



# ACTON POLICE DEPARTMENT

DEPARTMENT MANUAL; P&P: Operations		
POLICY & PROCEDURE # 1.30	DATE OF ISSUE: 1/28/2024	EFFECTIVE DATE: 2/9/2024
SUBJECT: VICTIM / WITNESS SERVICES	ISSUING AUTHORITY: Chief James Cogan	
REFERENCE(S): Massachusetts Police Accreditation Commission # 55.1.2; 55.2.1; 55.2.2; 55.2.3; 55.2.4; 55.2.5	<input type="checkbox"/> NEW <input checked="" type="checkbox"/> AMENDS <input type="checkbox"/> RESCINDS	

## I. POLICY

- A. The Acton Police Department will provide appropriate assistance to victims and witnesses who have been threatened or who, in the judgment of an officer, express specific and credible reasons for fearing intimidation or further victimization. **[55.2.2] [55.2.3]**
  1. Such services may include: **[55.2.1][55.1.2(A)] [55.2.3]**
    - a. Assistance in finding temporary shelter.
    - b. Transportation to and from court.
    - c. An untraceable cell phone.
    - d. Any other service requested that is within Department policies and guidelines.
  2. The assurance that all records and files of a victim/witness are held in confidentiality and that the role of the victim/witness in the case development is consistent with all applicable laws. **[55.1.2(B)]**
  3. The victim/witness will be given timely notice of upcoming events related to their case including when they will be required to attend court.
  4. Advise all victims/witnesses of the contact information of the Victim Witness Advocate of the Concord District Court.
  5. Assure the victim/witness that their participation in the case will remain as confidential as the law allows, however, inform them that their identities will most likely be given to the defendant at some point of discovery.
  6. The Acton Police work hand in hand with Domestic Violence Services Network Inc. (DVSN) and the Domestic Violence Victims Assistance Program (DVVAP).
- B. The Acton Police Department Family Services Unit will be a liaison with other governmental and non-governmental organizations (such as DVSN-

DVVAP) that are concerned with the needs of victims and witnesses. The assistance of the prosecutor, the court, probation, and parole agencies as well as rape crisis centers and domestic violence shelters should all be included. The purpose of liaison with outside sources of victim/witness assistance is two-fold: **[55.2.1 (b)]**

1. To ensure that referrals to victims/witnesses are based on accurate, up-to-date information regarding the services offered.
2. To maintain an ongoing, personalized system of communication in order to exchange suggestions and develop a cooperative work environment to better serve the victim/witness.

C. Acton Police Department personnel that deal directly with circumstances involving the needs/rights of victims/witnesses receive training commensurate with their roles in the process. Sworn personnel receive instruction during basic training and during their annual in-service training in accordance with Municipal Police Training Committee standards. Training updates are provided in the form of roll call training and/or formal classroom instruction. The training data used shall be in accordance with the standards set by the Massachusetts Criminal Justice Training Council and should reflect the findings of a periodic analysis of the needs and rights of victims/witnesses. Training based on this analysis should meet the goals and objectives set forth by the agency.

D. Officers conducting a preliminary investigation are usually the first police officers to contact a victim/witness. The success or failure of victim/witness cooperation relies heavily upon the treatment received by the victim/witness during this initial meeting. Therefore, officers conducting preliminary investigations shall be prepared to render the following:

1. Advise the victim of his/her rights pursuant to *M.G.L. Chapter 209A / 258E (Restraining or Harassment Order)* and give them a copy of the Acton Police Department's Abuse Rights Form. **[55.2.3(2A)]**
2. Provide the victim/witness with available information regarding counseling, medical attention, compensation programs, emergency financial aid, and victim advocacy. **[55.2.3(2A)]**
3. Advise the victim/witness on procedures to follow should a suspect or companion or family of the suspect intimidate the victim/witness. **[55.2.3(2B)]**
4. Inform the victim/witness of the Acton Police Department incident number assigned to his/her case and the subsequent procedures that will be followed in processing the case. **[55.2.3(2C)]**
5. Provide the victim/witness with a direct telephone number to call should the victim/witness have any additional information to report or wishes to check on the status of the case. **[55.2.5(D)(E)]**

6. If the suspect has been arrested, advise the victim/witness of this and inform them that the officers will remain on scene until the victim/witness feels safe. Advise the victim/witness of the charges against the suspect and that he/she will be immediately notified if he/she is released and any conditions of his/her release. Advise the victim/witness that at any time they may contact the Police Department for updates on the case. **[55.2.5]**
7. Advise the victim/witness that they may contact the District Attorney's office and receive additional services. **[55.2.5]**

E. Detectives or other officers assigned to conduct a follow-up investigation shall be prepared to offer the victim/witness the following information and/or services: **[55.2.4(1)]**

1. If the impact of the incident seems to have been unusually severe or the victim/witness has required above-average assistance, the assigned officer or Detective should contact the victim/witness within ten days to determine if his/her needs are being met. **[55.2.4(A)]**
2. Explain to the victim/witness the procedures involved in the prosecution of their cases and what their role will be. **[55.2.4(B)(C)]**
3. Detectives shall schedule, whenever possible, all line-ups, interviews, and other required appearances at the convenience of the victim/witness. If needed, the agency may provide transportation for the victim/witness. **[55.2.4(D)(E)]**
4. Whenever possible, the Detective should arrange for the property of the victim/witness to be returned. This should not violate any Department regulation; should be within the scope of the law and should not violate any rule of evidence. Property held as illegal contraband or weapons used in the commission of a crime shall not be returned unless so ordered by the court. **[55.2.4(F)]**
5. The Detective shall advise the victim/witness that he/she will be assigned a victim/witness advocate from the Middlesex District Attorney's Office. Additionally, advise the victim/witness that the officer will maintain contact with the assigned Victim Witness Advocate during the process that follows.

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## **VICTIM – WITNESS SERVICES INFORMATION**

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### **History: Manual I, Section III.**