



The Victim's Voice



***A resource guide for victims of
crime or survivors of murder
victims in the Rochester
area.***

***(A collaborative effort between
Rise Up Rochester, Inc. and the
Rochester Police Department.)***

Date: 1/31/2011

Table of Contents

Foreword	3
What to do if you've been victimized	4
Rights of victims of violent crimes/ survivor of murder victims	6
Frequently asked questions from survivors	9
What investigators want you to know	16
Educating your friends	17
Psychological trauma of crime victimization	19
Helping children work through trauma	20
Understanding domestic violence	22
Where to get Help	26
About Rise Up Rochester.....	30
About the Rochester Police Department.....	34
Terminology and procedures	36

References:

- *Various articles from the National Organization for Victim Assistance.*
- *"Rights of Crime Victims in the State of New York," from the NYS Crime Victim's Board.*
- *"Stages," from CancerSurvivors.org.*
- *"Helping Children and Adolescents Cope with Violence and Disasters: What Community Members Can Do," from the National Institute of Mental Health.*

Foreword

This publication is a collaborative effort between Rise Up Rochester, Inc. (see page 28 for further information) and the Rochester Police Department (see page 32 for further information).

The You Bet I Told initiative of Rise Up Rochester, Inc. held a Community Forum in February of 2008. In attendance were community members, law enforcement, and community leaders. As a result of the information gathered at that forum, five recommendations were presented to former Mayor Robert Duffy for the purpose of eradicating some of the crime and making relations between the community and the Rochester Police Department more amicable.

Mayor Duffy took action amongst his staff to address the recommendations and at the same time, Rise Up Rochester formed a work group for each of the five recommendations. These work groups consisted of a variety of people ranging from local teens to police officers to gang specialists. Each work group met periodically to develop action projects, meet with local officials, and collaborate with community organizations to find ways of meeting the goals.

Many comments at the forum highlighted the community's frustration with the lack of communication between individuals and law enforcement concerning their case. From this concern, one recommendation given to the Mayor was to create a guide for crime victims and families of crime victims that addresses common concerns and little known resources. With that, a work group was formed that worked with the Rochester Police Department (RPD) to create this guide. We hope that it helps in your time of need.

What to do if someone is victimized

Even the most careful person cannot prevent all crimes. An offender can usually find a victim if he or she is determined to do so. It is important not to blame anyone who becomes a crime victim and to remember that it was not their fault. Even if the victim showed poor judgment, the crime is still the offender's fault.

Seek Medical Care

The first step is to ensure physical safety and obtain medical care, if needed. If the victim is physically injured, he or she may need basic first aid or professional medical treatment. Call '911' and ask for an ambulance. The operator will make sure that someone responds to any 911 call, even if nobody speaks or if they cannot speak clearly. **DO NOT HANG UP!**

Report the Crime

Physical safety also involves ensuring that the offender(s) cannot continue to hurt the victim or other people. The best way to do this is to call the police and report the crime.

After a Crime is Reported

The officer should maintain contact with the victim to provide information about the progress of the investigation. If this does not happen, the victim can call the officer to ask about the investigation. The victim can also call the RPD Victim Assistance Unit for this information.

When there is an arrest

If someone is arrested for the crime, the offender is temporarily taken to the local jail. They may be released,

In this case, someone should inform the victim that the offender was released, especially if the victim is afraid of retaliation.

After an arrest, the case goes to the district attorney's office. A prosecutor is assigned to the case and decides whether to take the offender to court for trial or handle the case another way. Only about half of the cases are tried in court. There may not be enough evidence, or the offender may plead guilty to the crime or agree to a plea bargain for a lighter sentence.

If the offender is taken to court and found guilty, the offender will be given a sentence, which is an order to spend time in prison, do service in the community, pay court fines or victim restitution, or a combination of these.

The Monroe County District Attorney has a Victim Witness Bureau where a victim's advocate can provide information about the prosecution process, crime victim rights, compensation, and other services available to the victim, such as support groups.

When there is no arrest

Even after a very thorough investigation, an offender may not be found, or there may not be enough proof to arrest anyone for committing the crime. When the officer is unable to find or arrest a suspect, it can be difficult for everyone, especially the victim. It is particularly difficult if the offender still has access to the victim, and the victim must have contact with that offender. There is often a sense that someone "got away with it" and that "there was no justice." However, even in such cases, victim advocates may still be able to provide a variety of services to help the victim, such as counseling, or help applying for victim compensation funds.

Your rights as a victim of crime/ survivor of murder victim

General Rights

You have the right to a copy of the police report of the crime and prompt return of property held for evidence. You cannot be discharged from a job or given a penalty when appearing as a witness in a criminal proceeding, giving a statement to the Parole Board, or consulting with the District Attorney (DA). You can ask the DA to inform employers of the need for cooperation when absence from work is necessary. You can request, in writing, that a defendant convicted of a felony sexual offense be ordered to submit to an HIV test and the results communicated to the victim—a representative can make this request for a minor.

Compensation and assistance

You may be eligible for direct out-of-pocket expenses caused by the crime, including the repair or replacement of essential personal property, loss of earnings or support, medical bills, counseling, vocational rehabilitation, crime scene cleanup, or funeral bills. You can obtain a claim form from a police station, sheriff's office, DA's office, local victim advocate's office, hospital emergency room, or from the Crime Victims Board at www.cvb.state.ny.us. Claims must be filed within one year of either the crime or the victim's death. If delay in filing is justified, claims may still be accepted after the deadline. Your right to the funds may be dependent on whether or not the victim was innocent of the crime that led to his or her death. For example, if the victim was shot and killed while committing an armed robbery, compensation is not available to the survivors. Additionally, if the victim has a history of criminal activity, funds may be denied the family.

Notification of judicial proceedings

You have the right to be notified of the accused arrest, first appearance before a judge, release from jail while the criminal proceeding is pending, entry of a guilty plea, trial, sentencing, maximum and minimum terms of imprisonment if applicable. If the case involves a homicide or a violent felony offense, you also have the right for notification of the inmate's release. To exercise these rights, you must provide a current address and telephone number to the appropriate official, such as the District Attorney.

Rights during judicial proceedings

The DA will consult with certain victims to obtain their views regarding disposition of the case by dismissal, plea of guilty, or trial. If the victim is a minor or a murder victim, the victim's family will be consulted.

Right to be free from intimidation

You have the right to be protected from threats, injury, and other intimidation. The police or DA can advise you regarding appropriate measures. The court can issue an Order of Protection, if necessary. Intimidating a witness is a felony. If you are threatened or harassed by anyone about the case, contact the DA, police, or sheriff. To exercise these rights, you must keep your contact information current with Victim Information and Notification Everyday (VINE).

The amount of restitution is based on proof of your out-of-pocket losses incurred as a result of the criminal offense. The perpetrator has a right to object to the amount of restitution.

Your rights as a victim of crime/ survivor of murder victim (cont.)

Right to submit a victim impact statement

You can submit a victim impact statement to the county probation department when the defendant's sentence is probation or more than ninety days imprisonment. This statement is your version of the offense and the extent of your injury, losses and views on disposition of the case and restitution sought.

Restitution

Restitution is compensation paid to a victim by the perpetrator of a criminal offense for the losses or injuries incurred as a result of the criminal offense. Restitution is NOT for payment of damages for future losses, mental anguish or "pain and suffering." Restitution must be ordered by the court at the time of sentencing and is considered part of the sentence. Restitution may include but is not limited to reimbursement for medical bills, counseling expenses, loss of earnings and the replacement of stolen or damaged property.

Frequently asked questions

Q: What happens at the scene of the crime?

A: The initial responding Officers and Supervisors assess the crime scene. The Supervisor makes decisions in order to protect human life, apprehend the suspect(s), preserve the integrity of the crime scene, interview witnesses, and request additional resources i.e., K-9 Officer, Crime Scene Technicians, Command Officers, and Major Crimes Investigators. Citizens are not allowed in crime scenes. A crime scene can be a private home and the occupants might not be allowed in their own home.

Q: When can I get the personal property of my loved one who was murdered?

A: Each case is different so there is no steadfast rule. There may be occasions when some property can be released if it is not evidence. If the personal effects are evidence, they may never be released. This decision is made by the District Attorney and hinges on the outcome of the investigation, trial and appeals that may be made in court proceedings.

Frequently asked questions (cont.)

Q: Why are the witnesses separated?

A: Witnesses are separated so that their accounts of the events are not influenced by each other's observations. Supervisors at the crime scene are responsible for ensuring that the investigation is done properly and thoroughly. The Investigators may have to be called in to work so it may take a while for them to respond to the scene. Once they are on scene, the Investigators have to be briefed on the case prior to speaking with witnesses. They have limited resources when they are at a crime scene so unfortunately, the police car may be the best place to ensure that a witness does not leave before being spoken to by the Investigators, and to ensure that their account is not tainted by other people.

Q: Why couldn't I see my loved one after his/her murder?

A: Unfortunately, the integrity of the crime scene is of the utmost importance to the successful prosecution of the case. Also, most times the loved ones would not want to see their family members in that state. Once the Medical Examiner releases your loved one, the viewing can be arranged with the funeral director of your choice.

Q: What can I expect at the Medical Examiner’s office?

A: Interaction with the Medical Examiner is minimal. Identifications of bodies need to be confirmed scientifically so viewing of the body at the Medical Examiner’s Office is very rare. The Medical Examiner’s Office may be contacted at (585) 753-5905, Monday—Friday (10:00 a.m.—3:00 p.m.).

Q: What can I expect at the Funeral Director’s office?

A: Once the body is released by the Medical Examiner’s office, the Funeral Director of your choice will make arrangements with the family for viewings. The Funeral Director will be instrumental in assisting the family with making the arrangements for your loved one.

Q: The police cannot be around us 24/7. What is realistic in terms of protection if we need it?

A: Special attention to the family’s home can be requested to the appropriate Patrol Division. The lead Investigator of your case should be contacted. If there are any issues of safety for the family of a victim/witness, appropriate measures will be taken by either the police or the District Attorney. Crime Prevention Officers at the Neighborhood Service Center offices can do security surveys at anyone’s house, if requested.

Frequently asked questions (cont.)

Q: What is a reasonable amount of time in which to expect a return call from my investigator or DA?

A: The Investigator or District Attorney should return a call within 1-2 business days. However, keep in mind that they often get involved in trials or other in-progress calls that may occupy them for days at a time. If there is an urgent matter, never hesitate to call the supervisor.

Q: How do I know that you've followed up on the leads I gave you?

A: All leads are investigated. If you need to know the outcome of a specific lead, be sure that the Investigator knows that you would like a return call. Keep in mind though, the Investigator may not be able to tell you the outcome of the lead in order to protect the integrity of the investigation.

Q: How do you prioritize which leads to follow?

A: Each investigation is different. The lead Investigator will decide the list of priorities with the consultation/direction of a supervisor. The list is constantly changing and is based on new information that is obtained.

Q: Do I have to seek out Family and Friends of Murdered Children and Victims of Violence (Rise Up Rochester) and/or my Victim's Advocate or do they come to me?

A: They come to you. After a 911 call is made, a representative from that office calls the Rise Up Rochester Office alerting them to the crime and its location. In turn, the Rise Up Rochester representative calls the Victim's Witness Program where an assignment to a worker is initiated. These two organizations collaborate to insure that the needs of the victim and/or victim's family are met.

Q: How/when is a DA assigned to my case?

A: Every case is different, but the District Attorney's office responds to most homicides and is consulted often by the Investigators. A District Attorney is usually assigned the case after an arrest has been made.

Q: Can I have a Victim's Advocate even if a DA has not been assigned to my case?

A: Yes

Q: How are police resources allocated in the case of simultaneous violent incidents? What if one area is unguarded when all resources go to the other?

A: Command Officers make decisions on a daily basis to deploy Officers throughout the City based on the ever-changing demands, in order to ensure that police services are provided in every area. Incoming 911 calls are monitored by the RPD supervisors and resources are deployed accordingly.

Frequently asked questions (cont.)

Q: How prepared are suburban officers to handle violent crimes?

A: All Police Officers in Monroe County attend the same Academy training at the Public Safety Training Center. The training, both in the Academy and on the street in Field Training, lasts for nearly a year. Suburban Officers are as prepared as City Officers and deal with issues of violence on a daily basis.

Q: Do you have cross-jurisdictional backup?

A: Yes. The Monroe County Sheriff's Office and the New York State Police work with the Rochester Police Department on a daily basis. Monroe County has an excellent model of information sharing between all Departments. Coordinators meet on a weekly basis to discuss crime trends in their jurisdictions. Additionally, the Monroe County Crime Analysis Center assists in compiling information, identifying crime trends and distributing the information.

Q: Will anyone go to court with me?

A: Yes. The RPD Victims Assistance Unit will accompany you to the arraignment. Once the case proceeds to trial, the Victim/Witness Center of the District's Attorney's Office will assist you and accompany you to trial. Rise Up Rochester also provides this service.

Q: Do you act on warrants? Who acts on them? Do warrants expire?

A: Arrest warrants are assigned to the appropriate Division within the Police Department for service. Attempts to serve the warrant are done by different Officers within that Division. Arrest warrants never expire. A search warrant for a specific address expires in 10 days.

Q: Why couldn't I get the help I asked for before my child got in serious trouble? Where are the preventive resources?

A: Monroe County has an abundance of preventative resources. Many of those are provided in this handbook. If a child is headed down the wrong path, a PINS (Person In Need of Supervision) petition may be brought in Family Court. Pathways to Peace is another resource to assist youth who may be straying towards gang activity. Oftentimes, the resources won't go to you. The contact has to be initiated by you or your family.

Q. Are resources deployed when an individual is identified as a potential victim or offender?

A. Yes. The response will be tailored to the specific situation. The Rochester Police Department focuses on reducing violence. Much of the violence in the City is attributed to drug activity. The Department deploys additional resources in areas where violence is most likely to occur. The Police Department, along with other agencies in the County, dedicates many resources to combating gun and drug activity.

What investigators want you to know

Unsolved Murder Cases Are Not Closed

Murder cases are readdressed regularly. New technology and new leads enable justice to be served. NEVER GIVE UP. If you don't get the information you need from your investigator, go to his or her supervisor.

Designate One Family Member

Investigators cannot give out all the information requested because it might compromise the investigation. It should be stressed that information given to families should not be passed on to others. As for family contacts, the family should choose among them who the contact is going to be. This eliminates multiple calls from several different family members but it also prevents the information from being distorted and misunderstood as it is passed on and discussed throughout the family.

Educating your friends

The following information is available in a separate handout so you can help friends help you at this most difficult time.

You have been given this handout because your friend has lost a loved one through homicide. Your friend may not know how to verbalize what he or she needs. Your friend probably doesn't even know what he or she needs! Here are some suggestions:

Learn what to say and what not to say. Very often, well-meaning friends and neighbors want to help the homicide survivor, but are afraid they will say or do the wrong thing. Remember there is nothing that can be said or done that will bring their loved one back; the process of recovery is a long and slow one. It is very difficult to experience the feelings of helplessness and frustration associated with trying to be a friend to someone who has lost a loved one in such a violent manner. Be aware that everyone will grieve their loss over different periods of time and in different ways.

Be a good listener. Let people in grief be where they are at the moment. Grief is a very individual process which is not easily understood by people whom have not experienced it. Don't try to make "psychological" assessments of where they are or where they should be in this process.

Educating your friends (cont.)

Be non-judgmental. Many homicide survivors express strong feelings of anger and revenge. Do not react with shock if they express these feelings to you; however, while it is normal to have these feelings, it is important that they not act on these impulses. Be as appropriate as possible in your response.

People who are in grief rarely have the energy to reach out and find what resources are available in the community. You might ask survivors if it would be helpful for you to search out and attend support group meetings with them. They might not have the energy to drive or even sit through an entire meeting, especially by themselves.

People in grief rarely have the energy to get through the daily tasks of living, and their ability to concentrate may be very poor at times. These tasks are usually the last things on their minds. Examples of ways one might help would be to pack their children's lunches, help them pay their bills, get extra items at the grocery store, or make several dinners which can be easily warmed.

People in grief have a tendency to feel as if their intense pain will last forever. If you suspect that a friend is having suicidal thoughts, ask them. Help them to make an appointment with a professional counselor. If possible, make sure that the therapist is trained in trauma and grief counseling. To insure that your friend keeps the appointment, go with them the first couple of times.

Remember that it is okay to talk about the person who has died. Survivors of homicide need to keep that person alive in their memories, and everybody else's memories. It is very upsetting for survivors to think that people have forgotten about their loved one. 'Say not in grief 'he is no more' but live in thankfulness that he was' (Hebrew proverb).

Psychological Trauma of Crime Victimization

Trauma may be precipitated by an “acute” stressor or many “chronic” stressors.

- An acute stressor is usually a sudden, arbitrary, often random event. Crimes committed by strangers are key examples of such stressors.
- A chronic stressor is one that occurs over and over again, each time pushing its victims toward the edge of their state of equilibrium, or beyond. Chronic child, spouse, or elder abuse are examples of such chronic stressors.
- “Developmental” stressors come from transitions in life, such as adolescence, marriage, parenthood and retirement. Such stressors are relevant to the crime victim simply because people who are enduring a variety of developmental stressors in their lives are far more susceptible to intense crisis reactions.

Trauma victims can experience any or all of the following

- Numbness (mechanical functioning and social insulation)
- Disorganization (intensely painful feelings of loss)
- Reorganization (re-entry into a more ‘normal’ social life).
- Shock (initial paralysis at hearing the bad news)
- Denial (this is not happening to me!)
- Anger (why is this happening to me?)
- Bargaining (I promise I’ll be a better person if...)
- Depression (I don’t care anymore)
- Testing (seeking realistic solutions)
- Acceptance (I’m ready for whatever comes)

Helping children work through trauma

Helping children begins at the scene of the event. It may need to continue for weeks or months. Most children recover within a few weeks. Some need help longer. Grief (a deep emotional response to loss) may take months to resolve. It could be for a loved one or a teacher. It could be for a friend or pet. Grief may be re-experienced or worsened by news reports or the event's anniversary. Some children may need help from a mental health professional. Some people may seek other kinds of help. They may turn to religious leaders or to community leaders. Identify children who need the most support. Help them to obtain it and monitor their healing.

Identify Children who:

- Refuse to go places that remind them of the event
- Seem numb emotionally
- Show little reaction to the event
- Behave dangerously

These children need help.



In general, adult helpers should:

- Attend to children
- Listen to them
- Accept/do not argue about their feelings

Reduce affects of other stressors like:

- Frequent moving or changes in place of residence
- Long periods away from family and friends
- Pressures at school
- Transportation problems
- Fighting within the family
- Being hungry

Monitor healing:

- It takes time
- Do not ignore severe reactions
- Attend to sudden changes in behaviors, speech, language use or in emotional/feeling states

Remind children that adults:

- Love them
- Support them
- Be with them when possible

Understanding domestic violence

What is Domestic Violence?

Domestic Violence is when one person does a variety of things to control another person in an intimate relationship. The shift in power can happen very slowly; or very quickly depending on the level of commitment or change in intimacy.

Ways a person might try to gain power and control over their partner:

- **Isolation**—making it hard for you to see your friends and family; telling you that your friends and family cause problems in the relationship or are trying to “come between you.”
- **Economic abuse**—having complete control over the money; making you account for every penny you spend; taking your money from you.
- **Verbal, emotional, psychological abuse**—calling you names; putting you down or embarrassing you in front of other people; criticizing your abilities as a partner or parent.
- Intimidation – making you afraid with a look, action, or gesture; getting you to do something by reminding you about “what happened last time.”
- **Coercion and threats**—showing you a weapon and threatening to use it on you; threatening to “out” you to family, friends, or employers if you are gay or lesbian; threatening to harm your family, friends, or anyone you might go to for help.
- **Physical abuse**—pushing, grabbing, hitting, slapping, punching, or kicking you.

- **Sexual abuse**—forcing you to have sex when you don't want to; making you engage in sexual acts that make you uncomfortable; forcing you to engage in prostitution.
- **Using children**—undermining your authority with your children; threatening to take the children away from you by kidnapping or getting custody of them; “pumping” your children for information about you.
- **Minimizing, denying and blaming**—making you think the abuse is your fault; saying the abuse was caused by stress, alcohol, or problems at work; denying that the abuse happened at all.

General Information

New York State law requires an arrest in certain situations when a “Family Offense” is committed. Family offense charges generally only apply when the victim is related to the abuser by blood or marriage (including former spouses) or has a child in common with the abuser (Family Court Act section 812 (1) and Criminal Procedure Law section 530.11(1)). Many communities have police policies that go beyond the minimum requirement of the law and require an arrest(s) when crimes are committed between unmarried couples, dating couples and same-sex partners. However, only those that fit within the legal definition of “family/household” can choose to go to either or both Family Court or criminal court for help. Both Family Court and Criminal Court have jurisdiction over these designated family offenses. They are the following:

- Family Court section 812
 - Disorderly Conduct
 - Harassment in the First Degree
 - Harassment in the Second Degree
 - Aggravated Harassment in the Second Degree
 - Menacing in the Second Degree

Understanding domestic violence (cont.)

- Family Court section 812 (continued)
 - Menacing in the Third Degree
 - Reckless Endangerment
 - Assault in the Second Degree
 - Assault in the Third Degree
 - Attempted Assault
 - Stalking in the First, Second, Third and Fourth Degree

Criminal Procedure Law section 140.10(4) requires an arrest in the following circumstances involving family/household members:

- **Felonies**—If the police find that the abuser committed a felony against you, they must make an arrest. An example of a felony would be Assault in the Second Degree, which is an intentional assault that results in serious physical injury like a broken bone or a wound from a weapon that lasts over a period of time. (Penal Law section 120.05).
- **Misdemeanors**—If the police find that a misdemeanor constituting a family offense is committed against you they are required to make an arrest even if you specifically ask the police not to make the arrest, (Criminal Procedure Law section 140.10(4)(c). Even if you do ask them not to arrest, many police agencies will still make the arrest if they have evidence of a crime. An example of a misdemeanor would be Harassment in the First Degree, which is when a person intentionally and repeatedly harasses another by following them in a public place or by engaging in a course of conduct or repeatedly commits

injury, (Penal Law section 240.25). In cases where the police officer has reasonable cause to believe that more than one family/household member committed a misdemeanor constituting a family offense, the police are not required to arrest both parties, but must attempt to determine the primary physical aggressor in the situation. In doing so, they will consider factors such as the extent of injuries, any history of domestic violence and whether one party acted in self-defense against the other, (Criminal Procedure Law section 140.10(4)(c)).

Order of Protection Violations

Police must make an arrest when a duly served order of protection or an order that the abuser has direct knowledge of, because he or she was present in court when it was issued, has been violated by either the abuser failing to “stay away” from you or by committing another offense. In addition to making arrests when appropriate, the police can help you:

- Get to a safe place away from the violence;
- Get information on how the court can help protect you against the violence;
- Get medical care for injuries you or your children may have;
- Get a copy of any incident reports at no cost from the law enforcement agency; and
- File a complaint in criminal court and tell you where your local criminal court is located.

Where to get help

Emergency

911

Dial this number for all emergencies.

Alternatives for Battered Women www.abwrochester.org

232-7353

Offers safe and nurturing shelter for women endangered by domestic violence and their children.

Big Brothers/Big Sisters of Greater Rochester 232 S. Plymouth Ave., 14608 www.bbbsr.org

442-2250

Helps children reach their potential through professionally supported, one-on-one relationships.

Center for Dispute Settlement 16 E. Main St., Rochester 14614 swalker-cowart@cadsadr.org

**546-5110
(Sherry Walker)**

Center for Youth 905 Monroe Ave., 14607

473-2464

www.centerforyouth.net

Provides transitional living and emergency shelter services, student support centers, and job readiness programs for youth aged 12–21.

Child Protective Services Dept. of Health & Human Services 111 Westfall Rd., 14620

461-5690

Investigates reports on child abuse and maltreatment to protect children (under 18 years old) from further abuse or maltreatment, and to provide rehabilitative services to children, parents, and other family members involved.

City Court Records Rochester City Court - Criminal Division 150 South Plymouth Avenue, Room 123

428-2128

Provides court dates and building, presiding judge, time, charges.

Where to get help (cont.)

Rape Crisis Center of Planned Parenthood **546-2777**
114 University Ave., Rochester 14605
www.pprsr.org/rapecrisis

Provides crisis intervention and support services to women, children, and men who are victims of sexual assault and their significant others.

Safe Journey **4 2 5 - 1 5 8 0**
P.O. Box 21, Fairport, NY 14450
www.safejourney.org

A resource & support center for victims of domestic violence.

Thursday's Child **3 8 1 - 7 1 4 5**
St. Thomas Church (Corner Highland and Winton)

A 12-step self-help recovery program for women who were sexually abused as children. Meets Thursday, 5:30 p.m.

RPD Victim Assistance Unit **428-6630**
185 Exchange St., Rochester 14614

Assists victims and witnesses of crime and their families as they pass through the criminal justice system. The city keeps the case until the defendant is arrested, at which time the case is transferred to the Monroe County Victim and Witness Assistance Bureau.

Important note: If one or both of the following is true:

- The victim was directly involved in the crime and was hurt or killed during the incident that he or she was involved in, or
- The victim has a history of criminal activity, then all resources are denied to the family. This is true for both the RPD Victim Assistance Unit and the Monroe County Victim and Witness Assistance Bureau.

**Monroe County Victim and
Witness Assistance Bureau**

753-4573

www.monroecounty.gov/da-assistance.php

Provides support services to victims and witnesses of crime, including:

- Crisis/short-term counseling
- Outreach through home or hospital visits
- Information and referral to legal, financial, and long-term counseling
- Support through the criminal justice process
- Property recovery assistance
- Assistance with applying for financial compensation for out-of-pocket expenses that resulted from the crime.

Victim Information and Notification

Everyday (VINE)

1-888-VINE-4NY

Provides crime and release data on all prison inmates and parolees in the community.

Call 1-888-VINE-4NY from a touch-tone phone. Provide one of the following:

- Offender's NYSID number
- Offender's full name and date of birth
- DOCS' identification number

Volunteer Legal Services Project of Monroe County

1 W. Main St., 5th floor, Rochester 14614

232-3051

Volunteer attorneys help low-income residences of Monroe County with serious legal issues.

Women Helping Girls

244-8890

494 East Ave., Rochester 14607

www.womenhelpinggirls.org

Provides guidance, mentoring, and broadening experiences for girls, grades 7–12 in the Rochester City School District.

Young Parents Support Services

546-5820

175 N. Clinton Ave., Rochester 14604

www.ywcarochester.org

Provides emergency, supporting, transitional and permanent housing options for teens in crisis, women with special needs, and those with children finding their way.

About Rise Up Rochester

Mission: *Rise Up Rochester is an organization invested in promoting nonviolent, economically stable communities.*

Vision: *Our vision is to create a peaceful society, and to reduce violent behavior in Rochester's neighborhoods by promoting a safe environment for all.*

The agency has three distinct initiatives, all with the ultimate goal of reducing crime, helping victims, and encouraging potential witnesses to come forward :

- Family and Friends of Murdered Children and Victims of Violence
- You Bet I Told
- One Community

At one time these initiatives operated as separate entities, but since we were all of one mind, it only made sense but to merge our efforts.

Family and Friends of Murdered Children and Victims of Violence

Founded in 1991 by Audrey Smith, **Families and Friends of Murdered Children and Victims of Violence** provides support services to individuals and families who reside in and around Monroe County who have experienced a loss or are victims of violence. We also provide services that aid in reducing and preventing violence and lead to safer communities.

We provide:

- counseling and assistance,
- monthly support groups,
- victims' rights advocacy,
- an information and referral system, and
- court watch

You Bet I Told

You Bet I Told is the anti-no snitching and billboard campaign originally initiated by the Board of Stewards of Baber African Methodist Episcopal Church. It was born out of the frustration of losing long time member and community activist James C. Slater to the horrors of the street, and Devon Stott, the son of a Baber member who was murdered when walking home from a friend's house with his older brother, who was also brutally stabbed and survived. Devon was only 14 years old.

The campaign is targeted at upstanding members of the community who may have witnessed a crime or other suspicious activity. It is meant to encourage citizens to do the right thing by coming forward and telling what they know so that our streets may be safer.

One Community

One Community is the "preventative services" phase of Rise Up Rochester. We are currently researching and developing programs that will be offered to the community in the future.

Collaborations

Rise Up Rochester, Inc. is involved in several collaborative efforts with other agencies trying to make a difference in our community.

Rochester Youth Violence Partnership is a University Hospital based program partnering with multiple community agencies to examine and improve how our health care system and community responds to children and adolescents who are victims of violent assault. Several members of the Rise Up Rochester attend monthly meetings to help improve community efforts at addressing victims of violence.

About Rise Up Rochester, Inc. (cont.)

Collaborations (cont.)

Project T.I.P.S.

Project T.I.P.S. stands for Trust, Information, Programs & Services, and includes community agencies and law enforcement personnel working in selected neighborhoods to rebuild trust amongst residents and share information. Project T.I.P.S. kicked off on Wednesday, August 13, 2008 in the Dewey Avenue and Driving Park neighborhood. The response was so favorable that we have had a similar event in several other neighborhoods. Project T.I.P.S. is a collaboration between Rise Up Rochester, Project Exile, former Rochester Police Chief, David Moore, as well as numerous other community and law enforcement representatives.

Through this initiative, members of various community groups visit city residents to have conversations about quality of life issues. As a side result, they hope to obtain information about the crime and violence that has plagued the neighborhood in an anonymous format for residents, and to provide residents with information and contacts they can use regarding services that range from health care issues to reporting information for things such as crime, vandalism, and fire.

Volunteer Opportunities

We welcome individuals from all walks of life to support our efforts. If you are interested in volunteering, please call our office at 585-454-3060.

Here are some ideas to get you started:

- Plan a fundraiser
- Hold a poster program in your school to come up with new billboard designs
- Join one of our work groups
- Research opportunities
- Plan an event
- Write grants

Donate

Rise Up Rochester, Inc. is able to continue its programming thanks to the support of generous individual donors and community-based grants. We welcome all levels of donation, whether it's a one-time gift of \$5 or a monthly gift of \$500. Please feel free to call us with your donation at 585-454-3060 or to send a check made out to Rise Up Rochester, 244 S. Plymouth Ave., Rochester, NY 14608.



About the Rochester Police Department

The Rochester, New York Police Department
A CALEA Flagship Agency—Accredited Since 1987
www.cityofrochester.gov

The Rochester Police Department's goals are to make Rochester a safer city, reduce the fear of crime, and work in partnership with the community.



James Sheppard
Chief of Police

Our customers expect us to arrest people who prey on the community and maintain public order by enforcing laws and ordinances. That expectation is summed up in our mission: "Crime Reduction - Customer Service - Professionalism."

Our exceptional staff consists of more than 850 diverse sworn and non-sworn men and women who reflect the Rochester community and work under the motto "Serving With Pride." It is truly an honor and a privilege to represent the men and women of the Rochester Police Department.

The roots of the Rochester Police Department can be traced back to March 21, 1817, when a growing mill town carved out of the Western New York forests became the

Village of Rochesterville. Today the RPD has the strength of over 700 sworn full-time officers and over 150 civilian employees.

The Department is divided into two Bureaus—Operations and Administration. The Operations Bureau is separated into four Divisions—two Patrol (East and West, divided by the Genesee River), Special Operations, and Central Investigations. The Patrol Division, responsible for providing general police services throughout the city, operates on a five-platoon system that overlaps personnel mid-afternoons and evenings to address higher call volumes during those times. In 2008, there were 409,275 calls for service. The Special Operations Division includes the Tactical Section and specialized teams, such as the Bomb Squad, Emergency Task Force, Hostage Negotiations, SCUBA, K-9, Mounted, and Traffic Units. The Central Investigations Division includes Major Crimes, Licensing, and Technical Units.

Recent highlights of the Department include a “Zero Tolerance” initiative, creation of the Monroe Crime Analysis Center (MCAC), and the installation of 50 surveillance cameras. Zero Tolerance is a crime-fighting initiative whose mission is to increase the visibility of police personnel performing their duties in a proactive and aggressive manner. MCAC is a multi-agency partnership created to analyze crime data in real time and deploy resources to address potential areas of violence. The installation and use of surveillance cameras in targeted areas allows the RPD to have an extra set of eyes on our streets.

Terminology and Procedures

Criminal Charge Classifications

Violation: Non-criminal petty offense punishable by a fine or up to 15 days in jail. Violations include traffic violations, disorderly conduct, harassment, etc.

Misdemeanor: Criminal offense punishable by no more than one year in jail. Misdemeanors include petty larceny, prostitution, assault, minor drug possession.

Felony: Criminal offense which may be punishable by more than 1 year in prison.

- Non-violent felonies include DWI, forgery, auto theft, burglary
- Violent felonies include forcible rape, robbery, assault.

Criminal Case Procedures

Felonies

Initial arraignment (first court appearance after arrest)

- Judge informs the defendant of the felony complaint.
- Judge decides the defendant's bail status while the case is pending Grand Jury presentation.

Preliminary Hearing

- If the court holds the defendant in custody, a hearing must be held within 6 days to determine if there is sufficient evidence that a felony was committed and that the defendant was involved or they must release the defendant.

Grand Jury Presentation

- The Grand Jury hears testimony and votes on whether there is probable cause to believe a felony was committed. If so, an indictment is filed.
- The case must be presented to the Grand Jury with 45 days if the defendant is held on the charge or the defendant must be released.
- If indicted, the defendant is re-arraigned.

Misdemeanors and Violations

Arraignment

- The judge informs the defendant of the charges.
- The defendant enters a plea of guilty or not guilty.
- The judge decides the defendant's bail status while the case is pending.

Felonies, Misdemeanors, and Violations

Pre-trial Conference

- The judge meets with the DA and Defense Attorney to determine whether or not the case can be settled.

Motion Argument

- Defense Counsel "moves" court to act on the case.
- Usually within 45 days from the arraignment.

Hearings

- Court may take testimony to decide the factual and legal issues prior to the trial.
- May be months after the arraignment.

Trial

- Determines whether or not defendant is proven guilty beyond a reasonable doubt.

Terminology and Procedures (continued)

Felonies, Misdemeanors, and Violations (cont.)

Sentence

- Court imposes sentence.
- Usually 4–6 weeks after the trial.
- If the defendant is given a jail sentence, it will be served at the Monroe Correctional Facility.
- If the defendant is given a prison sentence, the inmate will wait at the downtown jail until a bed opens in the prison system.

Other Criminal Justice Terminology

Furlough: Unsupervised release from jail, usually 12–72 hours, arranged through the Rehabilitation Department. It is granted as a privilege or in case of emergency. In most cases prisoners are eligible after six months of their sentence, but it is determined case by case.

Indictment: Paper issued by the Grand Jury formally placing felony charges against a defendant.

Max-Out: Release from jail or prison after having served the complete or maximum sentence (as opposed to being released on parole).

Parole: Parole Hearing Board authorizes release from prison after part of a sentence is served. The person is free but obligated to follow prescribed rules and is supervised by a parole officer.

Pre-plea Investigation: Court-ordered investigation conducted by the Probation Department prior to the trial and usually after the District Attorney's office has offered the defendant an opportunity to plead guilty to a lesser offense. The report will recommend whether or not the judge should accept the plea.

Probation: The Probation Department, based upon a background investigation of the guilty party, makes a sentencing recommendation to the judge that the guilty party be allowed to go free in the community under the supervision of the Probation Department.

Time served: Sentence given, in some cases, which takes into account the time the defendant was held in jail awaiting trial.

Trusty: Prisoner given special status and therefore allowed special privileges (usually choice of cell, work on the floor, etc.)

Work release: Program for sentenced prisoners, permitting unsupervised release to work in a job outside the jail. The prisoner must return to the jail when not at their place of employment. This arranged through the Rehabilitation Department.



Rise Up Rochester
244 S. Plymouth Ave.
Rochester, NY 14608

Phone: 585-454-3060

E-mail: riseuprochester@frontiernet.net



Rochester Police Department
Public Safety Building
185 Exchange Blvd.
Rochester, NY 14614

Phone: 428-7033

Website: www.cityofrochester.gov