

Victim and Witness Assistance

336.1 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.

336.2 POLICY

The Emery County Sheriff's Office is committed to providing guidance and assistance to the victims and witnesses of crime. The employees of the Emery County Sheriff's Office will show compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

336.3 CRIME VICTIM LIAISON

Services of the Crime Victim Advocate will be made available to victims by referring them to the County Attorney's Office. The Crime Victim Advocate will be the point of contact for individuals requiring further assistance or information from the Emery County Sheriff's Office 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.

336.3.1 CRIME VICTIM LIAISON DUTIES

The crime victim liaison processes requests to review open investigations as set forth in Utah Code 11-64-101 (Victim Rights Amendments).

336.4 CRIME VICTIMS

Deputies should provide all victims with the applicable victim information handouts.

Deputies 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. Deputies 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.

336.5 VICTIM INFORMATION

The Administration Captain shall ensure that victim information handouts are available and current. These should include as appropriate:

- (a) Shelters and other community resources for victims of domestic violence.
- (b) Community resources for victims of sexual assault (Utah Code 53-10-804).
- (c) 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).

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- (d) 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.
- (e) A clear explanation of relevant court orders and how they can be obtained.
- (f) Information regarding available compensation for qualifying victims of crime.
- (g) 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.
- (h) Notice regarding U visa and T visa application processes.
- (i) Resources available for victims of identity theft.
- (j) A place for the deputy's name, badge number, and any applicable case or incident number.
- (k) The written notices for victims of domestic violence and other qualifying offenses as mandated by Utah Code 78B-7-802 and Utah Code 77-36-2.1.
- (l) Local victim centers.
- (m) The Utah Department of Corrections (UDC) Victim Services Unit, which can provide assistance and support to victims whose victimizers are in the custody of the UDC.
- (n) Office of Crime Victim Reparations Program that offers financial assistance.
- (o) The Federal Department of Justice Office for Victims of Crime (OVC), which can also provide assistance.
- (p) The Utah Crime Victims' Bill of Rights (Utah Code 77-37-3).
- (q) Rights and remedies available to victims of stalking or dating violence (Utah Code 76-5-106.5; Utah Code 78B-7-408).
- (r) Eligibility and process to request review of investigations (Utah Code 11-64-101).
- (s) The written notices for victims of sexual violence as mandated by Utah Code 78B-7-509.
- (t) A guide for victims of sexual assault to be published on the Office website as mandated by Utah Code 53-24-101.

336.6 WITNESSES

Deputies should never guarantee a witness's safety from future harm or that his/her identity will always remain confidential. Deputies may make practical safety suggestions to witnesses who express fear of future harm or retaliation.

Deputies should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

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336.7 VICTIM ASSISTANCE FOR STALKING

Deputies investigating allegations of stalking should take reasonable steps to protect the victim and any family or household member. This includes the following (Utah Code 76-5-106.5):

- (a) Victims shall be provided with the Emery County Sheriff's Office stalking information handout, even if the incident may not rise to the level of a crime.
- (b) Victims shall also be alerted to any available victim advocates, shelters, and community resources.
- (c) When an involved person requests law enforcement assistance while removing essential items of personal property, deputies shall stand by for a reasonable amount of time.
- (d) If the victim has sustained injury or complains of pain, deputy shall seek medical assistance for the victim as soon as practicable.
- (e) Deputies should ask the victim whether he/she has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for his/her safety or if the deputy determines that a need exists.
- (f) Deputy should make reasonable efforts to ensure that any children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.
- (g) If appropriate, deputy shall seek or assist the victim in obtaining an emergency order.
- (h) Seize any firearms or other dangerous weapons, if appropriate and legally permitted, for safekeeping or as evidence.