



Basic Rules in the Work of Police Officers While Witness Protection

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Abstract

Conducting investigations and proving criminal offenses of organized crime is very difficult, in some cases often impossible, without persons, participants to an organized criminal group, which, for various reasons (fear for one's own life or the lives of those close to him, etc.), will help in gathering evidence, thus becoming a key witness, without whom proof would be impossible or very difficult. Police officers charged with protecting these persons must strictly adhere to the prescribed rules and procedures in order not to endanger, first and foremost, their own lives and the lives of witnesses, and to question the final outcome of a criminal investigation.

Keywords: Witness and witness protection

Proper Selection and Professional Attitude of a Police Officer in Dealing with A Witness

Police officers involved in working with a witness in a protection program must be stable personalities, experienced professionals, able to recognize deviations in witness behavior, to prevent possible negative witness behavior and to manage the situation at all times. The first contact (interview) that police officers make with a witness is the basis for successful and secure cooperation. This means that, in addition to having as much information as possible about the witness, police officers should have other qualities (they should be communicative, creative, determined, etc.). Because of this, the interviewing officers must be not only good police officers but also psychologists. The interviewing officers should not engage in any friendly relations with the witness, although they must show a certain amount of empathy in order to gain the witness's confidence [1]. They must demonstrate an understanding of attitudes and actions, but not justify, support or condemn them. It is necessary for the officer interviewing the witness to be kind, polite, courteous, respect the position of the witness, speak the language the witness understands, present himself at the beginning of the interview and relax the witness in some introductory part of the interview, adjust to the witness, his intellectual level.

The police officer, in interview with the witness, must in no way emphasize himself. It is not a good choice for a police officer who needs to dominate the conversation and speak more than

the witness. However, while it is necessary for the police officer to listen carefully to the witness, to learn from his story, not only the information given by the witness, but also the way of thinking of the witness, to create the best possible picture of the witness, he must not allow the witness to lead the conversation in the direction of the witness he wants and as much as he wants. On the contrary, the police officer must be able to conduct the conversation in an unobtrusive and subtle manner in the direction he wants and needs in order to gather all the necessary information about the witness. It is important to establish a fair and professional relationship at the first interview with the witness, that is, to define the conditions, manner and time of mutual communication. It should be clear to the witness at all times that the police officer in charge of contacting him is only the police officer who works with him, that there are urgent situations where the witness can call the police officer at any time of the day and night, but also that for some minor matters, requests, the police officer calls at the time they have determined earlier.

Avoid Emotionally Tying A Police Officer to A Witness and His Family

The physical protection measure, as a permanent measure, in the sense of keeping the witness and his family 24 hours of protection, is very rarely applied [2]. This mode is avoided for a number of reasons. One reason is that the purpose of the protection

program is ultimately to empower the witness and his family as an independent functional unit, and as long as police officers are part of their lives, this will not happen. In practice, this mode has proven to be very poor. The problems that arose were caused by the long stay of police officers with their family. The children of the witnesses are often linked to police officers who spend time with them. Officers become sensitive to witnesses' family problems. For too long together in the field, police officers often come into conflict because they work together, eat, live, spend several consecutive days together. If there are several alternating teams with the witness, the witnesses often try to bring disagreement and discord between the teams, telling lies. If one of the team members is a more volatile, influential personality, working with a witness turns into a nightmare. The principle of work of police officers with a witness is that they do not talk about their private lives, to protect their privacy to the maximum. And, to protect the privacy of their colleagues. However, when spending hours and days living together with a witness, very often this border is lost. Police officers first start talking about unimportant things in their lives, so that, as they think, building trust with a witness, they start talking about their own life problems. This brings discomfort and discord, problems in the functioning of the teams and results in weaker and less effective witness protection.

To avoid this, it is necessary to minimize 24-hour physical protection, as well as to keep in mind the profile of police officers working with the witness.

It must be borne in mind that in most cases, witnesses are persons from the criminal milieu who have learned to survive in the most difficult situations, to use others' weaknesses and disadvantages to help themselves, and very often they are not persons of high moral character. When selecting police officers for 24-hour protection, police officers who are mentally stable must be selected who can very well control not only their behavior but also the unpredictable behavior of individuals in the protection program. Police officers often attach themselves to the children of witnesses, and after a while need to see how these children function, how they have managed in the new world, what they look like, what they have achieved, which can be very dangerous and unnecessary, and therefore it is best not to try to maintain contact with persons involved in the protection program. This will be achieved if police officers behave extremely professionally and have as little empathy and intimate relationships as possible. A police officer should never give the witness any real information about himself. For this reason, it is necessary for a police officer, like the witness, to build a certain legend. Of course, this legend will not have to contain as much detail as witnesses, but it must serve a purpose.

The police officer must first of all be comfortable with his first and last name, which he uses when working. He can also make sense of the story of whether he is married, has children, whether he owns a dog, a car he drives, etc. It is a recommendation, however, when telling a story with a witness that a police officer avoids telling his personal experiences. It is best to use phrases in the sense: [...] a friend of mine had a golden retriever [...] or [...] when my neighbor's child had stomach problems [...] if he wants to give

an example. No need to say "[...] I had a golden retriever [...]" or "[...] you don't have to worry so much and my kid was having stomach problems [...]" Any possible help a police officer wants to provide in terms of advice and consolation is welcome at times when the witness and his/her close faces have a problem, but even in those moments the security aspect should not be neglected.

Do Not Make Promises and Advice

The basic rule that officers must always abide by is to never promise a witness anything. What the officer can and should do, when a witness makes some requests, is to tell the witness that he has recorded the requests, to convey them to the decision makers as soon as possible and to inform the witness about the decision made. One should never designate an individual here as the deciding person, because in the event of failure to comply with the witness's request, the witness may take this procedure personally, as an attack on his personality. In this case, he expresses anger and hostility towards a particular person, which can permanently disrupt relations between the witness- witness protection unit and even the relations between police officers. A person in the protection program should always speak the truth, never hide or embellish anything.

Protected people tend to ask the question often: Will you protect us from being killed? The answer to this question may be that you will do your best to do your job in the best way possible and prevent any fatal outcomes. Never promise anything! The witness should not be given any advice, no matter how harmless the question may seem. In the most banal situation, a police officer will simply say, "I would" However, at some point a witness may say that he did something because the police officer so advised and supported him in his actions. For this reason, it is very important for a police officer to maintain a professional relationship and distance with the witness at all times.

Do Not Meet Witness Requirements

As the witness protection program for the persons involved in it is a completely new way of life, the witness and his close associates who are included in the protection program will have various requests to make to the police officers. In these cases, the most important thing is that police officers do not try to meet all the requirements of the witnesses. It is very common for police protection officers to ask police officers, instead of them, to call their family members and let them know that they are all well. As a man, a police officer can very easily be tempted to make one such call, from an unknown number, knowing how much the witness's family cares. However, it must not be discounted under the pressure of witness requests, as this can not only jeopardize the effective implementation of the protection program, but can also be a sign to the witness that the procedures he was told to comply with can sometimes be violated, which complicates the work greatly with faces in the program.

At the very beginning, the persons involved in the protection program must be informed that they will be relocated to another location, to another country, that they will change their names, that they will have to break all ties with their life. Therefore, it

is important to clearly define the manner and conditions under which a witness can communicate with persons who are not in the protection program and what information he or she can provide. All requests made by a witness to police officers must be forwarded to the competent witness protection unit, which will be adequately decided on the basis of actual needs.

Avoid Working with The Opposite Sex

It is important to emphasize that the standard of working with a woman as a police officer should always be taken into account when possible. This will prevent many possible problems and disagreements between the witness and police officers. All access to the child should be carried out with the presence or consent of the parent. Here, it is also important to adhere to the principle that only a female police officer talks to and interacts with a female child. In this way, the reputation of the police unit and the police officer is also protected and the relationship with the witness and close persons is not in any way questioned.

Obligatory Adherence to The Prescribed Procedures in Dealing with The Witness

In addition to the laws that police officers follow in their work with a witness, there are procedures that have been put in place to ensure efficiency in the implementation of protection programs. These procedures are mandatory and must be followed by all police officers. What is the most common mistake that occurs is that after many years of working and repeating the same procedures, sometimes there comes a stage when police officers think that some part of the procedure is not so important, that it has been done so many times and is unnecessary, so to omit that part. For example, it is stipulated that when placing a witness in a hotel facility, before going to lunch, one police officer first enters the restaurant, then informs the other police officer, who is with the witness, that everything is in order and that they can enter the restaurant. After several days of repeating the same procedure, the

entry of one police officer into a restaurant where there is no one, or one or two people, police officers decide that they will all enter the restaurant together without first checking. In this way, police officers are relaxed in a security sense and this work endangers the entire protection program and the lives of the persons being protected, as well as the lives of the police officers performing the protection.

Conclusion

The witness protection program is gaining in importance, because in most cases testimony is necessary, or sometimes is the only way to clarify and prove a serious or complex crime. Problems encountered by law enforcement agencies dealing with the protection of witnesses, especially in countries in transition, are the lack of expertise of police officers, inadequate legislative regulations and insufficient financial resources. Law enforcement agencies should pay particular attention to an appropriate officer training program through cooperation with countries with more experience and established practices and tailored legal solutions in this area. When selecting police officers to work with witnesses, it is necessary to perform their profiling, that is, to select candidates who meet certain psychophysical characteristics and have the necessary police experience in the fight against organized crime and appropriate police education. This is necessary because only police officers of such a profile can be ready at any time to answer the tasks assigned.

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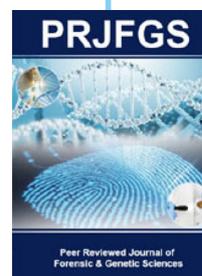
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