

## BACKGROUND

Section 54-222a (a) of the General Statutes imposes a duty upon peace officers to render immediate assistance to any victim of a crime and to “present a card prepared by the Office of the Chief Court Administrator to a victim who has suffered physical injury informing the victim of services available and the rights of victims in this state and [to] refer the victim to the Office of Victim Services for additional information on rights and services.” Pursuant to C.G.S. § 46a-13c(3), the Office of the Victim Advocate (OVA) is charged with the responsibility to “[r]eview the procedures established by any state agency or other entity providing services to victims with respect to the constitutional rights of victims.” In furtherance of this mandate, OVA decided to review the policies or directives established by the various municipal and other police departments throughout the state concerning victim services, including the distribution of victim assistance cards.

## OVA REQUEST FOR INFORMATION

On January 10, 2000, OVA mailed letters to 102 municipal and other police departments in the state to ascertain what policies and procedures were in place relating to victim services, including but not limited to the distribution of victim assistance cards. OVA also requested copies of any policies or directives concerning notification of arrest and court dates. As indicated in Table 1 below, eighty-two departments (80%) responded to OVA’s request for information.

**TABLE 1**  
*Response Rate*

<b>Respondents</b>	<b>Letters Sent</b>	<b>%</b>
82	102	80%

## RESULTS

As indicated below in Table 2, of the eighty-two departments responding to OVA’s request for information, fifty-two departments (63%) submitted formal written procedures (e.g., general orders) addressing victim services. Twenty-four departments (29%) responded by letter describing the departments’ procedures regarding victim services, but did not submit any formal written policies or procedures. Five departments (7%) responded by letter that the department did not have any policies or procedures concerning victim services. Finally, one department (1%) submitted only a form letter used to notify victims of arrest information (i.e., name of accused, charges, arresting officer’s name, contact telephone number).

**TABLE 2**  
*Form of Response to OVA's Request for Policies/Procedures  
 Regarding Victim Services*

<b>Form of Response</b>	<b>Count</b>	<b>%</b>
Written Procedures	52	63
Letter describing procedures	24	29
Letter no procedures	5	7
Other	1	1
<b>TOTALS</b>	<b>82</b>	<b>100</b>

Of the fifty-two departments that submitted formal written material addressing victim services, twenty-five submissions (48%) did not limit the applicability of the policy to victims of certain types of crimes, twenty-five submissions (48%) limited the procedures to victims of domestic violence crimes, one submission (2%) limited the procedures to victims of crimes involving personal injury, and one submission (2%) limited the procedures to victims of sexual assault. (See, Table 3)

**TABLE 3**  
*Limitation of Applicability of Written Procedures By  
 Nature of Crime*

<b>Limit on Covered Victims</b>	<b>Count</b>	<b>%</b>
No Express Limit	25	48
Domestic Violence	25	48
Personal Injury	1	2
Sexual Assault	1	2
<b>TOTAL</b>	<b>52</b>	<b>100</b>

Of these fifty-two departments, thirty departments submitted material that indicated the date of issuance while twenty departments submitted undated material. As demonstrated in Table 4, the age of the submitted material varied widely. Five departments submitted material issued in 2000, nine departments submitted material issued between 1995 and 1999, eleven departments submitted material issued between 1990 and 1994, and five departments submitted material issued between 1987 and 1989.

**TABLE 4**  
*Year of Issuance of Dated Formal Written Procedures*

Year	Count
2000	5
1995-1999	9
1990-1994	11
1987-1989	5
<b>TOTAL</b>	<b>30</b>

Section 54-222a (a) of the General Statutes mandates that the Office of the Chief Court Administrator develop a card for peace officers to present to crime victims who have suffered physical injury informing the victim of services available and the rights of victims in this state. To comply with this mandate, the Judicial Branch has printed and distributed form JD-VS-2. This form has been revised a number of times, most recently in November 2000. In its request for information, OVA specifically requested information from each department concerning the department's procedures for distributing victim assistance cards as required by C.G.S. § 54-222a (a).

Of the eighty-two departments that responded to OVA's request for information, eighteen departments (22%) submitted the JD-VS-2 form that the department provides to crime victims. (See, Table 5). Not one department submitted the most recent version of the form (rev. 11/00); all eighteen departments submitted outdated versions of the form.<sup>1</sup> Of those eighteen departments, one department submitted the 5/98 version, one department submitted the 11/96 version, six departments submitted the 8/96 version, and nine departments submitted the 2/94 version. (See, Table 6) Two departments submitted a victim assistance form promulgated by the department.

**TABLE 5**  
*Departments Submitting JD-VS-2 Form*

	Count	%
Submitted JD-VS-2 Form	18	22%
Submitted departmental form	2	2%
Did not submit form	62	76%
<b>TOTAL</b>	<b>82</b>	<b>100%</b>

---

<sup>1</sup> The outdated forms list telephone numbers for domestic violence and sexual assault crisis centers that are no longer in service.

**TABLE 6**  
*Revision Date of JD-VS-2 Form Submitted*

<b>Revision Date</b>	<b>Count</b>
11/00	0
5/98	1
11/96	1
8/96	6
2/94	9
Undated	1
<b>TOTAL</b>	<b>18</b>

As Table 6 demonstrates, fifty per cent of the departments that submitted a JD-VS-2 form submitted the 2/94 version of the form.

Twenty-one of the eighty-two departments (26%) stated in their submissions that the department provides victims with the JD-VS-2 form, an information card or a victim's rights card, but did not provide OVA with the form or card or a copy thereof. The two departments that indicated the version of the JD-VS-2 form used by the department utilized the 2/94 version. It could not be determined from the information provided by the remaining nineteen departments whether they were utilizing the JD-VS-2 form, if so, the version of the form used, and, if not, whether the card or form the department utilized contained current information. Thus, thirty-nine of the eighty-two responding departments (48%) addressed in some fashion OVA's request for information concerning the distribution of victim assistance cards. (See, Table 7)

**TABLE 7**  
*Response to OVA Request for Information  
Concerning Distribution of Victim Assistance Cards*

<b>Form of Response</b>	<b>Count</b>
Provided JD-VS-2 form	18
Provided departmental victim assistance form	2
Referred to JD-VS-2 or victim assistance form but did not provide form	21
Neither provided nor referred to victim assistance form	41
<b>TOTALS</b>	<b>82</b>

Twenty-five of the eighty-two responding departments (30%) submitted material that included provisions for follow-up services to crime victims. (See, Table 8) Four departments indicated that the department referred victims to other agencies for services, three departments indicated that the department cooperates with other agencies to provide services to victims, one department indicated that it provides for an officer to contact the victim afterwards to determine if the victim

is in need of services, and seventeen departments made provisions for notifying victims of the arrest of the accused, court dates, and other information concerning the prosecution of the case.

**TABLE 8**  
*Provisions for Follow-Up Services*

	<b>Count</b>
Departments With Follow-Up Services	25
Departments Without Follow-Up Services	57
<b>TOTALS</b>	<b>82</b>

Fourteen of the eighty-two departments (17%) provide for on-site victim assistance by having a designated officer or unit to assist crime victims or by having designated a single “point of contact” (e.g., the desk officer) for victims to contact (See, Table 9) Six departments have an individual victims assistance officer, four departments have established a victims assistance unit, and four departments provide a “point of contact” for victims. (See, Table 10)

**TABLE 9**  
*On-Site Victim Assistance*

	<b>Count</b>
Departments With Assistance	14
Departments Without Assistance	68
<b>TOTALS</b>	<b>82</b>

**TABLE 10**  
*Form of On-Site Victim Assistance*

<b>Form</b>	<b>Count</b>
Designated Officer	6
Victim Assistance Unit	4
Point of Contact	4
<b>TOTALS</b>	<b>14</b>

Sixteen of the eighty-two departments (20%) indicated in their submissions that officers receive training on victim’s rights. Four departments (5%) submitted material that provided for a periodic review by the department of victim needs and services. Seven departments (9%) provide for supervisory review of cases to ensure compliance with the department’s victim service policy.

## CONCLUSIONS & RECOMMENDATIONS

Although sixty-three per cent of the responding departments submitted formal written policies concerning victim services, more than half of the policies were limited to servicing victims of certain crimes (domestic violence – 48%; personal injury – 2%; sexual assault – 2%). Moreover, more than half of the formal written procedures that contained an issuance date were issued prior to 1996 and the enactment of the Victims Rights Amendment to the Connecticut constitution. Notably, five of these procedures were issued in the late-1980's. OVA recommends that the departments that have promulgated formal written procedures, particularly those issued prior to the enactment of the Victims Rights Amendment, periodically review their procedures and update the procedures regularly to reflect changes in victims' rights laws. Additionally, OVA recommends that those departments that have not promulgated formal written procedures for victim services consider doing so. The promulgation of formal written policies and procedures concerning victim services by agencies that provide services to crime victims will serve to ensure that agency members, those who are providing direct services to victims, will have such policies and procedures available to guide them as they service crime victims. Also, OVA recommends that those departments who currently limit the applicability of their victim services policies to victims of designated crimes amend the policies to provide for applicability to all crime victims.

OVA recommends that the Judicial Branch conduct a periodic review of the information contained in the JD-VS-2 form on a regular basis and revise the form as needed to ensure that victims receive accurate information concerning victim services. OVA believes that victims who have difficulty contacting service providers because of out-dated information contained in forms supplied to them will experience unnecessary frustration. Periodic review and revision by the Judicial Branch of JD-VS-2 will serve to reduce this frustration.

Further, the majority of departments that submitted the JD-VS-2 form utilized by the department submitted the 1994 version of the form. OVA recommends that the Judicial Branch, upon revising the JD-VS-2 form, distribute the form to all police departments with instructions to the departments to discard all prior versions of the form.

Finally, the rights afforded crime victims by the Victims Rights Amendment apply to victims of all crimes, not just victims who suffer personal injury. Moreover, the Office of the Victim Services provides services that can be utilized by all crime victims, not just victims that suffered personal injury (e.g., notification, information, advocacy). Accordingly, OVA recommends that § 54-222a (a) of the General Statutes be amended to delete the provision that limits the distribution of the victim assistance card to victims who have suffered physical injury and to provide for the distribution of the card to all crime victims. OVA firmly believes that all crime victims should be advised at the earliest possible time of their constitutional and statutory rights and of the services available through the Office of Victim Services. The police officer is usually the first person in the criminal justice system with whom the victim comes in contact. Legislation requiring that police officers distribute the JD-VS-2 form to all crime victims will go a long way to ensuring that crime victims are advised of their rights at a time when the victim can meaningfully exercise those rights. Of course, OVA recognizes that legislating the distribution of cards to all crime victims only goes so far and that compliance with the law by

police departments is paramount to ensuring victim's rights awareness. Should OVA's legislative recommendation be enacted, OVA will conduct a similar survey to evaluate police department compliance with the new law. OVA welcomes the opportunity to work with the Office of the Victims Services and the Judicial Branch during the next legislative session to effectuate this important legislative change.