

APPLICATIONS FOR RESTITUTION IN CRIMINAL PROSECUTIONS

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CH 89

APPLICATIONS FOR RESTITUTION IN CRIMINAL CASES

GENERAL ORDER : GO-89-001	DATE OF ISSUE: 10/14/2011	EFFECTIVE DATE: 10/17/2011
SUBJECT: APPLICATIONS FOR RESTITUTION IN CRIMINAL PROSECUTION CASES		NEW X REVISE <input type="checkbox"/> RESCIND <input type="checkbox"/>
REFERENCES:	PAGE 1 OF	DISTRIBUTION: ALL COMMAND OFFICERS

GENERAL CONSIDERATIONS	The following shall be the process utilized when sworn personnel seek restitution for damaged personal property through a criminal prosecution.
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PROCEDURE	<ul style="list-style-type: none"> • If, during the course of the official duties of sworn personnel, their uniform/personal equipment is damaged due to the criminal actions of an identified subject, that officer may pursue restitution for the replacement cost of the damaged item in the event that criminal charges are sought. This process will be executed via the court system and be initiated by thoroughly completing a “Damaged Uniform/Equipment Restitution Form (Form #89-1).” This form will be found in the Report Room and should be submitted to the Shift Commander with the Incident Case Folder (NOTE: the officer’s narrative should reflect the submission of a completed restitution form). • Upon its reception, the Shift Commander will forward the original form to the Prosecution Inspector and a copy to the Patrol Commander. A third copy, if requested, may be provided to the submitting officer for his/her own records. • When the case is ultimately adjudicated, the Prosecution Inspector shall inform both the Patrol Commander and the submitting officer as to the case’s disposition and the Judge’s determination as to restitution. • The Prosecution Inspector shall maintain contact with the District Court’s Probation Department to ensure that payment is eventually made by the defendant. When the officer receives his complete payment for the damaged items, he shall advise both the Prosecution Inspector and the Patrol Commander by email that he/she has been made whole. The restitution forms will then be updated and maintained by the Melrose Police Department.
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APPROVED BY CHIEF MICHAEL L. LYLE	DATE 10/17/2011
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