



TOWN OF MACEDON POLICE DEPARTMENT

General Order: 440	Effective Date: March 18, 2021
Subject: Victim and Witness Assistance	
Reference Standards: 29.4, 29.5	
Rescinds:	
Page 1 of 4	Attachments: 1-NYS Crime Victims Board Bill of Rights; 2-NYS Crime Victim's Board referral card; 3- NYS Sexual Assault Victim Bill of Rights; 4-Victim Resource Center of the Finger Lakes pamphlet

I. Purpose

- A. To emphasize the needs of victims of criminal and non-criminal incidents and the responsibilities of the officers of the Macedon Police Department to provide support.
- B. To provide information and guidance to all victims and witnesses

II. Policy

- A. Officers of the Macedon Police Department are often in a unique position to provide assistance to the victims and witnesses of crimes and other traumatic incidents. These experiences may have both immediate and/or long-term effects on the individual's emotional recovery. It is the policy of the Macedon Police Department to facilitate the ability of victims and witnesses to secure the assistance and guidance that is necessary for their physical and emotional recovery. The personnel of the Macedon Police Department will support and aid victims and witnesses as they continue to interact with the criminal justice system.

III. Procedure

A. Safety & security

- 1. Officers are responsible for securing the crime or incident scene to protect lives and ensure the safety of the victims, the public, and officers of the Macedon Police Department.

2. Officers will summon any necessary medical assistance and render any other assistance required.
3. After completing their involvement and whenever possible, officers should not leave a distraught victim alone. Arrangements should be made to have a relative, friend or clergyman join the victim for emotional support and comfort.

B. Information & referral

1. It is important that officers take the steps necessary to meet the victims' needs for support and information. These may include:
 - a) Leaving the officer's name, the case CR#, and the officer's departmental telephone number
 - b) Encouraging the victim to contact the Macedon Police Department to report additional information about the incident, or to request information or assistance
 - c) Providing information on victim service agencies available in the community, including the New York State Crime Victims Board Bill of Rights (Attachment #1)
2. Officers must provide all victims with a New York State Crime Victims Board (CVB) card. (Attachment #2)
 - a) Officers must carry a supply of CVB cards in the field to provide to victims.
 - b) Officers must note in their report that a CVB card was provided to the victim.

C. Specific procedures

1. Report of sex offenses
 - a) When an officer is called to investigate a reported sex crime, it is the policy of the Macedon Police Department to inform the victims of any sex crime about the availability of sexual assault counseling and assistance services through the Victim Resource Center of the Finger Lakes.
 - b) If the victim of a sex crime requests Victim Resource Center of the Finger Lakes' presence, the investigating officer will contact Victim Resource Center of the Finger Lakes and request a case worker be sent to victim's location.

c) Pursuant to N.Y.S. Executive Law, Section 642:

- (1) When an officer investigates a reported sex crime, as defined in Article 130 of the N.Y.S. Penal Law, the officer will provide the victim with a New York State Sexual Assault Victim Bill of Rights (Attachment #3) and a Victim Resource Center of the Finger Lakes card and/or pamphlet. The card and pamphlet contain the name, address and telephone number of the nearest Victim Resource Center of the Finger Lakes locations. (Attachment #4).
- (2) The Macedon Police Department will provide a private setting for interviewing victims of a crime as defined in Article 130 or section 255.25 of the N.Y.S. Penal Law. A "private setting" is defined as an enclosed room from which the occupants are not visible or otherwise identifiable, and whose conversations cannot be heard from outside such room. For the purposes of this order, "private setting", in the Macedon Police Department shall include, but not be limited to all **private offices** located in the Macedon Police Department. Victims of sex crimes will not be interviewed in the Patrol Room or any public office area.
- (3) Only those persons directly and immediately related to the interviewing of a particular victim may be present during the interview of a victim. These include:
 - (a) A social worker, sexual assault counselor, psychologist, or other professional providing emotional support to the victim, unless the victim objects to the presence of such person and requests the exclusion of such person from the interview.
 - (b) When appropriate, the parent(s) of the victim, if requested by the victim.

IV. Victim/witness referral

- A. The Victim Resource Center of the Finger Lakes and/or the Wayne County Victim/Witness Program will provide assistance to victims and witnesses during the initial post-crime crisis and through the criminal justice process. The Victim Resource Center of the Finger Lakes and/or the Wayne County Victim/Witness Program counselors offer the following services:
 1. Accompanying victims or witnesses to line-ups or court proceedings when appropriate
 2. Assisting victims in attempts to recover financial losses by preparing and submitting compensation claim forms and affidavits to the New York State Crime Victims Board
 3. Referring victims to social agencies for counseling or other assistance where appropriate

4. Upon request of a competent authority, responding to any situation requiring crisis intervention
 5. Conducting personal contacts at a victim's home or hospital when appropriate
 6. Assisting with speaking to community and support groups regarding victim's rights and services provided to victims
 7. Monitoring financial restitution ordered by local criminal courts
- B. Macedon Police Officers may refer victims and witnesses in need of these services to the Victim Resource Center of the Finger Lakes. Their telephone number during business hours is (315) 331-1171.
- C. Officers may also utilize Wayne County District Attorney's Office Victim/Witness Program. Their telephone number during business hours is (315) 946-5913.

By Order of the Chief of Police


John P. Colella (Mar 18, 2021 12:31 EDT)

John P. Colella
Chief of Police
Dated this 18th day of March, 2021