



GREENVILLE COUNTY
SHERIFF'S OFFICE

GO - 232

GENERAL ORDERS

VICTIM/WITNESS ASSISTANCE

PURPOSE:

Without the trust, confidence, and support of victims and witnesses, many criminals would never see the inside of a courtroom. The first contact a victim has with the criminal justice system is law enforcement. It is vital victims and witnesses are treated with confidentiality, dignity, respect, and compassion.

VICTIM/WITNESS RIGHTS AND SERVICES:

Compliance with South Carolina Code of Laws Title 16, Chapter 3, Article 15 is mandated. All Sheriff's Office personnel are expected to become familiar with this law as it applies to their respective positions.

All sworn and non-sworn employees are to be familiar with the special needs required by victims and witnesses. As first responders and first points of contact, employees must understand the impact of their actions. Employees are to know techniques for dealing with victims/witnesses and be aware of available resources.

OPERATIONS:

VICTIM/WITNESS ADVOCATES – Advocates are assigned to the Specialized Investigations Division.

The Sheriff's Office maintains a continuous on-duty presence and continuous emergency telephone access in Greenville County. The Communications Center provides a single point of contact in the event the investigating deputy or Victims Advocate cannot be reached. Communications has referral information available for victims/witnesses in need of medical attention, counseling, emergency financial assistance, and other related services.

VICTIM/WITNESS TRAINING:

All Sheriff's Office employees are to receive victim/witness training:

1. During employment orientation, all employees are trained on victim/witness services offered by the Sheriff's Office and provided familiarization with applicable state law.
2. Upon implementation of new services and laws, updated training and/or notification are to be provided.
3. Sworn personnel are to receive victim/witness training at the South Carolina Criminal Justice Academy during basic training and during field training. Training is to include victim/witness rights and needs, law enforcement's role in meeting their rights and needs, and identification of service agencies available in this area.

**VICTIM/WITNESS
ADVOCATES:****Advocate Responsibilities –**

1. Design, implementation and coordination of state laws governing victim/witness services.
2. Inform Sheriff's Office employees on proper first response techniques.
3. Serve as liaison for employees or volunteers who may be directly involved in victim/witness services.
4. Respond to victim/witness needs as required by the Sheriff's Office.
5. Follow-up with victims/witnesses of crimes involving serious physical trauma.
6. Assist victims/witnesses with inquiries concerning their cases.

VICTIM SERVICES:

Deputies are to answer all questions asked by victims and witnesses to the best of their ability. Deputies will also explain the procedures involved in case prosecution and the role of the victim/ witness advocates. Victim Advocates may be contacted for incidents requiring special assistance.

When necessary, a victim advocate will assist victims' with victim compensation or intervene on their behalf with creditors or employers. [§16-3-1520 (c)] If an incident does not meet the requirements of state law and a deputy believes a victim/witness should have services, they are to provide the victim with a service pamphlet and contact a Victim Advocate as soon as practical depending on the nature of the incident.

**SERVICES DUE TO
SEVERE CRIMES:**

Victims/witnesses of unusually severe crimes may require additional services during the preliminary or follow-up investigation. This is primarily the responsibility of a Victim Advocate, but all deputies are required to assist, if necessary. Additional assistance may include:

- Re-contacting the victim/witness periodically to determine if their needs are being met.
- Scheduling line-ups, interviews, or any other required appearances should be as convenient as possible for the victim/witness and transportation provided, if necessary.
- Returning recovered or seized property to victims/witnesses as quickly as possible. [§16-3-1545 (E)]

**VICTIM/WITNESS
REFERRALS:**

Victim/Witness Advocates are to work closely with other agencies providing services to victims/witnesses. Sheriff's Office initiated assistance is to continue until such time it is determined assistance is no longer necessary or the situation could be better served by another service oriented agency.

Victim Advocates must ensure all applicable state laws are complied with prior to and after referral is made or before assistance is stopped. Examples of service oriented agencies or groups are:

- Thirteenth Judicial Circuit Solicitor's Office of Victims Witness Assistance.
- Julie Valentine Center.
- S. C. Department of Social Services.
- Safe Harbor.
- Council for the Prevention of Child Abuse.

It is imperative accurate information is maintained in order to make proper referrals. To this end, victim advocates are to maintain good working relationships with other service providers and strive to improve multi-agency coordination of services. The media is a valuable resource for keeping the public informed as to the rights of and services available to victims and witnesses.

**THREATS AGAINST
VICTIM/WITNESS:**

In the event of victims/witnesses receiving threats or expressing a recognizable basis for fearing intimidation or further victimization, the Sheriff's Office is to provide assistance as determined necessary for the situation. The victim/witness is to be protected by any and all means, including transportation to and from court and protection at court (South Carolina Code of Laws §16-3-1525 (G)). Actions are coordinated through the victims advocate or the advocate's supervisor. The level of assistance is determined by the nature of the case, the degree of danger, and available resources. Assistance rendered may range from protective custody to simple verbal reassurance. Other options may include:

- Neighbors, friends, and relatives willing to assist.
- Extra patrol or surveillance.

If the Sheriff's Office becomes aware of danger to a victim/witness, an attempt will be made to contact and alert the victim/witness. If the victim/witness is in another jurisdiction, the appropriate law enforcement agency will be notified.

**VICTIM/WITNESS
ASSISTANCE FORM:**

During preliminary investigations of incidents involving any violent crime, damage or theft loss in excess of \$1,000, deputies are to provide all victims, including business owners and/or representatives with a Victim/Witness Assistance Form. The form outlines victim rights and responsibilities. There is a section on the form for the victim to sign indicating if he/she wishes to be present at the bond hearing and/or be informed of all court proceedings.

As determined by the nature of the incident, the Victims Advocate may be summoned to the crime scene to assist with victim/witness services.

The Victim/Witness Assistance Form is in a multi-copy format: white, yellow, pink, green, and blue carbon copies. The following outlines distribution of each copy:

1. The victim is given the yellow copy
2. The white copy is sent to Records.
3. The pink copy is in Spanish and is given to Hispanic victims.
4. When an arrest is immediate, the green copy is to be attached to the warrant or state ticket. The Blue copy is given to the Detention Center if the detainee is placed into detention.
5. When a detainee is not booked into Detention, the blue copy goes to Records with *NOT IN DETENTION* written at the top of the form.
6. If arrest is not immediate and no warrant is signed, the green and blue copies are to be sent to Records where they will remain on file until a warrant is signed. When a warrant is signed, the deputy responsible for obtaining the warrant is to retrieve the blue and green copies from Records, and attach both copies to the warrant. A deputy serving a warrant is to detach the blue copy from the warrant and give it to Detention, if the detainee is booked into jail. If the detainee is not placed into Detention, the deputy is to return the blue copy to Records with *NOT IN DETENTION* written at the top of the form.
7. Pursuant to SC Code of Laws § 16-3-1525, the reporting deputy is to obtain the best possible address and telephone information for the victim due to the fact that the victim will have to be notified when the warrant is served. If blue and green copies are not attached to a warrant, they should be retrieved from Records and attached.

When the arrest warrant is served, the arresting deputy will notify the victim. If the arrestee is booked into jail, the blue copy will be given to Detention. The green copy will remain attached to the warrant. If the detainee is not placed into Detention, the deputy is to return the blue copy to Records with *NOT IN DETENTION* written at the top of the form.

TELEPHONE REPORTS:

When an incident report is taken by telephone and the offense is applicable according to South Carolina law, the victim will be mailed the Victim/Witness Assistance Form by the Victim Advocates.

INCIDENT REPORTS**FOR CRIME VICTIMS:**

SOUTH CAROLINA CODE OF LAWS §16-3-1520 entitles victims of crimes against persons or property crimes where a person is a victim a free copy of their incident report.

NOTE - §16-3-1520 does apply to incidents such as shoplifting, fraudulent checks, traffic accidents or drug violations.

The following procedures apply to compliance with §16-3-1520:

1. To prevent the release of sensitive information, normally only the initial incident report will be released.
2. Supplemental reports are released only when those reports contain information, such as additional stolen property, recovered property, or similar information.
3. Deputies are to ensure that investigative details or sensitive information is not contained in the original incident report. This includes supplemental report forms marked as a page of the original incident report.
4. Sensitive information and investigative details should go on pages marked as supplemental report.
5. Names of uncharged suspects and witnesses, as well as their addresses, phone numbers and other identifying information is to be blacked-out before releasing the report.
6. Upon the request of the investigating deputy, other sensitive information is to be blacked-out before a report is released.
7. The victim is to receive one report free-of-charge. Additional reports will be free of charge only when new information is added, such as additional stolen property.
8. A fee will be charged for duplicate copies.
9. Report copies are to be provided when reasonably available, usually after 48-hours to process into the records management system.
10. To obtain a copy of a report, the victim must present a photo ID to the Public Records section at the Law Enforcement Center, between the hours of 08:30 and 17:00, Monday through Friday. An exception to this would be when the victim is incapacitated or underage and the report will be released to a person designated by the victim.

NOTE – Death investigation, criminal sexual conduct, and armed robbery reports will not be released without prior approval from the investigator working the case or an investigative supervisor.

VICTIM/WITNESS NOTIFICATIONS:

Victims and witnesses are to be immediately notified about arrests or custody changes of defendants, including juveniles. (§16-3-1525, §16-3-1530)

**VICTIM/WITNESS
REVIEW:**


Victim Advocates provide to the jail, Department of Juvenile Justice, the magistrate, the prosecuting agency, whichever is applicable, the name, address and phone number of each victim.[§16-3-1525 (c, d,e)]

A documented review of victim/witness assistance needs and available services is conducted every two years. This review includes:

1. Types of victimization.
2. Services provided.
3. Coordination with other agencies.
4. Identification of unfulfilled services the Sheriff's Office could provide.

**VICTIM/WITNESS
GOALS AND
OBJECTIVES:**

Written goals and objectives for victim/witness assistance are to be developed in conjunction with annual goals and objectives. They are to be realistic, quantifiable and measurable.



Hobart Lewis, Sheriff