



MILWAUKEE POLICE DEPARTMENT

STANDARD OPERATING PROCEDURE

710 – VICTIM / WITNESS RIGHTS AND ASSISTANCE

GENERAL ORDER: 2021-XX
ISSUED: June 9, 2021

EFFECTIVE: June 9, 2021

REVIEWED/APPROVED BY:

Inspector Willie Murphy

DATE: May 13, 2021

ACTION: Amends General Order 2016-41 (June 24, 2016)

WILEAG STANDARD(S): 14.1.1, 14.1.2

710.00 PURPOSE (WILEAG 14.1.1)

The purpose of this policy is to ensure that department personnel conduct all department operations in a manner that recognizes the rights of victims and witnesses as defined in [Article 1 Section 9m](#) of the Wisconsin Constitution and the state of Wisconsin Basic Bill of Rights for Victims and Witnesses [Wis. Stat. § 950](#).

710.05 POLICY (WILEAG 14.1.1)

It is the policy of the Milwaukee Police Department that all members, as mandated by [Article 1 Section 9m](#) of the Wisconsin Constitution and the state of Wisconsin Basic Bill of Rights for Victims and Witnesses, [Wis. Stat. § 950.04](#), treat all victims and witnesses of crime with fairness, dignity, respect, courtesy, and sensitivity and in accordance with the Milwaukee Police Department [Code of Conduct \(5.00 Respect\)](#). As first responders, law enforcement personnel provide care and support to victims of crime as required by state and federal laws.

710.10 VICTIM AND WITNESS RIGHTS (WILEAG 14.1.2)

Members investigating a complaint, which is a crime, shall provide each victim with a copy of the *Milwaukee Police Department Crime Victim Resources* (form PV-17) form within 24 hours of initial contact which includes the following:

- A. A full list of rights for victims of crimes under [Article 1 Section 9m](#) of the Wisconsin Constitution and [Wis. Stat. § 950.04\(1v\)](#) Basic Bill of Rights for Victims and Witnesses.
(WILEAG 14.1.2.1)
- B. A full list of rights for witnesses of crimes under [Wis. Stat. § 950.04\(2w\)](#) Basic Bill of Rights for Victims and Witnesses.
(WILEAG 14.1.2.1)
- C. Additional referral information regarding services and victim/witness rights including:
 1. Victim/witness services may be contacted at the Milwaukee County District Attorney's Office, 821 W. State Street, Milwaukee, WI 53233, (414) 278-4667 for a complete list of rights and how to exercise them.
(WILEAG 14.1.2.7)

2. Compensation may be received by contacting the Crime Victim Compensation Program at the Wisconsin Department of Justice Crime Victim Compensation Program, P.O. Box 7951, Madison, WI 53707-7951, (800) 446-6564.
(WILEAG 14.1.2.2)
3. The district attorney contact information to request notice of court proceedings and the opportunity to confer is 821 W. State Street, Room 615, Milwaukee, WI 53233, (414) 278-4667.
(WILEAG 14.1.2.3)
4. The address and phone number of the custodial agencies include the Milwaukee County Criminal Justice Facility, 949 N. 9th Street, Milwaukee, WI 53233, (414) 226-7070 and the Vel Phillips Juvenile Justice Center, 10201 W. Watertown Plank Rd., Wauwatosa, WI 53226, (414) 257-7715 for information regarding the arrest, custody or release of a suspect.
(WILEAG 14.1.2.4, 14.1.2.5)
5. The procedure for the victim to follow if he/she is the subject of threats or intimidation arising out of cooperation with law enforcement of which he/she is a victim is to contact the Milwaukee Police Department at (414) 933-4444 or if in immediate danger to call 9-1-1.
(WILEAG 14.1.2.6)

710.15 MEMBERS RESPONSIBILITIES DURING INITIAL RESPONSE (WILEAG 14.1.2)

- A. The following information shall be provided by department members to victims and witnesses:
 1. A brief summary of the status of the investigation including addressing any questions and/or concerns of the victim/witness. Members shall notify the victim/witness if a suspect has been taken into custody when possible. Members shall not release this information if it harms or interferes with an investigation.
 2. Provide the victim with the *Milwaukee Police Department Crime Victim Resources* (form PV-17) form within 24 hours of the initial contact. The form shall contain the investigating member's name, the case number and date, the district or division of the investigating member, the member's shift hours, and a contact phone number for the investigating member if the victim/witness has any additional information or questions.
 - a. Provide a *Domestic Violence Referral Notice* (form PD-33) to any victim involved in domestic violence or for any individual who requests restraining order information.
 - b. Provide a *Referral Memo* (form PR-3) to any victims or witnesses required to appear at the district attorney's office.
 3. Advise the victim/witness of the procedures to recover any property owned by the victim/witness that is recovered during the initial investigation.

- a. Members shall advise the victim/witness their property will be returned to them as quickly as possible in accordance with department procedures and state law.
 - b. Members shall advise the victim/witness where and when he/she can retrieve his/her property and provide him/her with a completed *Property Receipt* (form PP-33) or *Order for Property* (form PO-5), if necessary, in accordance with SOP 560 Property.
4. Explanation of the process involved in the prosecution of their case and the victim's or witness' role in the prosecution.

710.20 MEMBERS RESPONSIBILITIES DURING FOLLOW UP INVESTIGATIONS (WILEAG 14.1.2)

- A. Members shall be cognizant that a lack of information or communication about the status of an investigation can be a source of great dissatisfaction for victims and witnesses.
- B. Members conducting follow up investigations shall contact the victim/witness as soon as practical to determine whether the victim has new details concerning the investigation and relay information, when available and appropriate, relating to such matters as:
 1. If a suspect(s) has been taken into custody if this information does not harm or interfere with the investigation.
 2. Court restraining or no-contact orders.
 3. An overview of the court process if a suspect has been taken into custody.
 4. Status of stolen, recovered, or removed property, and the recovery procedures for any property owned by the victim or witness if the property can be released.
 5. Possible eligibility for victim compensation.
 6. The time, date, and location of any additional requests of the victim/witness, such as being shown a photo array, attending line-ups, interviews, and other required appearances.
- C. The victim/witness should be advised that if he or she is contacted, threatened, or intimidated by the suspect or a third party, he or she should contact the department immediately.
(WILEAG 14.1.2.6)



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ACTING CHIEF OF POLICE