
Victim and Witness Assistance

318.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims 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.

318.2 POLICY

The Franklin Community Schools Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the Franklin Community Schools 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 (Ind. Const. Art. 1 § 13(b)).

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 Franklin Community Schools 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.

318.3.1 CRIME VICTIM LIAISON DUTIES

The crime victim liaison should take reasonable steps as set forth in I.C. § 11-8-8-23 to notify the victim (or the spouse or immediate family member of a deceased victim) when the Department is notified that a lifetime sex or violent offender has changed his/her name, the reason for the name change (if known), and the offender's new name.

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.

Members should inform sexual assault victims of their rights and distribute state Sexual Assault Response Team pamphlets upon initial contact or as soon as practicable thereafter (I.C. § 35-40.5-5-1; I.C. § 35-40.5-7-1). The victim may opt for a relative or close friend to act as a representative to receive the information. Members should obtain a signature from the victim or representative confirming receipt of the state required documents.

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318.4.1 VICTIM NOTIFICATION

When a person in the custody of the Franklin Community Schools Police Department escapes from custody or the victim makes a notification request regarding the release of a suspect, the department shall notify the victim as soon as practicable (I.C. § 35-40-7-1; I.C. § 35-40-7-3).

If requested by the victim the Franklin Community Schools Police Department shall notify the victim as soon as practicable when the Franklin Community Schools Police Department is informed that (I.C. § 35-40-7-2):

- (a) A bond hearing is scheduled
- (b) The death of the accused individual occurs
- (c) The accused individual is placed on a work release program
- (d) The accused individual posts bail

318.5 VICTIM INFORMATION

The Chief of Police or the authorized designee 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.
- (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) Sexual assault victim's rights pamphlets as developed by the state sexual assault response team and related rights and notices regarding sexual assault victims as set forth in I.C. § 35-40.5-5-1 and I.C. § 35-40.5-7-1.
- (j) A place for the officer's name, badge number, and any applicable case or incident number.

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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 WITNESS INFORMATION

The Chief of Police or the authorized designee shall ensure that witness information handouts are available and current.