



# TYLER POLICE DEPARTMENT GENERAL ORDER: 08.100

	<b>CRIME VICTIM/WITNESS ASSISTANCE</b>	
	<b>EFFECTIVE DATE: 06/28/1994</b>	
	<b>REVISED DATE: 05/23/2023</b>	
<b>CALEA STANDARDS: 55.2.5; 55.2.4; 55.2.3; 55.2.2; 55.1.2; 55.1.1</b>		

08.101 PURPOSE

The Tyler Police Department is committed to the development, implementation, and continuation of appropriate victim/witness services. It is the desire of our agency to develop better rapport between Law Enforcement professionals and those persons within our society who have been directly affected by crime. By so doing, we help to insure that a witness or victim's interests are protected and that they are treated with fairness, compassion, and dignity.

08.102 GENERAL DEFINITIONS

- A. Victim - A person who suffers physical, financial, or emotional harm as the direct result of a felony or misdemeanor crime against persons. Also regarded as victims are the spouse, child, parent, or legal guardian of a homicide victim. The definition excludes any person involved in a crime as a perpetrator or accomplice.
- B. Victim Advocate - A person or persons authorized by the agency to assist victims in specified ways.
- C. Crime Victim Liaison - An employee of the Police Department who is designated to establish and maintain a positive working relationship between our agency, the Smith County District Attorney's Office, and the Texas Attorney General's Office with regard to victim/witness assistance programs.

08.103 CRIME VICTIM LIAISON

The Chief of Police or the Chief's designate will act as the Crime Victim Liaison and will administer and coordinate the agency's role in victim/witness assistance. Currently the Crime Victim Liaison is an employee assigned to the Community Response Unit. Responsibilities of this employee include:

1. Insure that the Tyler Police Department complies with the laws pertaining to crime victims and witnesses as outlined in Chapter 56 of the Code of Criminal Procedure.
2. Informs the Crime Victim's Compensation Section of the District Attorney's Office regarding

who is the designated crime victim's liaison officer. This notification shall also include the persons' full name, business address, and telephone number.

3. Ensures that there is a response to all inquiries from interested persons concerning victim assistance.
4. Necessary records on crime victimization are to be provided by the Crime Analysis Unit as required by state law.
5. Each year, the Liaison is to complete a review of victim/witness assistance needs and available services within our service area or obtain a current analysis from another provider.

#### 08.104 SUPERVISORY PERSONNEL

Department supervisory personnel will be responsible for the following:

1. Cause each crime report to be screened to insure that each victim of a criminal attack is aware of victim assistance and related community services available within the service area.
2. Insure that a notation is made in each crime report when notification is made.
3. In those instances where the investigating officer believes that a victim or witness has specific credible reasons to fear intimidation or further victimization, the investigating officer's immediate supervisor will initiate appropriate assistance to the victim/witness. Appropriate assistance will be determined by the:
  - a. Nature of the case.
  - b. Nature of the threat.
  - c. Resources available to our agency at the time.

#### 08.105 ALL PERSONNEL

During the preliminary investigation, sworn personnel will be responsible for the following:

- A. Provide appropriate information to victims/witnesses, and/or their families when responding to the following:
  1. Crimes against person's offenses.
  2. Family violence calls.
  3. Injury motor vehicle accident involving DUI, failure to stop and render aid, or intentional injury with a motor vehicle.
- B. Appropriate information will include, but is not limited to the following:
  1. Applicable services available.
  2. Advising the victim/witness about what to do if the suspect or suspect's companions or family threatens or otherwise intimidates him or her.
  3. The incident case number.
  4. A telephone number where additional case information can be directed to or can be obtained from regarding the status of the case.
  5. Subsequent steps in the processing of the case.
- C. Texas Code of Criminal Procedure Article 56.02 will be followed to ensure the rights of victims and witnesses are met. <https://statutes.capitol.texas.gov/Docs/CR/htm/CR.56A.htm>

#### 08.106 TRAINING COORDINATOR

The Training Coordinator assigned to the Career Development Unit will be responsible for the

following:

1. Ensure that all new employees (both sworn and non-sworn) are informed of existing agency and community victim/witness assistance programs through basic and field training. Subsequent orientations shall be conducted at least once every two years with legal update training.
2. Updating training programs when the law and available services change.
3. Ensure that sworn personnel and non-sworn personnel, including communications personnel, receive training in the Victim/Witness Rights and the role of law enforcement in meeting those rights.

#### 08.107 DATA MANAGEMENT PERSONNEL

Data Management personnel will insure the confidentiality of records and files of victims/witnesses to the extent consistent with applicable law.

#### 08.108 COMMUNICATIONS PERSONNEL

- A. Communications personnel receive calls from victims/witnesses on a daily basis requesting assistance, information, services or referral. In order to make correct determination as to how calls will be processed, communications personnel will utilize all available resource materials. Resource materials will include but not be limited to those listed below:
  1. PSR Orders to determine if an emergency or non-emergency exists.
  2. E-9-1-1 Procedures/Orders.
  3. Emergency Preparedness Plan.
  4. Other applicable General/ Operation Orders.
  5. Directory Health/Welfare and Social Services.
  6. Agency referral listings.
- B. Communications will serve as a single point of contact to provide 24-hour referral information.

#### 08.109 PUBLIC INFORMATION OFFICER

The Public Information Officer will coordinate the agency's efforts to periodically inform the public and the media of existing and new victim/witness programs.

#### 08.110 CASE INVESTIGATOR

The assigned case investigator will be responsible for the following:

1. If the impact of the crime has been unusually severe, the victim/witness will be re-contacted periodically to determine whether appropriate needs are being met.
2. If not an endangerment to the successful prosecution of the case, victims/witnesses will be informed of procedures involved in the prosecution of the case and their role in those procedures.
3. Line-ups, interviews, and other required appearances will be scheduled at the convenience of the victim/witness, if feasible.
4. Any victim/witness property taken, as evidence will be promptly returned when permitted by law or rules of evidence.
5. In more severe cases and when feasible, a victim advocate may be requested for the victim/witness during the follow-up investigation.
6. When possible, case investigators will notify victims/witnesses of the suspect's arrest, charges, and custody status. Such notification will be made in a timely manner.

Approved: 05/23/23

A handwritten signature in black ink, appearing to read "Jimmy Toler". The signature is fluid and cursive, with a large initial "J" and a distinct "T" and "O".

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Jimmy Toler  
Chief of Police