic) the victim can contact to ascertain if the defendant is released from custody, and the procedures that the victim may follow if threatened, intimidated or if conditions of bail or custody are not complied with. (55.2.3. b, 55.2.5)

- 2. Officers conducting a preliminary investigation requiring a report will furnish a copy of the report containing the case number to the victim. The victim/witness should also be advised about the subsequent steps in the processing of the case.
- 3. In all cases where a defendant is arrested, the victim should be notified of the arrest by the investigating officer.
- 4. A police officer may help to serve victims in several other ways. Some of the ways are informal, such as by encouraging a victim/complainant to call the program telephone number on the hand-out card. A crime report may indicate that the case should be checked out by victim services. It is appropriate to indicate this, whether or not the officer knows of anything that can be done for the victim. However, officers are cautioned not to make promises or assurances of what the victim service unit can do for the victims. Rarely, the program will work with people who are victims, but who have not yet chosen to report the crime. Each case should be evaluated individually.

5. The following is not intended to exclude any other ways of helping victims that may present themselves to officers in the course of their duties; however, it merely suggests types of cases that can be referred to the social worker and the role of the police officer in same:
 - a. The program will offer services to elderly victims, victims of felony crimes against the person, domestic violence victims, etc. unless the listed victim is known to be culpable in the incident.
 - b. Investigating detectives may refer victims to the social worker, or they may ask the worker to contact the victim.
 - c. Any police officer may consult the social worker to discuss an individual victim; or an issue of concern, such as domestic violence.
 - d. Community Policing officers may be asked to talk directly with specified victims in their district.

All sworn personnel are encouraged to be aware of victims' needs and rights. All personnel may have opportunities to enhance service to crime victims. Police officers who are aware of, and involved with, providing these services to the public will contribute to effectiveness and goodwill.