



Sheridan Police Department  
Policies and Procedures  
25.1  
Chapter 25 – Victim Services  
Section 1 – Victim Bill of Rights

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Signature:

Wyoming Statute 1-40-203, The Wyoming Victim and Witness Bill of Rights, recognizes the needs and rights of crime victims and witnesses.

**Definitions**

Victim - An individual who has suffered direct or threatened physical, emotional or financial harm as the result of the commission of a criminal act, or a family member of a victim who is a minor, or an incompetent, or a surviving family member of a homicide victim.

Witness - A person who is likely to testify in a criminal proceeding.

Key Witness - Any witness identified in writing by the prosecution as being entitled to the rights provided by Wyoming Statutes 1-40-201 through 1-40-210.

**25.1.1 Wyoming Crime Victim Bill of Rights**

Wyoming Crime Victim Bill of Rights

The right to be treated with compassion, respect, and sensitivity within the criminal justice system;

The right to know the whereabouts of the offender and the current status of the case;

The right to receive restitution from offenders;

The right to know all rights under the law, including information about services and victims assistance;

The right to know about victim compensation;

The right to reasonable protection and safety and the right to know of legal recourse if threatened;

The right to prompt return of property;

The right to preservation of employment while participating in the criminal justice process;

The right to be informed about the opportunity to make a victim impact statement at sentencing and parole hearings; and

The right to be present at trial.

#### **25.1.2 General Information**

- A. All victims and witnesses of crime shall be treated with as much compassion, respect, sensitivity and fairness as possible.
- B. All victims and witnesses of crime shall be provided the services specified in the victims bill of rights.
- C. Department employees are often in a unique position to provide assistance to victims and witnesses of crime and other traumatic incidents that may have both immediate and long-term impact on their well being and ability to recover from the incident. Therefore, department employees shall provide assistance and referral services to speed physical and emotional recovery, and to support and aid victims and witnesses as they interact with the criminal justice system.
- D. Victim and witness cooperation is often crucial to holding criminals accountable for their actions. The manner in which victims are treated not only affects their well being and ability to recover from the crime but can determine their willingness to assist in prosecution of the offender.
- E. It is imperative that officers collect current contact information for victims and witnesses, and update department name files with the most up to date information.

#### **25.1.3 Required Notification**

- A. Police officers are required by Wyoming Statute 1-40-204 to inform victims, without undue delay, of the following rights:
  - 1.The rights enumerated in this act (1-40-204)
  - 2.The right to be informed of the status of the case from the initial police investigation to the final appellate review;
  - 3.The fact that financial assistance or other social service options may be available to the victim;
  - 4.The existence of the Crime Victims Compensation Act and that compensation may be available to the victim;
  - 5.The right to have an interpreter or translator to inform the victim of these rights;
  - 6.The name and official telephone number of the primary law enforcement officer assigned to investigate the case together with the official address and telephone number of the criminal justice agency investigating the case;
  - 7.The right to seek legal counsel and to employ an attorney.
- B. The department provides Victims of Crime Rights Forms (also known as Advocacy and Resource Center referral forms) for employees to give to victims.

#### **25.1.4 Other Law Enforcement Responsibilities**

- A. To work with the prosecuting attorney's office to expedite the return of property when it is no longer needed; W.S. 1-40-208.

- B. To assist a victim or witness upon his or her request, in informing an employer that the need for victim or witness cooperation may necessitate the absence of the victim or witness from work; W.S. 1-40-209.
- C. To assist a victim or witness, who as a direct result of a criminal act or of cooperation with law enforcement, experiences financial hardship, in explaining to creditors the reasons for that financial hardship.
- D. During follow-up investigations a department employee will:
  - 1. Re-contact the victim/witness periodically to determine whether needs are being met, if the impact of the crime on a victim/witness has been unusually severe and has triggered above-average need for victim/witness assistance;
  - 2. Schedule interviews at the convenience of the victim/witness, if feasible.
- E. As provided in Wyoming Statute 1-40-205, the department will provide protection from threats of harassment, intimidation, or retribution.
  - 1. The department will provide appropriate assistance to victims or witnesses who have been threatened or who express a specific, credible reason for fearing intimidation or further victimization. Appropriate assistance will be determined by the nature of the case, the danger faced by the victim/witness, and by the resources available to the department. Such assistance may include, but is not limited to:
    - a. Directing more frequent patrols to the victim's/witness's neighborhood and home;
    - b. Recommending a victim to take up temporary residence at a relative's home, domestic violence shelter, or at a hotel until court proceedings and/or an arrest can be made;
    - c. Locating officers outside the residence of the victim/witness; or
    - d. Providing a police escort and/or ensuring that the victim/witness has safe transportation to court and other phases of the criminal justice process when there is the potential for the victim/witness to come into contact with the perpetrator.
  - 2. If the department becomes aware of potential danger to a victim or witness, they will notify the victim or witness of the danger and may provide assistance, if requested.
  - 3. If the department becomes aware of potential danger to a victim or witness in another jurisdiction, the department will notify a law enforcement agency in that jurisdiction and request the appropriate notification and assistance.
- F. Officers should notify victims when an arrest is made. Further communications regarding the status of the case and defendant should be done through the Advocacy and Resource Center and the prosecutor's office.