

## Tackling Witness Intimidation

### Introduction

Witness intimidation can take many forms and occurs for a variety of reasons surrounding family and community loyalties and historical traditions of non-cooperation with law enforcement. Regardless of why it occurs or what form it takes, witness intimidation aims to deter witness cooperation with law enforcement agencies, therefore reducing the ability to identify or prosecute offenders.

The scale of the problem is difficult to measure, but a U.S. Department of Justice publication<sup>1</sup> states that prosecutors estimate witness intimidation to play a role in 75 to 100 percent of violent crime committed in gang-dominated neighborhoods. A publication by the Police Executive Research Forum (2009), entitled *The Stop Snitching Phenomenon*, focused specifically on the impact of gang related witness intimidation, suggesting that it is a growing and spreading problem in North America.

### Targeting Witness Intimidation

A number of methods have been put forward as effective ways of reducing the presence and impact of witness intimidation. ABM's software, abmpegasus, can assist in many ways as explained below.

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<sup>1</sup> Dedel (2006) *Witness Intimidation* citing Clarke (2002)

## **Witness Protection Programs**

Protection programs can help overcome the fear of perpetrators carrying out revenge attacks. However, it is crucial that the program is properly managed. Any leak of information (caused by corrupt activity or incompetence) or procedural error has the potential to render expensive witness protection completely worthless. abmpegasus helps to manage the whole process surrounding witness protection and relocation, reducing the occurrence of costly errors.

### **Forming multi-agency partnerships**

The type of protection required for a vulnerable witness may vary according to each case. The law enforcement agency may need to involve a range of external agencies such as housing agencies, public benefits and social services organizations. This can be a logistical and administrative challenge, but abmpegasus helps by recording the details of relevant contacts and all relevant dealings within these external agencies to allow a rapid response.

### **Assessing risk**

When witnesses are at risk, it is important to regularly re-assess their circumstances to establish whether their level of protection is appropriate. Standardized risk assessments are implemented and followed to ensure continuity. abmpegasus ensures that re-assessments are carried out on a regular basis to determine whether risk has increased or decreased and records any changes to protection that are subsequently made. If risks decline, abmpegasus can record the reason why protection is withdrawn and if the protected witness behaves in such a way that makes him/her too difficult to protect, the reasons for expulsion from the protection program may be recorded.

### **Limiting liability**

As noted in Dedel (2006), some police agencies fear that implementing witness security programs may make them liable in the event of the witness being harmed. However, liability can be limited by properly recording and acting upon reports of

intimidation and properly documenting all actions taken. The protected witness also needs to be fully briefed on the limitations of protection and the expectations of the witness in terms of his/her behavior. abmpegasus ensures that all of this is done and provides a reliable record of all actions to refute claims of negligence.

### **Reducing the potential for police corruption**

Corrupt police officers significantly reduce public confidence in law enforcement's ability to adequately protect witnesses. abmpegasus includes a number of safeguards to improve management oversight of covert operations, reducing the potential for police officers to abuse their power or partake in corrupt behavior. Audit functionality makes it easy to see what every officer has been doing, making it harder for personnel to hide corrupt activity. Financial tracking improves accountability surrounding financial transactions with confidential informants and protected witnesses.

### **Managing Confidential Informants**

Confidential informants can provide highly valuable information about criminal activity but they are also associated with high levels of risk. The protection of confidential informants' identities is critical to their safety and failure to protect informants' identities can ultimately lead to severe forms of intimidation. abmpegasus is used to manage the risk surrounding the use of confidential informants, including identity management, planning and regular risk review. Confidential Informants are a controversial area that needs to be managed well to avoid embarrassing public mistakes that further erode citizens' confidence in law enforcement agencies.

### **Crimestoppers**

Crimestoppers programs can improve the quality and quantity of information provided to the police by ensuring that the source of the information remains a secret. abmpegasus can support this by helping Crimestoppers organizations and law enforcement agencies to store anonymous information reliably and securely, thereby maintaining citizens' confidence in providing information.

## Conclusion

Witness intimidation is a continuing and inevitable problem, particularly in places where street gangs are highly prevalent in the community. However, by making various improvements to the procedures and facilities surrounding witness protection and those willing to provide information to the police, it is possible for law enforcement agencies to protect the interests of witnesses and maximize their ability to bring criminals to justice.

## References

Dedel, K. (2006) *Witness Intimidation*. U.S. Department of Justice – Office of Community Oriented Policing Services. Washington, DC. Available online at <http://www.cops.usdoj.gov/files/ric/Publications/e07063407.pdf> [Downloaded 6th September 2010]