

BERKELEY POLICE DEPARTMENT

DATE ISSUED: August 29, 1995

GENERAL ORDER A-60

SUBJECT: FINANCIAL AID PROGRAM FOR VICTIMS OF CRIMES AND GOOD SAMARITANS

LEGAL BASIS

- 1 - The California Government Code provides for the indemnification of private citizens or their families under the following circumstances:
 - (a) When they are injured or killed as victims of crimes.
 - (b) When they suffer injury or death or financial loss while acting to prevent a crime, apprehend a criminal or rescue a person from impending peril which threatens injury or death.

POLICY

- 2 - The law states in part that the law enforcement agency investigating the crime shall provide information on how to file a claim with the State of California to each person who may be eligible.
- 3 - We shall inform potential claimants of the law and make available application forms to citizens or their dependents when:
 - (a) Requested by the victim.
 - (b) Any report of a crime is received which involves:
 - (1) Physical injury or death of the victim as a direct consequence of the crime.
 - (2) Physical injury, death or damages to a citizen who acts to prevent acts to prevent crime, apprehend criminals or save lives.

PROCEDURE

- 4 - Applications for indemnification must be submitted to the State Board of Control on the State of California form titled "Victim of Violent Crime Application for Reimbursement". Supplies of this form are maintained in the **Support Services*** Division and Sex Crimes Detail.
 - (a) Self-explanatory instructions are printed on this form.
- 5 - Claimants are required to cooperate fully in the apprehension and conviction of the criminal committing the crime.
 - (a) Should a person eligible for indemnification refuse to cooperate in the apprehension or conviction of the criminal committing the offense, such acts shall be fully documented in the police report.

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- 6 - Patrol officers assigned to investigate applicable cases shall provide the victim and eligible persons with a Berkeley Police Department Report Receipt.
 - (a) The back of the Report Receipt contains information regarding the State Compensation form and must be given to eligible persons to satisfy our legal responsibility.
- 7 - Police employees should advise victims and eligible persons to contact the Coordinator of Services for Victims of Crimes and/or Domestic Violence for additional information or assistance in completing the application form.
- 8 - All members of the Department shall provide full assistance to the State Board of Control pursuant to any claim resulting from a criminal act occurring in Berkeley.
 - (a) The Service Division shall provide, upon request, a complete copy of the police report to the State Board of Control or to a designated local victim/witness program.
 - (b) The Department, at its discretion, may withhold the names of witnesses or informants if the release of such information would be detrimental to the involved parties or to an investigation still in progress.

References: California Government Code Section 13960 et. seq.
California Penal Code Section 15