

## **GENERAL ORDER 55.1.1**

### **Victim Services Program**

**GENERAL ORDER CROSS-REFERENCE: 1.3.4, 4.1.1, 22.3.2, 33.4.1, 42.5.1, 74.1.1, 82.5.1**

### **SUMMARY**

Describes the victim services program. Explains employee responsibilities to victims.

### **DISCUSSION**

In 1987 the people of Oregon passed a law entitled "Crime Victims' Bill of Rights." This law states: "We, the people of the State of Oregon, declare that victims of crime are entitled to fair and impartial treatment in our criminal justice system. The purpose of chapter 2, Oregon Laws 1987, is to declare to our legislature and our courts that victims' rights shall be protected at each stage of the criminal justice system. We reject the notion that a criminal defendant's rights must be superior to all others. By chapter 2, Oregon Laws 1987, we seek to secure balanced justice by eliminating unbalanced rules." The Springfield Police Department treats victims and witnesses with fairness, compassion, and dignity and is committed to the development, implementation, and continuation of appropriate victim services programs and activities.

Although the Lane County District Attorney's office has primary responsibility for the provision of victim assistance, the Springfield Police Department has the goal of immediately providing potential victims with referral information so that the victim may obtain full benefits afforded by law.

The victim services program is a state-wide program enacted to lessen financial burden; providing medical, hospital, funeral, loss of earnings, and support for dependent compensation. The victim services program is described in ORS 147.005 through 147.415. The victim services program eligibility criteria are described in ORS 147.015.

The program is administered by the Lane County District Attorney under the auspices of the State's Attorney General. Program information is disseminated by local authorities through distribution of information cards and/or brochures provided by the Lane County District Attorney, to person(s) believed to be eligible for the Program.

### **POLICY**

#### **I**

The Investigations & Records Division Commander has the authority and responsibility for administering and coordinating the Department's role in victim services and is the liaison with the Lane County District Attorney and, if necessary, the State's Attorney General to insure the availability of program information to eligible claimants.

## II

When an employee contacts a victim of domestic violence they shall provide them with the printed purple card provided by the Lane County District Attorney that describes the Victim Services Program and the claim process. All victims shall be treated with dignity and compassion. Each will be afforded the benefits of the program in a fair and impartial manner.

Employees are encouraged to provide this information to all crime victims.

## III

The Department shall review victim service needs and available services within the Department's service as appropriate. The review may include: the extent and major types of victimization within the Department's service area; an inventory of information and service needs of victims 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, and drunken drivers; victim assistance and related community services available within the service area; and identification of all unfulfilled needs and the selection of those that are appropriate for the Department to meet. The Department liaison shall meet at least every two years with the Lane County District Attorney's Program Director to ensure that the Program is providing the intended resources to all eligible recipients.

The liaison shall ensure that any changes to the handling of victims is documented and the documentation provided to all Department personnel.

## IV

An employee shall take immediate action commensurate with the known danger to the victim to seek resources of the victim program for person(s) who reasonably believe or express credible reasons for fearing further victimization or intimidation.

Such immediate action may range from placing the victim in a protective environment to offering a frightened victim words of encouragement.

## V

Officers performing initial investigations shall: give information to the victim about applicable services (e.g., counseling, medical attention, compensation programs or emergency financial assistance, and victim advocacy); advise the victim about what to do if the suspect or the suspect's companions or family threatens or otherwise intimidates him or her; inform victims about the case number (if known by the Department) and subsequent steps in the processing of the case; and provide a telephone number that the victim may call to report additional information about the case or to receive information about the status of the case.

## **VI**

Officers conducting follow-up investigations shall: re-contact the victim periodically to determine whether needs are being met if, in the opinion of the Department, the impact of a crime on a victim has been unusually severe and has triggered the need for above-average victim assistance; explain to victims 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; if feasible, schedule line-ups, interviews, and other required appearances at the convenience of the victim and, at the option of the Department, provide transportation; if feasible, promptly return victim 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; and, if feasible, working with the District Attorney's Office to see that a victim advocate is assigned to the victim during the follow-up investigation.

Victims shall be informed, insofar as is reasonable, on the progress of any investigation.

## **VII**

The Lane County District Attorney's Office provides victim assistance services upon arrest and during post-arrest processing of the suspect.

These services include notification of the victim of the arrest, the charges, and the arrestee's custody status and changes thereto.

## **VIII**

ORS 147.115 requires that all information submitted to the Department of Justice with respect to victim assistance is public record, except where the Department of Justice determines that the information shall be kept confidential. Any information release by the Department concerning victims shall be in accordance with policy 82.5.1.

## **IX**

The Department shall assist the Lane County District Attorney's office in its efforts to periodically inform the public and media about the region's victim assistance services.

## **X**

Employees, considering the totality of the circumstances including line of duty deaths or serious injuries, may be eligible recipients of the benefits prescribed in the Victim Services Program. This eligibility is in addition to the benefits described in the City's employee assistance program, Direction. The commanding officer of any affected employee shall ensure that the employee and/or the employee's family are provided contemporaneous notification of any relevant information concerning the relevant incident, benefits to which they may be entitled and; offer referral to victim and witness services appropriate to the occasion.

## XI

All newly hired personnel shall be given training in the victim assistance program and their rights and responsibilities as members of this Department. Victim assistance training is provided to all recruit police officers in the field training program described in G.O. 33.4.1. All personnel shall receive refresher training in the victim assistance program at least every 2 years.

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Richard L. Lewis  
Chief of Police