

2005 - 11 VICTIMS REFUSAL TO PROSECUTE

PURPOSE OF ORDER

The purpose of this order is to establish a Bureau-wide policy and a standard form for use with dispositioning cases wherein a victim refuses to cooperate with the prosecution of a suspect.

SCOPE OF ORDER

Bureau detectives responsible for investigating and filing cases.

ORDER

Despite investigative efforts, victims on occasion will refuse to prosecute the known suspects of a criminal case. Detectives who encounter a victim who refuses to prosecute a known suspect or refuses to identify a suspect, will complete a "Victim's Refusal to Prosecute" form.

Detectives shall provide the victim the form. If the victim refuses to sign the form, the detective shall indicate so on the signature line. A sergeant will then co-sign (witness) the form with the detective.

In either case, detectives shall submit the cases to the local filing District Attorney for filing consideration, or obtain a "D.A. Reject" on all refusals to prosecute.

The original form will be kept in the case file and the detective shall retain a copy in his/her investigative file.

Area lieutenants will periodically audit cases wherein the victim refused to prosecute in order to ensure compliance with this directive.
