

## CHAPTER 8.0

### COMMUNITY SERVICES

#### 8.3 VICTIM/WITNESS ASSISTANCE

##### 8.3.1 Organization and administration

Victims and witnesses of crimes have specific rights and expectations which shall include the right to be treated with dignity, fairness and compassion by members of this department involved in a criminal investigation. The Coventry Police Department is committed to the development, implementation, and continuation of appropriate victim/witness assistance programs and activities. Additional victim's rights are provided by the Commission on Victims Services and other legislative mandates and shall include but not be limited to Connecticut General Statute:

- 54-201 through 54-232 re: Victim Services
- 18-81e Notification of victim of release of inmate from correctional facility
- 51-286e Notification of victims of judicial proceedings
- 54-91c Testimony of crime victim prior to acceptance of plea agreement and at sentencing hearing
- 54-126a Testimony of crime victim at parole hearing
- 54-36a Definitions. Inventory. Return of stolen property. Disposition of other seized property. Return of compliance
- 54-56e Accelerated pretrial rehabilitation
- 54-142c Disclosure of erased records
- 54-85b Employer not to discharge employee appearing as witness. Penalty. Action for damages and reinstatement
- 54-85c Representative of homicide victim entitled to be present at trial of defendant. Exclusion. Hearing
- 54-86g Testimony of victim of child abuse. Court may order testimony taken outside courtroom. Procedure
- 46b-15 Relief from physical abuse by family or household member. Application. Court orders. Duration. Copies. Expedited hearing for violation of order. Other remedies
- 52-146k Privileged communications between battered women's or sexual assault counselor and victim
- 54-86e Information re: name and address of victim of sexual assault to be confidential
- 54-86f Admissibility of evidence of sexual contact
- 54-82s through 54-82u – Leroy Brown Jr. and Karen Clarke Witness Protection Program

##### 8.3.2 Responsibility for administering and coordinating victim/witness assistance

Although victim/witness assistance programs are primarily administered through the State of Connecticut, Commission of Victim Services, the Victim Advocate and the Family Relations Office within the court system, the Coventry Police Department is firmly committed to the development, implementation and continuation of appropriate victim/witness assistance programs and activities. This shall be accomplished by the Chief of Police and such responsibilities include:

1. Ensuring that the department's victim/witness assistance programs and procedures are adequate and meet applicable state statutes.

2. Developing and/or amending on the basis of an analysis conducted by the State of CT Office of Victims Services, or other appropriate agency, departmental policies and procedures that achieve at least the following:
  - Govern the implementation and delivery of victim/witness assistance services by Coventry Police Department personnel.
  - Ensure the confidentiality of records and files of victims/witnesses and their role in case development to the extent consistent with applicable law
  - Govern the department's efforts to inform the public and media periodically about the police department's victim/witness assistance services
3. Maintaining liaison with other criminal justice agencies and governmental and non-governmental agencies and organizations concerned with victim/witness needs and rights. The liaison function shall serve two purposes:
  - To ensure that referrals of victims/witnesses to outside sources are based upon accurate and up-to-date knowledge of the services offered by those sources. To this end, the Chief of Police shall ensure that appropriate information is distributed to agency personnel pertaining to victim/witness issues.
  - To maintain an ongoing channel of communication by which to offer and receive suggestions about how departmental and outside sources can more effectively work together to better serve the victim/witness.
4. Training departmental personnel concerning available victim/witness assistance programs. The purpose of such training shall be to enable personnel to provide knowledgeable answers when asked questions by the public about victim/witness assistance programs offered by the police department or other community and state agencies and organizations. Thereby defining the department's role and objectives to inform and refer victims/witnesses to appropriate outside agencies.

### **8.3.3 Providing appropriate assistance to victims/witnesses who require special attention**

In cases where a victim/witness has been threatened or experienced specific, credible reasons for fearing intimidation or further victimization, the Coventry Police Department will offer appropriate assistance, which may include:

1. transportation to a safe location
2. guarding a victim/witness
3. referral to outside agency

Generally, each case will be evaluated on an individual basis. However, the following criteria will be taken into consideration when determining what is deemed appropriate assistance:

1. The nature and seriousness of the incident.
2. The resources immediately available.
3. Is the level of assistance commensurate with the danger faced by the victim/witness?
4. The availability of the victim/witness
  - When a member of the Coventry Police Department becomes aware of danger to a victim/witness, the victim/witness shall be promptly contacted and alerted to the danger, whenever possible.
  - When a victim/witness is located in another jurisdiction, the appropriate agency in that jurisdiction shall also be promptly notified.

Whenever a member of the Coventry Police Department determines that special assistance to a victim/witness may be required, the member shall notify their supervisor. The supervisor shall evaluate the information and if special attention is deemed appropriate, shall ensure that such service is rendered. When the service

to be rendered is beyond that which can be accommodated utilizing on-duty personnel for a brief time, the Chief of Police shall be contacted to authorize any special expenses and/or services proposed.

#### **8.3.4 Victim/witness assistance to be rendered during preliminary investigation**

Victim/witness assistance to be rendered by the investigating officer during preliminary investigation, over and above normal investigative procedures, shall include at a minimum:

- Providing information to the victim/witness about applicable services and rights (e.g. counseling, medical attention, compensation programs or emergency financial assistance and victim advocacy). Generally this information is easily accessed using information found on the Victim of Crimes/Rights Card which shall be issued to all victims/witnesses as appropriate.
- The Office of Victim Services phone number is 1-800-822-8428. Information can also be obtained through their website at [www.jud.state.ct.us/crimevictim](http://www.jud.state.ct.us/crimevictim)
- Advising the victim/witness about what to do if the suspect or the suspect's companions or family threatens or otherwise intimidates him/her.
- Informing victim/witness of the case number and subsequent steps in the processing of the case and providing a non-emergency telephone number to the victim/witness so that he/she may call to report additional information about the case or to receive information about the status of the case. This may be accomplished by providing the victim/witness with a case card noting appropriate information.

#### **8.3.5 Victim/witness services to be rendered during follow-up investigation**

There are instances during a follow-up investigation when victim/witness assistance services should be provided by the officer/detective assigned to continue the investigation. In such cases, the investigating officer/detective should, in addition to the normal investigatory procedures, provide the following assistance, at a minimum:

- If, in the opinion of the supervisor and/or investigating officer/detective, the impact of a crime on a victim/witness has been unusually severe and has triggered an above/average need for victim/witness assistance, re-contact with the victim/witness within ten (10) days of the follow-up investigation's initiation, should be made.
- If not an endangerment to the successful prosecution of the case, explaining to the victim/witness the procedures involved in the prosecution of their cases and their role in those procedures.
- If feasible, scheduling line-ups, interviews and other required appearances at the convenience of the victim/witness and, when warranted, provide transportation.
- If feasible and consistent with law; and with the approval of the States Attorney's Office, expediting the return of victim/witness property taken as evidence.
- If feasible, ensuring a victim advocate is assigned to the victim/witness during the follow-up investigation.

As part of their report review responsibilities, supervisors shall ensure that appropriate and statutorily mandated victim/witness assistance was provided by the investigating officer.

### **8.3.6 Notification of victim/witness upon arrest of suspect**

Whenever conditions permit, the investigating officer should make a reasonable effort to notify the victim/witness of the arrest of a suspect and provide the following additional information, if available:

- specific charges
- custody status and subsequent changes in status, if any
- amount of bond, if any
- initial court appearance date

### **8.3.7 Victim/witness assistance to police officers and their families**

The Coventry Police Department shall provide victim/witness assistance services to members of the department and their families following line-of-duty death or serious injury. Assistance may include:

- notifying the family of a dead or injured officer in a timely, personal manner
- requesting appropriate police chaplain to assist
- assisting the family at the hospital
- supporting the family at the funeral and burial
- helping the family with legal and benefits matters
- counseling the family regarding finances and other possible problems
- supporting the family during criminal proceedings, if any
- maintaining long term contact with the family and keeping informed of needs
- referring the officer and/or family to the Employee Assistance Program
- referring the officer and/or family to outside counseling services
- assigning a human relations officer to the officer and/or family

The Chief of Police shall be responsible for coordinating these efforts and seeking the needed assistance to carry out these duties.

### **8.3.8 Deaf and hearing impaired (victim/witness/suspect)**

Pursuant to Connecticut General Statute 46a-33, the Coventry Police Department shall provide a “qualified interpreter” to any deaf or hearing-impaired person, whether as a victim, witness, or suspect. The Coventry Police Department shall also provide a “qualified interpreter” to the parent or guardian of any minor child involved in an investigation, whether as the victim, witness, or suspect.

### **8.3.9 Assistance to Victims whose immigration status is questionable**

The Chief of Police shall designate a supervisor to expeditiously process, upon request of a victim of family violence or other crime, who is applying for U Nonimmigrant Status;

- a) a certification of helpfulness on form I-918, Supplement B, or any subsequent corresponding form designated by the United States Department of Homeland Security, confirming that the victim of family violence or other crime has been helpful, is being helpful, or is likely to be helpful in the investigation or prosecution of the criminal activity and
- b) any subsequent certification required by the victim.

The Connecticut Police Officer Standards and Training Council General Notice 10-01 (which appears as Appendix A of this chapter) is adopted as part of this directive. This Notice

describes the process of assisting Victims whose immigration status is questionable in detail. See also Directive 6.2.7.

### **8.3.10 24 Hour Single point of contact**

The Coventry Police Department maintains a Dispatch position which is staffed 24 hours a day, 365 days per year. This position serves as the single point of contact for police services, referrals or information.

Personnel staffing this position shall arrange for police service, answer questions, or make referrals to other social agencies as appropriate, dependent upon the nature of the need identified. If no particular need can be identified, callers will be referred to INFOLINE. (211 statewide).

### **8.3.11 Informing victim/witness of the agency's response**

Dispatch personnel and all personnel receiving calls for complainants, victims or witnesses, shall inform callers of the agency response to be expected. Examples include:

- Dispatching a police officer to the scene
- Directing the caller to another police agency
- Directing the caller to another person within the agency
- Directing the caller to an outside agency within or outside the town
- Directing the caller to the Town of Coventry Human Service Department at 742-5324.