



University of Pennsylvania Police Department 4040 Chestnut Street, Philadelphia, Pa 19104		 
Directive: 69	Subject: Victim/Witness Assistance	Effective Date: 12/13/1999
Order of: Gary Williams, Chief of Police		Amended Date: 08/01/2023

I. PURPOSE

The purpose of this directive is to set policy and establish procedures for officers of the University of Pennsylvania Police Department (UPPD) when providing assistance to victims and witnesses of crime and traumatic incidents.

II. POLICY

It shall be the policy of the UPPD to treat every victim and witness with dignity, respect, and compassion. Further, officers are to ensure to confidentiality of victims and witnesses, where appropriate, throughout the development of the criminal case. Officers will provide information concerning support services available within the UPPD and the University, as well as other non-affiliated relevant agencies. Officers of the UPPD shall comply with the **Commonwealth of Pennsylvania Act 155 of 1992, Section 479.3, “Basic Bill of Rights for Victims, and Section 479.6, “Responsibilities of Law Enforcement Agencies”**, both of which are described in **Appendix “A”** of this directive.

III. SCOPE

This directive shall affect all sworn police officers.

IV. DEFINITIONS

A. Victim:

1. A person who suffers physical, financial, or emotional harm as the direct result of a specific incident.
2. The spouse, child, parent or legal guardian of the person harmed by the incident.

3. Third parties who are emotionally impacted by the event, either by their relationship with the person directly harmed or the horrific nature of the incident.
 4. Emergency service providers who directly deal with the event.
- B. Witness: A person who, as determined by a law enforcement agency, has information or evidence relevant to the investigation of a specific incident.

V. PROCEDURES

A. First Responder Responsibilities

1. The first officer arriving at the scene of an incident will:
 - a. immediately assess the physical and emotional needs of the victim/witness;
 - b. render medical assistance, if necessary;
 - c. provide any other additional assistance based on the immediate need assessment;
 - d. ensure that the Detective Unit or Special Services Units are notified, if appropriate;
 - e. provide the victim/witness with information about available services (i.e. Special Services, Women's Center, etc.);
 - f. provide the UPPD incident control number to the victim/witness, along with an explanation of future actions to be taken in the investigation of the incident;
 - g. provide the UPPD Special Services/Detective Unit phone number, so that the victim/witness may call at a later date to request additional information on the status of the case;
 - h. if necessary, provide the victim with necessary information regarding crime victim's compensation.

B. Detective Unit Responsibilities

1. The Detective Unit will be responsible for providing the following services, whenever appropriate:
 - a. re-contacting the victim/witness periodically, to determine the impact of the crime on the victim/witness in order to identify needs and to provide assistance/support services;
 - b. explain the procedures involved in prosecution and the victim/witness' role in those proceedings, if any;

- c. schedule line-ups, interviews, and other appointments and appearance of the victim/witness, with the convenience of the victim/witness taken into consideration wherever possible;
- d. offering and/or providing transportation to and from any such appearance, if feasible;
- e. prompt return of any property confiscated as evidence (except contraband, disputed property, weapons, etc) where permitted by law or rules of evidence;
- f. inform victims and witnesses of the arrest, charges, and custody status of suspects and the disposition of cases.

C. Special Service Unit Responsibilities

1. The Special Services Unit will be responsible for providing the following services, whenever appropriate:
 - a. ensure that the victim/witness has been advised of the rights afforded to them through the distribution of material designed for that specific purpose;
 - b. coordinate with the victim/witness and act as a liaison, if requested, between the victim/witness and any appropriate non-affiliated support agency;
 - c. act as a point of contact between the victim/witness and the department;
 - d. contact the victim/witness periodically to determine whether needs are being met, particularly when the impact of a crime on a victim/witness is unusually severe or requires additional support.
 - e. administer and coordinate the department's victim/witness assistance activities, including safety presentations, Rape Aggression Defense (RAD) courses, and other support services;
 - f. provide, via University publications, information regarding the department's victim/witness assistance services.

D. PennComm Center Responsibilities – Informational Requests From Victims/Witnesses

1. During regular business hours, PennComm Center personnel who receive informational requests from victims or witnesses will transfer the caller to the appropriate area (i.e. Special Services Unit, Detective Unit, etc.)
2. During hours when members of the Detective Unit or the Special Services Unit are not available, PennComm Center personnel will notate the information that the caller is requesting and will forward this information along to the proper unit. If the caller has an

immediate need, the PennComm Center Police Supervisor will call the appropriate on-call Detective, or provide a uniformed police response if necessary. Further, the PennComm Center Police Supervisor will provide the victim/witness with twenty-four hour telephone numbers (if available) for non-University related resources.

E. Protection Of Victims/Witnesses

1. Officers of the UPPD will provide appropriate assistance to victims/witnesses who have been threatened or who have expressed specific, credible reasons for fearing intimidation or further victimization.
2. Officers shall use common sense and good judgement in determining what constitutes appropriate assistance, based on the facts and nature of the case. Officers should convey concerns about victim/witness safety to their Shift Commander/Supervisor to determine what resources are available commensurate with the danger faced by the victim/witness.
3. Appropriate assistance may range from words of encouragement, information on support services, recommendations for relocation, providing transportation/escort services, or arranging for protective custody by the department or through the district attorney's office.
4. Whenever an officer of this department becomes aware of danger to a victim/witness, that officer shall promptly attempt to contact and alert the victim/witness and the agency of local jurisdiction.
5. Any action taken by an officer of this department relative to the protection of a victim or witness will be documented via a UPPD Incident Report (UPPD-10), forwarded through the chain of command.

F. Notifications Of Death Or Serious Injury

1. Upon receiving information regarding the death or serious injury of a University affiliate, the UPPD will follow the guidelines as provided in the "**Campus Emergency Procedures Manual**" published by the Vice Provost for University Life. These notifications will be made by Command Staff or higher-ranking officers **only** in conjunction with the established protocols of the University.
2. Upon receiving information regarding the death or serious injury of an individual not affiliated with the University, the UPPD will contact the police agency located in the area of the victim's residence to assist in notification to next-of-kin.

G. Analysis of Victim/Witness Assistance Needs

1. At least every two years, the Director of the Special Services Unit (in cooperation with the Detective Unit) shall complete an analysis of victim/witness assistance needs and available services within the patrol boundaries of the UPPD. The analysis shall include:
 - a. the extent and major types of victimization within the department's patrol boundaries;
 - b. an inventory of information and service needs of victim/witnesses in general (including homicide or suicide survivors) and special victims, such as those victimized by domestic violence and abuse, sexual crimes, and drunken drivers;
 - c. victim assistance and related community services available within the University;
 - d. identification of unfulfilled needs; and
 - e. identification of needs that are appropriate for the department to meet without duplicating the efforts of other services available to the victim/witness.

H. Compliance

Violations of this directive, or portions thereof, may result in disciplinary action.

I. Officers Assigned to Other Agencies

Officers of this department assigned to or assisting other law enforcement agencies will be guided by this directive.

J. Application

This directive constitutes departmental policy, and is not intended to enlarge the employer's or employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims insofar as the employer's or employee's legal duty as imposed by law. Violations of policy will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.

Appendix A

Subject: "Rights and Services Available to Victims of Crime in Pennsylvania"

Pennsylvania's Victim Bill Of Rights

As a victim of crime in Pennsylvania you have the following rights:

To receive basic information concerning the services to assist you;

To be notified of certain significant actions and proceedings pertaining to your case, including, in personal injury crimes, the arrest of the suspect and escape from police custody;

To be accompanied at all public criminal proceedings by a family member, a victim advocate or another person;

In cases of personal injury crimes, burglary, or driving under the influence involving bodily injury, to submit prior comment to the prosecutor's office on the potential reduction or dropping of any charge or changing of a plea;

To offer prior comment or to submit a written victim impact statement for the judge's consideration at sentencing;

To recover your losses, to the extent possible, through restitution, compensation through the victim's compensation program and the return of property which was seized as evidence when it is no longer needed by the prosecutor;

In personal injury crimes where the offender is sentenced to a state prison, to provide prior comment on and to receive notice of release decisions, and to be immediately notified if the offender escapes;

In personal injury crimes where the offender is sentenced to a local correctional facility, to receive notice of release decisions and to be immediately notified if the offender escapes;

To receive immediate notice of release on bail where the offender is committed to a local correctional facility for violation of a protection from abuse order;

To receive notice when an offender is committed to a mental health facility from a state prison and of the discharge, transfer or escape of the offender from the mental health facility; and

To have assistance in the preparation of, submission of and follow-up on the financial assistance claims to the Crime Victim's Compensation Board.

Victim's Responsibility

In order for you to receive information and/or notice on matters concerning your case, you must provide a valid address and telephone number to the requesting agency. You are also responsible for providing timely notice of any changes in that information. The information you provide is confidential and may not be disclosed to any person other than a representative of a law enforcement agency, prosecutor's office or corrections agency without your written prior consent. The victim's responsibility falls to the parent or legal guardian for child victims and to a surviving family member in the case of homicide.

DOMESTIC VIOLENCE VICTIMS

- A. If you are a victim of domestic violence, you have the right to go to court and file a petition requesting a **Protection from Abuse Order**, which could include the following:
1. An order restraining the abuser from further acts of abuse;
 2. An order directing the abuser to leave your household;
 3. An order preventing the abuser from entering your residence, school, business or place of employment;
 4. An order awarding you or the other parent temporary custody of or temporary visitation with your child or children;
 5. An order directing the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so;
 6. An order directing the abuser to refrain from stalking or harassing you or other designated persons.

Crime Victim's Compensation

If you or a family member are the innocent victim of a crime in Pennsylvania, or are hurt trying to apprehend a suspected criminal, you may be eligible for compensation.

Compensation may pay for:

Medical Expenses

Counseling

Loss of Earnings

Loss of Support (In homicide cases)

Cash Loss of Benefits

Funeral Expenses

Compensation will **not** pay for:

Pain and Suffering

Stolen or Damaged Property

Auto Release Injuries (Unless inflicted in a DUI crash or by a vehicle used as a weapon)

Minimum Loss Requirements:

If under age 60:

A minimum of \$100 total qualifying expenses; or

A loss of at least two or more continuous weeks of earnings.

If over age 60:

No minimum out-of-pocket loss required.

Responsibilities of Law Enforcement Agencies

- A. All law enforcement agencies are responsible for providing basic information on services available for crime victims. The information shall be in writing and shall be provided to the victim within twenty-four hours of the agency's first contact with the victim.
- B. The department shall provide written documentation signifying that this information has been provided to the victim. Such documentation may include a victim checkoff attached to the police report.
- C. In personal injury crimes, law enforcement agencies shall make reasonable efforts to notify the victim of the arrest of the suspect as soon as possible. Unless the victim cannot be located, notice of the arrest shall be provided not more than twenty-four hours after the preliminary arraignment.

In personal injury crimes, all law enforcement agencies, sheriffs, deputy sheriffs and constables shall notify the victim of an inmate's escape from the custody of the law enforcement agency, sheriff, deputy sheriff or constable.