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Last Revised: 09/15/2019

**CSU FULLERTON POLICE DEPARTMENT
GENERAL ORDER NUMBER 6-7 [CALEA 55.1.1]**

VICTIM/WITNESS ASSISTANCE

SUBJECT: Victim/Witness Assistance

PURPOSE: This directive establishes guidelines and reporting responsibilities when victims and witnesses of crimes have been affected by a criminal act. The purpose of this directive is to assist Department personnel in providing services to victim/witnesses of the Campus Community. The program goes beyond the financial aspects of victimization and deals with the emotional side of crime including the feelings of isolation, anger, fear and confusion. Crime victims and witnesses' needs are not always met. This program provides immediate assistance, day and night, in the form of counseling, companionship, food, shelter, transportation, clothing, or other emergency needs. The program provides follow-up care by identifying and contacting those agencies or resources that are needed. When victims and witnesses of crime have been affected by a criminal act, such as the emotional stress due to the loss, injury to family or friends, death, or witnessing a criminal act, they must receive assistance. [CALEA 55.2.1b]

POLICY: The CSUF Police Department will treat victims and witnesses with fairness, dignity and compassion. To ensure full support for victims, the CSUF Police Department shall notify victims of violent crime of the California State "Victims Bill of Rights", as of November 2008 Proposition 9 Marsy's Law, and the provisions of Government Code Section 13959 et. seq. Persons defined as victims in the state law will be advised of the benefits provided for them in California Law. [CALEA 55.2.1b]

PROCEDURE:

- I. Review of Victim/Witness Assistance Needs
 - A. The Investigative Sergeant will complete a documented review of victim/witness assistance needs and available services within Orange County every three years.
 - B. The Police Department maintains liaison with the District Attorney's Victim Witness Assistance Office; the California State Attorney General's Office, and the California Department of Justice to review victim/witness assistance studies and findings on needs and available services. [CALEA 55.1.3d]
 1. The Department reviews these documents and makes recommendations appropriate to related crime needs and issues. [CALEA 55.1.3a]
 2. The Crime Prevention Unit will serve as the liaison to identify applicable government and community resources for victims needing immediate

emergency assistance and resources as a result of domestic violence, workplace harassment, stalking, sex crime, child and elder abuse, or other related crimes. Resources will include referrals for counseling, emergency housing, temporary restraining orders, safety information for victim and co-workers, and contacts with governmental support programs such as the District Attorney's Victim Witness Assistance Program, Family Violence Project, and the National Center for Missing and Exploited Children. [CALEA 55.1.3a]

3. A contact person, telephone numbers and follow-up will be provided for all victims/witnesses where appropriate or by request of the victim/witness.

II. Providing Assistance and Referral [CALEA 55.1.3a]

A. The assigned Police Officer is responsible for providing the victim/witness with a business card referencing the police case number, Marsy's Rights and, where appropriate, providing additional assistance such as basic information on victim assistance programs, medical treatment, counseling, victim advocacy, and information regarding the subsequent steps in the processing of the case.

[CALEA 55.2.1a,b]

1. Police Officers demeanor must reassure and ensure calmness to victims and witnesses of crime in the processing of a case.
2. The Police Officer assigned the case will serve as the primary contact for the victim/witness to report additional information regarding their case unless otherwise assigned by the Watch Commander.
3. The victim/witness will be instructed to call the Police Department's Communications Center to contact the appropriate unit/section for additional victim/witness services during the investigation process or to request information regarding needed support services or referrals.
4. If additional services are needed or requested, the victim will be provided with information regarding the Victim Witness Assistance Program for support services (i.e., medical and funeral services, lost wages, transportation, victim/witness advocacy).

B. Police Department Dispatch (657-278-2515) is a single point of contact available 24 hours a day with the following victim/witness assistance information [CALEA 55.2.1a]:

1. All available assistance supplied by the Police Department and the University establishment.
2. Referral information regarding services offered in Orange County by other organizations (governmental or private sector) for victims/witnesses.

C. By request, the Crime Prevention Unit will assist with the initial scheduling of appointments with the Victim Witness Assistance Program and/or identification of alternative referral services including basic CSUF sponsored resources such as Faculty and Staff Assistance Program, Women's Resource Center, Labor Relations, Legal Affairs, and Student Health Services. [CALEA 55.2.1a]

- D. A victim/witness will be provided direction to obtain a copy of the police report. The Officer will explain the confidentiality policies relevant to the criminal act and the Department's policy on confidentiality, including the Confidential Victim of Sex Crimes or Violence Waiver. The victim/witness will be provided with information on the criminal justice system process with "Marsy's Card and Resources"-California State Victims' Bill of Rights Act of 2008. [CALEA 55.1.3b]
- E. The Police Department will encompass information on Crime Prevention and victim/witness assistance in the federally mandated Crime Awareness and Campus Security Act flyer, which is available on the Department's website, and also in a hard copy version. Additional information on victim/witness services will be included in presentations and new employee and student orientations, emergency alert bulletins to the media, campus community and public when appropriate. [CALEA 55.1.3c]
- F. The Crime Prevention Unit will maintain liaison with government and community-based victim/witness services on a regular basis to gather updated information on scope of services, qualification for assistance, and informational flyers for distribution to victims/witnesses.
1. The Police Department will provide appropriate assistance to any victim/witness who has been threatened or has credible reasons for fearing intimidation or victimization. All services will be coordinated with the reporting jurisdiction/agency. [CALEA 55.2.2]
 2. "Appropriate assistance" is determined by the resources available to the Agency and if possible is commensurate with the danger and degree of risk faced by the victim/witness. This may include an escort to their vehicle, home or to a "safe house," relocation of work site, security and safety assessment of work site and home, employer notification, or based on risk and endangerment, assistance with enrollment in a Witness Protection Program. [CALEA 55.2.2]

III. Preliminary Investigation

- A. The first officer on the scene will usually be assigned to conduct the preliminary investigation and write the crime report.
- B. The assigned officer will provide the following information to victims/witnesses, during the preliminary investigation:
1. Information pertaining to available University, City, County, State, or community-based services for counseling, medical attention, compensation, financial assistance and, victim advocacy. [CALEA 55.2.3a]
 2. Instruction to contact the CSUF Police or local jurisdiction (9-1-1) if the suspect or suspect's companions or family threatens or otherwise intimidates him/her; [CALEA 55.2.3b]
 3. The case number and subsequent steps in the processing of the case; and [CALEA 55.2.3c]

4. The Police Department's telephone number to call to report additional information about the case or to receive information about the status of the case. [CALEA 55.2.3d]

IV. Community Service Programs (CSP)

- A. The Police Department has an operational agreement with CSP victim Assistance Programs to provide services for our victim/witnesses.
- B. CSP for North Court can be contacted at (714) 773-4575. Services they provide to victims include:
 1. Crisis Intervention: Counseling, reassurance and support following the crime.
 2. Emergency Assistance: Meeting immediate needs of victim such as food, clothing, shelter, or medical care.
 3. Orientation to the system: Explaining the criminal justice system, including information about individual cases and accompaniment to court.
 4. Property Return: Assisting in the prompt return of property used as evidence.
 5. Restitution Assistance: Helping to obtain court-ordered restitution from convicted offenders.
 6. Filing Victim of Crime Compensation Claims: Assisting the victim in preparing and submitting application forms to receive compensation from the State Restitution Fund.
 7. Temporary Restraining Orders: Assisting Victims of domestic violence to obtain court-ordered protection.
 8. Specialized Victim Services: Assisting senior victims of crime and victims of sexual assault.
- C. Services they provide to witnesses include:
 1. Telephone Alert: Contacting witnesses when their appearance is required to avoid the necessity of their waiting at the courthouse.
 2. Orientation Pamphlet: Providing witnesses with a brochure describing what they can expect as they participate in the criminal justice system.
 3. Court Support: Accompanying witnesses to court.
 4. Emergency Transportation: Arranging for transportation to and from court in the event of an emergency.
 5. Case Status/Disposition Information: Notifying witnesses as the case progresses of the status and final disposition of the case.

V. Follow-up Investigation

- A. During the investigation process, the officer assigned to the case or the Investigations Unit will maintain contact with the victim/witness. The following assistance will be provided to victim/witnesses during the follow-up investigation.

1. Re-contacting the victim/witness periodically to determine if his/her needs are being met if the crime, or the impact on the victim in the opinion of the Investigations Unit, is unusually severe and has triggered additional need for supportive services. [CALEA 55.2.4a]
2. Explaining the procedures involved in prosecution of their case and the victim/witness' role in those procedures, if it is not an endangerment to the successful prosecution of the case. [CALEA 55.2.4b]
3. Scheduling photo line-ups, interviews, and other required appearances at the convenience of victims/witness; and at the discretion of the investigator providing transportation if necessary. [CALEA 55.2.4c]
4. Returning promptly a victim's property, which was taken as evidence, where permitted by law or rules of evidence, if feasible. [CALEA 55.2.4d]
5. Providing a victim advocate through the Waymakers Assistance Program ((949) 250-0488 <https://waymakersoc.org>) if needed. [CALEA 55.2.4e]

B. Arrest of Suspects

1. Officers who arrest a subject during a follow-up investigation shall work with the Investigations Unit to assure victims are notified of the arrest. The victim will be notified of the court dates, time and location. [CALEA 55.2.5]
2. The victim/witness of the arrest will be advised of the arrestee's charges and custody status. In certain cases, such as domestic violence, the District Attorney's Office will contact the victim/witness of the release. The Sheriff's Department, based on the charges, will contact the Police Department and/or the victim of the custody status of the arrestee. [CALEA 55.2.5]

VI. Next-of-Kin Notification

A. Public Citizen Notification [CALEA 55.2.6]

1. If an associate or member of the campus community becomes seriously ill or injured, or another emergency occurs within this Department's jurisdiction, next-of-kin notification in person is preferred, but notification by telephone is permissible. The following information should be provided.
 - a. Brief, accurate nature of the injury or illness to include date, time, and location of occurrence, and the name, address, and telephone number of the medical facility where the victim is located.
 - b. If criminal activity is involved, investigative information should not be disclosed other than whether an arrest was made. The next-of-kin should be provided with the name, rank and work telephone number of the officer in charge of the investigation.
2. If the incident involves the death of a CSUF student, the Command Staff shall be immediately notified, who in turn will notify the Dean of students as soon as possible to notify the next-of-kin.

3. Death notification will be made to the next-of-kin in person when possible.
 - a. If the next-of-kin resides outside a reasonable vicinity of the University, notification by a law enforcement agency where the next-of-kin resides is preferred.
 - b. The notification should be done in private, unless the presence of other persons is desirable. Other persons may include another family member, close friend or clergy.
 - c. Notification will not include details of a criminal investigation other than if an arrest was made. A family's request for information concerning the investigation will be forwarded to the Officer in charge of the investigation.

- B. Department Employee Notification [CALEA 55.2.6]
 1. The on-the-job death or serious injury of a Department employee will be immediately reported to the Chief of Police.
 2. The Chief of Police or designee will be responsible for next-of-kin notification.
 3. Department employees will be notified of the incident by a supervisor during shift briefing.
 4. The Department will hold a debriefing session within a short period, not to exceed 48 hours, of employees directly involved in the incident. Counseling will be made available immediately, and will be encouraged for these individuals.

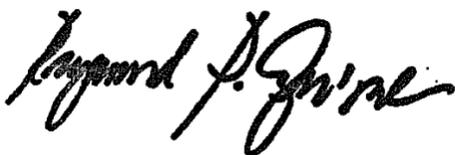
- C. The Department will utilize the Line of Duty Death Management System Handbook published by C.P.O.A. as a guideline for providing assistance to Department personnel and their families following a line of duty death or serious injury.
 1. This handbook is maintained in the Patrol Sergeant's Office.
 2. The information is also available via the CPOA website at www.cpoa.org

- D. Student and faculty notifications are covered in General Order 5-3, "Contacting Students during Instructional Activities."

REVIEWED BY:

P. Launi

APPROVED:



Raymund Aguirre
Chief of Police