


HAVERFORD TOWNSHIP POLICE DEPARTMENT OPERATIONS MANUAL		
Issue Date January 2024	Review Date January 2025	Directive Number 4.5.1
Accreditation Index: 4.5.1		Rescinds: Directive 4.1.5 of February 2021
Chapter: Four – Pennsylvania Legal Mandates	Section: Five – PA Crime Victims Act	
Chief of Police: <i>John F. Viola</i>		

SUBJECT: CRIME VICTIM ASSISTANCE

I. PURPOSE

The purpose of this directive is to establish policy and procedures for members of the Haverford Township Police Department when providing assistance to victims of crimes.

II. POLICY

Members of this Department shall treat all victims of crimes with fairness, compassion and dignity. Members shall comply with the procedures established by the Pennsylvania Crime Victims Act (Title 18 P.S. 11.101 et seq.) for local law enforcement agencies, and the procedures outlined in this directive.

III. DEFINITIONS

Crime - An act which was committed:

(1) In this Commonwealth by a person, including a juvenile, without regard to legal exemption or defense which would constitute a crime under the following:

(i) The act of April 14, 1972 (P.L.233, No.64),³ known as The Controlled Substance, Drug, Device and Cosmetic Act.

(ii) 18 Pa.C.S. (relating to crimes and offenses).

30 Pa.C.S. § 5502 (relating to operating watercraft under influence of alcohol or controlled substance).

30 Pa.C.S. § 5502.1 (relating to homicide by watercraft while operating under influence).

- The former 75 Pa.C.S. § 3731 (relating to driving under influence of alcohol or controlled substance).
- 75 Pa.C.S. § 3732 (relating to homicide by vehicle).
- 75 Pa.C.S. § 3735 (relating to homicide by vehicle while driving under influence).
- 75 Pa.C.S. § 3735.1 (relating to aggravated assault by vehicle while driving under the influence).
- 75 Pa.C.S. § 3742 (relating to accidents involving death or personal injury).
- 75 Pa.C.S. Ch. 38 (relating to driving after imbibing alcohol or utilizing drugs).

(iii) The laws of the United States.

(2) Against a resident of this Commonwealth which would be a crime under paragraph (1) but for its occurrence in a location other than this Commonwealth.

(3) Against a resident of this Commonwealth which is an act of international terrorism.

Personal Injury Crime – is defined for the purposes of the Crime Victims Act as an act, attempt or threat to commit an act which would constitute a misdemeanor or felony under the following:

- 18 Pa.C.S. Ch. 25 (relating to criminal homicide).
- 18 Pa.C.S. Ch. 27 (relating to assault).
- 18 Pa.C.S. Ch. 29 (relating to kidnapping).
- 18 Pa.C.S. Ch. 31 (relating to sexual offenses).
- 18 Pa.C.S. § 3301 (relating to arson and related offenses).
- 18 Pa.C.S. Ch. 37 (relating to robbery).
- 18 Pa.C.S. Ch. 49 Subch. B (relating to victim and witness intimidation).
- 30 Pa.C.S. § 5502.1 (relating to homicide by watercraft while operating under influence).
- The former 75 Pa.C.S. § 3731 (relating to driving under influence of alcohol or controlled substance) in cases involving bodily injury.
- 75 Pa.C.S. § 3732 (relating to homicide by vehicle).
- 75 Pa.C.S. § 3735 (relating to homicide by vehicle while driving under influence).
- 75 Pa.C.S. § 3735.1 (relating to aggravated assault by vehicle while driving under the influence).
- 75 Pa.C.S. § 3742 (relating to accidents involving death or personal injury).

75 Pa.C.S. Ch. 38 (relating to driving after imbibing alcohol or utilizing drugs) in cases involving bodily injury.

The term includes violations of any protective order issued as a result of an act related to domestic violence.

Victim - The term means the following:

- (1) A direct victim.
- (2) A parent or legal guardian of a child who is a direct victim, except when the parent or legal guardian of the child is the alleged offender.
- (3) A minor child who is a material witness to any of the following crimes and offenses under 18 Pa.C.S. (relating to crimes and offenses) committed or attempted against a member of the child's family:
 - Chapter 25 (relating to criminal homicide).
 - Section 2702 (relating to aggravated assault).
 - Section 3121 (relating to rape).
- (4) A family member of a homicide victim, including stepbrothers or stepsisters, stepchildren, stepparents or a fiancé, one of whom is to be identified to receive communication as provided for in this act, except where the family member is the alleged offender.

IV. PROCEDURES

A. Training

1. All officers of the Department shall be trained in the requirements of law enforcement agencies for the proper notification to victims of crimes as outlined in the Pennsylvania Crime Victims Act (Title 18 P.S. 11.101 et seq.), as required by Title 18 P.S. section 11.212(a). This training shall also be a required segment of a new officer's field training program.
(PLEAC 4.5.1 a)

B. The following procedures shall be followed when officers of this Department are interacting with victims of a crime.

1. Protect the victim from further harm or injury.
2. Attempt to strengthen cooperation between the victim and the police department to enhance the willingness of the victim to assist in the prosecution of criminal offenders.

C. Notifications

1. Officers shall provide basic information on the rights and services available for crime victims and the availability of crime victims' compensation to the victim or, if appropriate, a member of the victim's family. The information shall be provided when the agency has first contact with the victim or, if appropriate, a

member of the victim's family or as soon as reasonably possible. This information shall be provided in the form of a Crime Victims Information (CVI) packet.

2. The CVI packet provides basic information on services available for crime victims as well as the application form for crime victims' compensation. Additionally, the packet directs victims to the various victim services within the county and/or state.
3. Officers can provide the CVI by QR Code. Victims are able to scan the QR code and will be taken directly to the Victims' Rights and Victim Compensation Information for their county.
 - a) Officers shall consider that it may not always be appropriate to provide this information via QR code as some victims may prefer the paper version or may not have access to the internet. In these cases, a paper guide shall be provided.
 - b) This information is available in [English](#), [Spanish](#), Chinese, German, Korean, Russian, and Vietnamese.
4. Officers shall note in the incident report that the CVI packet was provided to the victim or the victim's family.
(PLEAC 4.5.1 b, e)
5. Bail Conditions
 - a) The victim of Personal Injury Crimes, Crimes of Violence, Sexual Abuse of Children, and Sexual Exploitation of Children has the right to be notified of certain significant actions and proceedings within the criminal and juvenile justice systems pertaining to their case, including access to information regarding the grant or denial of bail to an adult.

Note: This does not apply to preliminary bail conditions set at preliminary arrangements.
 - b) In compliance with [Section 11.201\(2\)\(iii\) of the Crime Victims Act](#), the arresting officer shall forward the victim's information on the AOPC victim data sheet (appendage C) to the Central Arraignment court so that the victim may receive notice of any proceedings to modify bail conditions and exercise the opportunity to appear.
 - c) Following the preliminary hearing, the victim's information shall be transmitted by the magisterial district court with the transcript of the proceedings to the Court of Common Pleas.

6. The Department is required to make a reasonable effort to notify personal injury crime victims of a suspect's arrest and of the filing or forwarding of a complaint as soon as possible.
 - a) Unless the victim cannot be located, notice of the arrest shall be provided not more than 24 hours after the preliminary arraignment.
 - b) The arresting officer shall have the responsibility of performing this notification.
 - (1) If the suspect is arrested by another agency on a warrant obtained by this department and maintained by the Warrant Unit then the victim notification shall be made by the officer assigned to maintain that warrant.
 - c) The notifying officer shall complete a supplemental to the ALERT incident report indicating who was notified, the date and time of this required notification, or in the event that notification cannot be made, the report shall reflect all information concerning the attempts at making this notification to include the times, dates, and locations of the attempted notification.
(PLEAC 4.5.1 f)
7. In the event of an escape of a suspect, the Department is required to notify personal injury crime victims of this escape.
 - a) This notification shall be performed by the on-duty supervisor. This notification shall be made as soon as possible after the notification of this escape.
 - b) The on-duty supervisor shall complete a supplemental to the ALERT incident report indicating that the required notification has been made, or in the event that notification cannot be made, the report shall reflect all information concerning the attempts at making this notification to include the times, dates, and locations of the attempted notification.
(PLEAC 4.5.1g)
8. The Department shall return any property of the victim's which has been seized as evidence upon the District Attorney's Office's determination that the evidence is no longer needed for prosecution.
(PLEAC 4.5.1h)

BY ORDER OF THE CHIEF OF POLICE