


MONROE COUNTY SHERIFF'S OFFICE

General Order

CHAPTER: 053		TITLE: Victim/Witness Assistance	
EFFECTIVE DATE: December 22, 2008	NO. PAGES: 4	AMENDED: June 1, 2018	
REFERENCE: CALEA 55.1.1, 55.1.2, 55.2.1, 55.2.2, 55.2.3, 55.2.4, 55.2.5, 55.2.6		RESCINDS:	
 Sheriff of Monroe County			

I. **PURPOSE:** The Purpose of this policy is to establish guidelines and procedures for all employees in assisting victims and witnesses of crimes.

II. **POLICY:** It is the policy of the Sheriff to comply with the laws of the State of Florida governing victims and witnesses of crime, it shall be the policy of the Sheriff to inform all victims and witnesses of their rights as enumerated in Florida Statute. The victims and witness will be made aware of their rights by the use of Victim/Witness Rights Brochures.

III. **DEFINITIONS:**

Victim - A person who suffers physical, financial, or emotional harm as the direct result of a specified crime committed upon his/her person or property. Also referred to as a "victim" is a victim's parent or guardian if the victim is a minor, and the next of kin of homicide victim.

Witness - A person, as determined by law enforcement, who has information or evidence relevant to a specific crime.

IV. **PROCEDURE:**

A. Coordination of the Sheriff's Office Victim/Witness efforts will be the responsibility of the Sergeant in Crimes Against Persons Unit.

B. Rights of Victims and Witnesses will be detailed in the Victim Rights Brochures (available in Outlook Public folders and on the Sheriff's office website keysso.net). It shall be the responsibility of the Sergeant in Crimes Against Persons Unit to review and update as necessary the Victim Rights Brochures. The purpose of the review and update is to assure victims/witnesses the services they are offered are accurate and up to date. The review and/or update can be accomplished annually by a written memo to Professional Standards.
[CALEA 55.1.2]

C. Each officer shall be responsible for informing all victims of the availability of victim/witness services through the distribution of the Victim/Witness Rights Brochure. [CALEA 55.1.1, 55.1.2]

D. The officer shall provide victims and witnesses with information on steps available to law enforcement and the State Attorney to protect the victims or witness from intimidation. The information will be provided in the same manner as that relating to services of victims. The notification (contained in the Victim/Witness Rights Brochures) will include the advisement that

it is a felony to tamper with or threaten a witness, and that the Sheriff's Office should be promptly contacted if a possible violation has occurred. [CALEA 55.2.2]

- E. It shall be the responsibility of the arresting or investigating officer to advise the victim that an offender has been arrested. It is also the responsibility of the arresting or investigating officer to complete a victim notification form on certain crimes. The notification will travel with the offender's paperwork to the booking facility for prompt notification by the facility upon release of the accused. The notification shall be made to the victim by the booking facility within four hours of the release of the accused. If such notice is not possible, the victim will receive notice via the U.S. Mail. Law enforcement officers of the Sheriff's Office will provide assistance as requested by other responsible agencies in attempting to notify the victim of the offender's release from confinement. [CALEA 55.2.5]
- F. Property of crime victims shall be promptly returned unless there is a compelling law enforcement reason for not returning it. The evidence custodian shall promptly comply with court orders allowing photographs of the victim's property to be used as evidence at the trial and/or requiring the return of the victim's property. Members should consult with the State Attorney's Office before releasing any property. [CALEA 55.2.4 d]
- G. When so requested, the Sheriff's Office shall assist victims and witnesses of crime in notifying employers and creditors of court appearances and financial hardship.
- H. Sheriff's Office personnel are always ready to assist victims whenever possible. When so requested, employees will assist victims and witnesses in locating accessible parking and transportation, and will direct those persons to separate pretrial waiting areas where available. When necessary, employees will attempt to locate translators in appropriate cases.
- I. In the event of an escape, the correctional facility shall notify the State Attorney's Office of the escape and the State Attorney shall make effort to notify the victim or the victim's next of kin as well as the Sheriff and/or Chief of the affected jurisdiction(s). The Sheriff's Office shall render such assistance as requested by the State Attorney. [CALEA 55.2.5]
- J. **TRAINING AND EDUCATIONAL PROGRAMS:** So that all victims may be treated fairly, victim assistance education and training shall be offered to all employees taking courses at law enforcement training facilities or on an in-service basis. In addition, all members, and other employees as necessary, will be provided with the latest information pertaining to victim's rights and services available to them through the regularly scheduled in-service dealing with Human Diversity and Domestic Violence Awareness.
- K. **VICTIM ADVOCATES:** Victim Advocates will respond, if necessary, and responsibilities are as follows:
 - 1. Victim Advocates are limited by the Victims of Crime Act (VOCA) Grant in what they can respond to. The grant allows them to respond to Victims and or Witnesses of a violent crime. The grant allows them to respond to the following:
 - a. Child Physical Abuse
 - b. Child Sexual Abuse
 - c. DUI/DWI Crashes
 - d. Domestic Violence
 - e. Adult Sexual Assault
 - f. Elder Abuse
 - g. Adults Molested as Children
 - h. Survivors of Homicide Victims
 - i. Robbery
 - j. Assault/Battery
 - k. Other Violent Crimes

2. For many persons being a victim or witness to a crime is their first experience with the criminal justice system. A Victim Advocate is available 24 hours a day to assist victims with the emotional, physical, and financial trauma often resulting from a crime. You may contact a Victim Advocate the next day for information and support if immediate assistance is not needed. A Victim Advocate can provide:
 1. Crisis Intervention Counseling
 2. Personal Advocacy Community Information and Referrals
 3. Emotional Support Coordination with Police Officers
 4. Court Accompaniment
 5. Follow Up Counseling
 6. Assistance With Property Return
 7. Assistance with Crimes Compensation
 8. Information on Your Role in the Justice System
 9. Assistance in Filing an Injunction for Protection
 10. Locating Transportation and Accessible Parking
 11. Attempt to Locate Translators as Needed
 12. If the impact of the crime on the victim/witness has been unusually severe and has triggered above-average victim/witness assistance, re-contacting the victim/witness to determine whether needs are being met.
 13. Notification of next-of-kin of deceased, seriously injured or seriously ill persons.
[CALEA 55.2.1 a, b, 55.2.4 a, b, d, 55.2.6]

L. SERVICES DURING PRELIMINARY INVESTIGATIONS

The case Deputy shall

1. Have available and provide to the victim/witness any applicable services to the case at hand (i.e., counseling, medical attention, compensation programs, emergency financial assistance and/or victim advocacy)
2. Advise the victim what to do if the suspect or suspect's companions or family threatens or otherwise intimidates him or her.
3. Provide the victim/witness with the case number and subsequent steps in the processing of the case.
4. Be responsible for informing all victims of the availability of victim/witness services through the distribution of the Victims/Witness Rights Brochures. [CALEA 55.1.1]
5. Provide the telephone number that the victim/witness may call to report additional information about the case or to receive additional information about the status of the case. [CALEA 55.2.3 a, b, c, d]

M. SERVICES DURING FOLLOW-UP INVESTIGATIONS:

1. During the follow-up investigation, the investigating deputy/detective will:
 - a. If possible, schedule line-ups, interviews, and other required appearances at the convenience of the victim/witness and, when possible arrange or provide transportation.
 - b. When possible, promptly return and property taken as evidence from the victim/witness (except for contraband, disputed property, and weapons used in the course of a crime), in accordance with all applicable State Statutes.
 - c. Ensure the victim/witness can contact the MCSO Victim's Advocate. [CALEA 55.2.4 c, e]
2. Services upon the arrest of a suspect
 - a. The Office will notify the victim/witness in writing, in person or by telephone of the arrest of a suspect in their case the custody status and charges.

- b. In cases involving a violent attack on the victim or potential for such on a victim/witness every effort will be made to notify the victim/witness if any custody changes by phone or in person.
- c. All attempts and contacts with the victim/witness will be documented in a supplemental report to the original case report.

N. SERVICES FOR OFFICE PERSONNEL AND FAMILIES

1. In cases involving the line-of-duty death or serious injury to Office personnel, the office will notify the family of the death or injured member in a timely, personal manner,
2. The Sector Commander or his designee shall be the single contact point for the Member and/or family. This person shall:
 - a. Assist the family at the hospital.
 - b. Coordinate support for the family at the funeral and burial,
 - c. Coordinate help for the family with legal and benefits matters, counseling the family regarding finances and other possible problems,
 - d. Provide support for the family during criminal proceedings (if any), and maintain long-term contact with the family and keeping the Office informed of needs relating to the death or injury.
3. Records: Confidentiality of all records involving victim/witness assistance will be governed by applicable State Statutes.
4. Upon receipt of a Victim Notification Form from the arresting officer, the jail records assistant will verify for accuracy and enter Victim Notification Form into the victim data field of the booking computer screen.
5. The following procedures will be adhered to for notifying the victim(s):
 - a. Upon receipt of the court minutes, bond, inmate release, death of inmate, escape of inmate, etc., the jail records assistant will enter such change into the defendant data field. This change will prompt the VINE automated system to notify the victim via telephone.
 - b. The jail records supervisor shall, on a daily basis, print out all names and addresses of victims not notified via telephone. A letter will be sent to each of these victims informing them of the status of the inmate. [CALEA 55.2.4 c, d, e, 55.2.5, 55.2.6]

O. ANALYSIS: An analysis will be conducted every two (2) years, by the Sergeant in Crimes Against persons Unit, to determine the needs and availability of services within Monroe County to victims and witnesses of crimes. (See also Chapter 18-Time Sensitive Reports) This analysis will include, but not limited to:

1. The extent and major types of victimization within Monroe County.
2. An inventory of information and service needs of victims/witnesses in general (including homicide or suicide survivors and special victims), such as those victimized by domestic violence, abuse and neglect (especially children and the elderly, sexual crimes)
3. Victim assistance and related community services available within Monroe County, and
4. Identification of all unfulfilled needs and selection of those that are appropriate for the Office to meet. [CALEA 55.1.2]