


<b>STRATFORD POLICE DEPARTMENT</b>  	Type of Directive: <b>Policy and Procedure</b>	Updated: <b>04-19-2024</b>
	Title: <b>Victim/Witness Rights and Assistance</b>	No. <b>10.8</b>
	Issuing Authority: <b>Chief Joseph McNeil</b>	Issued: <b>11-21-2018</b>
	Reference: 2.5.4, 2.5.11, 3.1.6, 3.3.19, 3.4.5, 3.4.6, 3.4.15, 3.4.16  History: 11-21-18	

### **PURPOSE:**

The purpose of this policy is to establish the procedures pertaining to the rendering of assistance to victims and witnesses of crimes, at the Stratford Police Department.

### **POLICY:**

It is the Stratford Police Department's policy that all victims are treated with the utmost care and understanding and receive all the necessary information needed to better understand their rights as victims. It will be the responsibility of all officers to inform any victim of a crime who has suffered physical injury of their rights as victims and the services available to them.

### **DISCUSSION:**

The State of Connecticut has established the Commission on Victim Services (COVS) to offer assistance, including compensation, to the victims of crime. This Department recognizes the value of these programs to the victim and the subsequent effects they may have on the ability of law enforcement agencies to conduct their mission. The purpose of this directive is to establish procedures to ensure that victims are treated fairly, compassionately, and are fully informed of their rights and services available to assist them. Victims should be referred to assisting and supporting agencies when appropriate.

### **PROCEDURE:**

The Department recognizes an obligation to provide reasonable police services regarding the safety of crime victims and witnesses involved in departmental cases. Department personnel will assist the victim in obtaining medical treatment if necessary and inform the victim of available resources, both at the local and State level, with regards to support services available. The officer will give the victim the card distributed by the Office of Victim Services which contains victim rights, services and support phone numbers. The officer will refer the crime victim to the Office of Victim Services for additional information on rights and services. The Department will review their utilization of victim services at least every three years to see if we are giving victims the available services which first responders can provide effectively.

## **VICTIM/ASSISTANCE ADMINISTRATION:**

**VICTIM RIGHTS:** The victim of a crime has rights and expectations. Employees of this Department shall treat all victims in a fair and compassionate manner and with dignity. This Department is committed to the development, implementation, and continuation of victim/witness assistance programs and activities. Victim/witness rights include:

- The right to assistance in obtaining immediate medical care if required;
- The right to request to be notified of court proceedings including arrest, arraignment, and release of the offender;
- The right to be protected from harassment from an employer for appearing as a witness if a subpoena has been issued and received;
- The right to have property returned if it was seized by police in the investigation or prosecution of the crime committed against the victim;
- The right to make application for compensation for any bodily injuries; and
- The right to request to be informed of services and agencies that may help, including the assistance of a victim advocate.

**NEEDS/SERVICES ANALYSIS:** The State of Connecticut, COVS, regularly updates its analysis of victim/witness assistance needs and available services. This Department shall obtain a copy of the available information resulting from the analysis. The information should include the following:

- The extent and major types of victimization within this jurisdiction;
- An inventory of information and service needs of victims/witnesses in general (including homicide or suicide survivors) and special victims such as those victimized by domestic violence, abuse and neglect (especially children and the elderly), sexual crimes and drunken drivers;
- Victim assistance and related community services available within this jurisdiction; and
- Identification of all unfulfilled needs and the selection of those that are appropriate for this Department to meet.

**VICTIM/WITNESS ASSISTANCE POLICIES/PROCEDURES:** Victims of crimes often experience their greatest sensation of vulnerability during the time immediately following the incident. To ensure that the needs of the victims/witnesses are met, the following procedures are established:

**The Implementation and Delivery of Services:** Officers responding to any crime scene shall, as soon as practicable, attempt to assess the physical and emotional needs of the victim/witness:

- **Medical Attention:** The first officers to arrive at the crime scene should assess the victim/witnesses and, if necessary, render or call for medical assistance;
- **Victim Rights:** Victim/witnesses shall be appraised of their rights through the distribution of the appropriate state forms;
- **Liaison:** If requested, officers at the crime scene will act as contacts to support groups for the victim. This is especially applicable in sexual assault cases.

### Ensure the Confidentiality of Records and Files:

- Sexual Assault Cases: The names of sexual assault victims shall not be disclosed, except as provided by law, pursuant to Connecticut General Statute (CGS) Section 54-86e;
- Other Cases: To the extent permitted by law, personal information that would identify victims or witnesses shall be withheld from public disclosure.
- Informing the Public About Victim/Witness Services: This Department will display for public information brochures related to various agencies providing services to victims/witnesses.
- Relationship Between Department and Other Agencies: The employees of this Department will cooperate and coordinate with other agencies providing services to victims/witnesses.

### **VICTIM/WITNESS OPERATIONS:**

**INFORMATION LEVELS:** The resource book located in the Communications Center contains sufficient information pertaining to victim/witness assistance, to allow the Communication Unit personnel to provide:

- Information available twenty-four (24) hours daily, from a single point of contact, regarding victim/witness assistance supplied by the Department directly, including the phone number to call if the victim/witness requires an emergency response;
- Referral information, available twenty-four (24) hours daily, from a single point of contact, regarding services offered in this jurisdiction by other organizations (governmental or private sector) for victims/witnesses in need of medical attention, counseling, and emergency financial assistance.

**VICTIM/WITNESS THREATS ASSISTANCE:** In any situation where the victim/witness has been threatened, or experiences specific, credible reasons for fearing intimidation or further victimization, this Department will offer appropriate assistance. In all cases, the State's Attorney's office will be informed and the victim/witness will be referred to the Victim Advocate. Appropriate assistance will be:

- Based on the nature and seriousness of the case;
- Based on the resources immediately available;
- Commensurate with the danger faced by the victim/witness.

**PRELIMINARY INVESTIGATION ASSISTANCE:** In addition to rendering medical treatment, if necessary, and conducting the preliminary investigation, officers of this Department will assist the victim/witness by:

- Giving information to the victim/witness about applicable services (e.g. counseling, medical attention, compensation programs or emergency financial assistance, victim advocacy, shelter, etc.);
- Advising victim/witness about what to do if the suspect or the suspect's companions or family threatens or otherwise intimidates the victim/witness;
- Informing the victim/witness of the case number and the processing of the case; and d. Providing a telephone number that the victim/witness may call to report additional information about the case or to receive information about the status of the case.

**FOLLOW-UP INVESTIGATION ASSISTANCE:** Officers, during the course of follow-up investigations, may offer assistance to the victim/witness, as necessary. Assistance may include:

- If, in the opinion of the supervisor/officer, the impact of a crime on the victim/witness has been unusually severe and has triggered above average victim/witness assistance, officers should re-contact the victim/witness within ten (10) days to determine whether their needs are being met;
- If not an endangerment to the successful prosecution of the case, officers should explain to the victim/witness the procedures involved in the prosecution of their case and their role in those prosecutions;
- If possible, officers should schedule line-ups, interviews and other required appearances at the convenience of the victim/witness and, if possible, officers should offer to provide transportation;
- If possible, promptly return victim/witness property taken as evidence (except for contraband, disputed property, and/or weapons used in the course of the crime) when permitted by law or rules of evidence;
- If possible, officers should refer the victim/witness to the Office of the Victim Advocate.

**ARREST/POST ARREST ASSISTANCE:** Whenever conditions permit, the victim/witness should be notified of the arrest of suspects or perpetrators and advised of the:

- Specific charges;
- Custody status and subsequent changes;
- Initial court appearance date;
- Right to be referred to the office of the Victim Advocate.

**DEPARTMENT EMPLOYEES ASSISTANCE:** In the event of a serious injury to, or the line-of-duty death of a Department employee, victim assistance will be rendered to the employee and/or surviving family directly by this Department or through appropriate agencies arranged by this Department, or the municipality itself, to include:

- Notification of the family;
- Assistance at the hospital;
- Supporting the family at the funeral and burial;
- Assisting the family with benefit matters (refer to SPD Policy 2.9 (Line of Duty Death)).
- Counseling the family regarding finances, if requested, and other problems;
- Supporting the family through criminal proceedings, if any; and
- Maintaining contact with the family and keeping informed of needs.

**NOTIFICATION OF NEXT-OF-KIN:** The notification of next-of-kin of deceased, seriously injured, or seriously ill persons will be carried out promptly and in a considerate manner. Whenever possible, assistance should be obtained from the clergy or a relative or a close friend. This procedure is in accordance with the “Uniform Policy for Notifications In Death And Related Events” (Public Act 08-67) developed by POSTC in September, 2008. The following are to be followed in next-of-kin notifications:

Notifications from Outside this Jurisdiction:

- The law enforcement agency of the residence of the next-of-kin or the person to be notified may be contacted by phone and requested to make the appropriate notification;
- Any confirmation the outside law enforcement agency requests will be complied with, such as a COLLECT System message, etc.;
- When a Department investigation may benefit from the investigating officer being present at the time of notification, this may be accomplished by agreement with the police agency of the residence;
- No explicit details concerning deaths or other emergency notification matters should be given over the telephone.

Identity of Requester: Communications Unit dispatchers should identify and cause to be recorded in the Computer Aided Dispatch System the requester of the notification:

- An outside law enforcement agency should be requested to send a message via the COLLECT System;
- A third party's identity should be verified by obtaining a call back number, if making the request by phone, or by photo identification if making the request in person.

Locating Recipient: The officer assigned the notification should make every reasonable effort to establish contact with the next-of-kin or the person intended to be the recipient of an emergency message. Although consideration must be given to the location, time of day, and the type of emergency, a reasonable investigation as to the recipient's whereabouts is expected. Neighbors and known relatives may be contacted if the recipient is not located at home. A written note requesting contact with the assigned officer or the Shift Commander is a valid alternative to no personal contact, but should only be used as a last resort.

Identity of Recipient: The officer assigned the emergency notification will identify and record in an incident report or on a daily patrol report the person receiving the notification or that there was a lack of notification. The officer will also cause the person or organization that requested the notification to be advised that the notification was made or reasons why it was not made.

SEXUAL ASSAULT VICTIM ASSISTANCE: The investigation of sexual assaults in which a female is the victim has posed some difficulty for male officers in the past. A male officer may be embarrassed; a victim may be embarrassed; a male officer may feel inadequate in assisting a victim through her emotional responses. A rape crisis service exists to aid both the victim and potentially, the investigators through any crises that might develop. These volunteers have been professionally trained to understand the problems of sexual assault victims and to commit themselves to helping the victim in dealing effectively with her situation. These counselors are both female and male. This Department uses the services of The Center for Family Justice (CFJ), 203-333-2233. The following are procedures to be followed when investigating sexual assaults with female victims:

- All Department employees involved in the investigation of a reported sexual assault case involving a female victim will perform their duties efficiently, professionally and humanely, giving first priority to the physical and emotional condition of the victim. This Department will not release the name of any sexual assault victim to the public;
- Officers responding to reported sexual assaults shall:

- Adhere to the Connecticut General Statutes pertaining to Victim's Right's, as described in the Looseleaf Law Publications Inc., Connecticut Law Enforcement Officers Field Manual, Chapter VII;
- If at the initial contact, the victim requests the services of the rape crisis service, the officer will cause The Center for Family Justice to be notified;
- In the event that the victim is not aware of the CFJ, then at an appropriate time, the officer shall advise the victim of the availability of the rape crisis service. If the victim desires this service, the officer shall cause the notification of the CFJ;
- If requested by the victim, the CFJ counselor may remain present during the interview process;
- At all times the CFJ counselors will conduct themselves in accordance with the "Standard Operating Procedures" developed by the rape crisis service. In the event there are complaints relating to the functioning of the CFJ counselor, these complaints should be addressed to the Chief of Police, without undue delay;
- In the event the victim is a juvenile, under sixteen (16) years of age, the request for the services of a counselor from the CFJ will be honored only if made by a parent or legal guardian. If a parent or guardian is not able to be contacted, a request from the victim may be honored.

**VICTIMS OF FAMILY VIOLENCE WHOSE IMMIGRATION STATUS IS QUESTIONABLE:** The Stratford Police Department, Ct. will adhere to the Police Officer Standards and Training Council General Notice 10-01 (available at [www.ct.gov/post](http://www.ct.gov/post) under General Notices) which establishes guidelines set forth in the document titled "Uniform Connecticut Law Enforcement Protocol for Treating Victims Of Family Violence Whose Immigration Status Is Questionable" adopted by the POST Council on June 17, 2010. This protocol was adopted in response to Connecticut General Statute Section 46b-38b as amended by Public Act No. 09-7, September Special Session, Section 64. As required under this protocol, 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, the following documentation forms:

- A certification of helpfulness Form I-918, Supplement A, 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; (form available online at [www.uscis.gov/files/form/i918.pdf](http://www.uscis.gov/files/form/i918.pdf))
- Any subsequent certification required by the victim.