

Victim and Witness Assistance

318.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims, victim's representatives, and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

318.1.1 DEFINITIONS

Definitions related to this policy include:

Victim – Includes a victim or a victim's representative (e.g., a person designated by the victim, a member of the victim's family, a victim advocate, a person appointed by a court) as provided in ORC § 2930.02.

318.2 POLICY

The Lorain Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Lorain Police Department will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

318.3 CRIME VICTIM LIAISON

The Chief of Police may appoint a member of the Department to serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Lorain Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

318.4 CRIME VICTIMS

Officers should provide all victims with the applicable victim information handouts.

Officers should never guarantee a victim's safety from future harm but may make practical safety suggestions to victims who express fear of future harm or retaliation. Officers should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but may direct him/her to the proper written department material or available victim resources.

318.4.1 SPECIFIC REQUIREMENTS REGARDING VICTIMS

The investigating member shall ensure a victim of a criminal offense or delinquent act is provided information as required by state law including but not limited to (ORC § 109.42; ORC § 2930.01; ORC § 2930.04):

- (a) The Ohio Attorney General Office's victim's rights compilation, Victim's Rights Request Form, and information card, as applicable and according to the requirements set forth in ORC § 109.42; ORC § 2743.71, and ORC § 2930.04.

Lorain Police Department

Policy Manual

Victim and Witness Assistance

1. Officers should comply with requirements of preparing and submitting the Victim's Rights Request Form consistent with ORC § 2930.04.
- (b) Additional information required by ORC § 2930.04, including but not limited to:
 1. The availability of crisis intervention services, housing, and emergency and medical services, or contact information for statewide organizations that can direct victims to local resources.
 2. Information about public and private victim services programs, including but not limited to the crime victims compensation program and emergency shelter programs, or, if local information is not available, contact information for statewide organizations that can direct a victim to these types of resources.
 3. The department report number, if applicable, business telephone number of the Department or other law enforcement agency investigating the victim's case, and the office address and business telephone number of the prosecutor in the victim's case, when available.
- (c) The court date and information on how to obtain additional information about the arraignment or initial court appearance when a suspect is cited and released, if applicable.

318.5 VICTIM INFORMATION

The Administration Supervisor shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims including domestic violence and sexual assault victims.
- (b) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage, and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109).
- (c) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (d) A clear explanation of relevant court orders and how they can be obtained.
- (e) Information regarding available compensation for qualifying victims of crime (ORC § 2743.51 et seq.).
- (f) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (g) Notice regarding U visa and T visa application processes.
- (h) Resources available for victims of identity theft.
- (i) A place for the officer's name, badge number, and any applicable case or incident number.

Lorain Police Department

Policy Manual

Victim and Witness Assistance

- (j) A telephone number that a domestic violence victim can call for information about the case, the telephone number of a domestic violence shelter in the area, and information on any local victim advocate program (ORC § 2935.032 (C)(3)).
- (k) The Ohio Attorney General Office's victim's rights compilation, Victim's Rights Request Form, and information card (ORC § 109.42; ORC § 2930.04).
- (l) Information regarding the Ohio Secretary of State's address confidentiality program (ORC § 111.42).
- (m) Rights afforded to victims under the Ohio Constitution (Article I, Section 10a, Ohio Constitution).

318.6 WITNESSES

Officers should never guarantee a witness' safety from future harm or that his/her identity will always remain confidential. Officers may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

318.7 COMMUNICATIONS VICTIM / WITNESS ASSISTANCE

Referrals of victims to other agencies can be made by the Communications Center personnel using the Picking Up the Pieces Pamphlet, in the Contacts Binder.