



State of Connecticut
 JUDICIAL BRANCH
 COURT SUPPORT SERVICES DIVISION
 POLICY AND PROCEDURES

POLICY NO.
3.16

EFFECTIVE DATE:
January 4, 2021

PAGE 1 of 14

SUPERSEDES:

October 1, 2019

APPROVED BY:

Gary A. Roberge, Executive Director

TITLE:

**FAMILY SERVICES
 FAMILY VIOLENCE ASSESSMENTS**

1. **Policy** Family Relations Counselors will conduct an in-depth assessment of Family Violence cases and provide recommendations to the Court for appropriate services.

2. **Definitions** – see [Exhibit I](#)

3. **Procedures**

A. Operational Procedures

(1) Professionalism The Family Relations Counselor (FRC) and Intake Assistant will interact with court, court-related personnel, Family Violence Victim Advocates, defendants and complainants/victims in a professional, fair, objective, respectful, and timely manner.

a. The FRC and Intake Assistant will only share case information as governed by [Connecticut General Statute, Sec. 46b-38c\(c\)](#).

i. If the FRC has questions about the interpretation of this governing statute/policy, the FRC will discuss the matter with the FSS.

ii. If the FSS has questions about the interpretation of this governing statute/policy, the FSS will discuss the matter with the Regional Manager with the understanding that CSSD Central Administration will be consulted.

b. An FRC who does not speak or communicate in the same language as the client will utilize court-based interpreters or the language line to assist them in communicating with non-English speaking clients or with clients who use sign language to communicate. Under no circumstances will the FRC use a complainant/victim or minor child to interpret for the defendant. Family members and others connected to the situation or the family should be used only in extreme circumstances.



Links for this policy:

- | | |
|----------------------------------|----------------------------|
| C.G.S. 46b-38c | JD-CL-100 |
| C.G.S. 53a-3 | JD-CL-100S |
| CSSD Policy 3.18 | JD-FM-41 |
| CSSD Policy 3.15 | JD-FM-94 |
| JD-CL-98 | JD-FM-96 |
| JD-CL-98S | JD-FM-97 |
| JD-CL-98P | JD-FM-102 |
| JD-CL-98PT | JD-FM-109 |
| JD-CL-99 | JD-FM-189 |
| JD-CL-99S | JD-FM-224 |



State of Connecticut
JUDICIAL BRANCH
COURT SUPPORT SERVICES DIVISION
POLICY AND PROCEDURES

POLICY NO.
3.16

EFFECTIVE DATE:
January 4, 2021

PAGE 2 of 14

SUPERSEDES:

October 1, 2019

TITLE:

FAMILY SERVICES

FAMILY VIOLENCE ASSESSMENTS

Defendants who are hearing impaired but read and write in a language in which the FRC can communicate, may not need an interpreter. The FRC may communicate with the defendant using written communication.

- (2) Support Victim Safety The overarching goal of the FRC's interaction with family violence cases is to prevent, reduce and stop the frequency and severity of violence against the complainant/victim. These efforts will best be achieved through the following steps:
- a. The FRC will ensure that all complainants/victims are aware that conversations with the FRC are not confidential, and that the FRC is a mandated reporter of suspected child abuse or neglect, crimes against people over 60 years of age, and crimes against the disabled. The FRC will further explain that any information disclosed regarding the defendant's access to or possession of firearms, permits to carry firearms, or ammunition will be shared with the Court.
 - b. The FRC will ensure that all complainants/victims are referred in a timely manner (ideally prior to arraignment), to the Family Violence Victim Advocate to access advocacy, support and referrals to community services. The FRC will ensure the complainant/victim has the name, phone number, office location, 24-hour emergency hotline phone number and any other information needed to contact the FVVA.
 - c. The FRC will ensure that the FVVA is provided with access to current information to assist the FVVA in their work with complainants/victims.
 - d. The FRC will ensure that scheduled interviews with complainants/victims are made at separate times from defendants, with enough time between the two appointments to prevent contact. These appointments will be scheduled at least two hours apart from one another, and, in high risk cases, will be scheduled on separate days.



TITLE:

FAMILY SERVICES

FAMILY VIOLENCE ASSESSMENTS

- e. The FRC will ensure that all questions answered in the affirmative pertaining to the defendant's access to firearms, a permit to carry a handgun and pistol, or ammunition are immediately reported to the State's Attorney and Court on the Firearm Disclosure Notice, [JD-FM-189](#), ensuring the form reflects "Updated Information".
- f. Upon the FRC having reasonable cause to suspect that a child involved in the case is abused or neglected, the FRC will follow mandated reporter protocol and make a referral to the Department of Children and Families.
- g. When appropriate, the FRC will make referrals to Protective Services for the Elderly for complainants/victims 60 years or older and/or to Protection and Advocacy for Persons with Disabilities.

(3) Post-Arrest Assessment

- a. Any family violence assessment referred by the Court will be assigned to an FRC and, if possible, to the FRC who handled either the intake or any previous referral.
- b. The FRC who is assigned to conduct the Assessment will schedule separate office appointments within 28 days of the Intake Date for the complainant/victim and for the defendant. These appointments will be scheduled at least two hours apart from one another, and, in high risk cases, will be scheduled on separate days. The FRC will utilize the Notice of Interview, [JD-FM-41](#), in CMIS to schedule such interviews and will schedule the complainant/victim to be interviewed first. The [JD-FM-41](#) will be mailed within 7 days of case assignment.
- c. The FRC will gather information from collateral sources regarding the defendant's compliance with court ordered conditions, including, but not limited to treatment providers and Department of Children and Families. The FRC will also consider any updated information provided by the FVVA.



State of Connecticut
JUDICIAL BRANCH
COURT SUPPORT SERVICES DIVISION
POLICY AND PROCEDURES

POLICY NO.
3.16

EFFECTIVE DATE:
January 4, 2021

PAGE 4 of 14

SUPERSEDES:

October 1, 2019

TITLE:

FAMILY SERVICES

FAMILY VIOLENCE ASSESSMENTS

- d. The FRC will conduct the complainant/victim interview in accordance with the Complainant/Victim Assessment Interview Guide (**CSSD Attachment A**):
- i. The FRC, at the time of interview, will give the complainant/victim some suggestions or resources that may be beneficial to the individual or the child(ren).
 - ii. Prior to completing the interview, the complainant/victim will be given information regarding the Protective Order, the defendant's next court date and instructions to telephone the FRC or the FVVA if they have questions, information they would like the court to be aware of, or to find out the specific pre-trial recommendations that will be offered to the defendant. The complainant/victim will also be informed of the possible outcomes of the defendant's successful or unsuccessful completion of pre-trial diversion programs.
 - iii. In the event the complainant/victim does not attend the Assessment interview, the FRC will make a subsequent attempt to contact the complainant/victim. This will include but not be limited to a phone call.
- e. The FRC's interview with the defendant will be in accordance with the Defendant Assessment Interview Guide (**CSSD Attachment B**).
- i. The FRC will schedule an in-person Defendant interview. In the event the defendant does not attend the assessment interview, the FRC will make a subsequent attempt to contact the defendant. This will include but not be limited to a phone call.
 - ii. The FRC will discuss with the defendant, preferably at the time of the interview, the specific recommendations being offered to the court.



TITLE:

FAMILY SERVICES

FAMILY VIOLENCE ASSESSMENTS

(4) Recommendations

- a. After all pertinent information is gathered, the FRC will formulate an assessment based on the factors that led to the arrest. The recommendations made by the FRC should directly address these issues with the goal of lessening the likelihood of future violence. The FRC will incorporate the level of risk as determined by the DVSI-R and SRI when formulating recommendations. The FRC may select, but not be limited to, the following pre-trial interventions:
 - i. Family Violence Education Program
 - ii. Explore or Evolve, if available
 - iii. Individual counseling with a specific focus
 - iv. Substance abuse/alcohol evaluation, treatment, and/or testing
 - v. Parenting classes
 - vi. Alternatives in the Community programming
 - vii. Other sanctions
 - viii. Prosecution with conditions
- b. The recommended supervision period will typically be no less than three months and never longer than two years and must include a recommendation for treatment and/or intervention.

(5) Family Violence Education Program

- a. The Family Violence Education Program is subject to a defendant's eligibility in accordance with [C.G.S. 46b-38c\(g\)](#).



State of Connecticut
JUDICIAL BRANCH
COURT SUPPORT SERVICES DIVISION
POLICY AND PROCEDURES

POLICY NO.
3.16

EFFECTIVE DATE:
January 4, 2021

PAGE 6 of 14

SUPERSEDES:

October 1, 2019

TITLE:

FAMILY SERVICES

FAMILY VIOLENCE ASSESSMENTS

- b. In addition to eligibility, the FRC should consider, but is not be limited to, the following factors when making a recommendation that a defendant participate in the FVEP:
 - i. The defendant's history of family violence arrests
 - ii. The defendant's DVSI-R and SRI scores
 - iii. Frequency and intensity of the violence
 - iv. Current or prior Violations of Orders of Protection
 - v. Defendant's attitude toward the complainant/victim
- c. The FRC will not recommend the FVEP for Class A, B or C felony charge(s).
- d. The FRC will not recommend the FVEP for an offense that involved the infliction of a serious physical injury as defined in [C.G.S. 53a-3](#).
- e. For Class D felony charge(s), if the FRC's assessment is that the defendant could benefit from the FVEP, it will be stated in the Assessment Report.
- f. With cases that have both A, B or C felony charge(s) and misdemeanor charge(s) and the FRC's assessment is that the defendant would benefit from the FVEP for the misdemeanor charge(s), the FRC's report and recommendation will clearly state that the FVEP recommendation is for the misdemeanor charges(s) only.
- g. In felony cases where the FRC makes a recommendation for FVEP, the FSS will approve the assessment report prior to submission to the court.



TITLE:

FAMILY SERVICES

FAMILY VIOLENCE ASSESSMENTS

- h. The FRC will utilize the Notice of Application for Family Violence Education Program, [JD-FM-96](#), in CMIS. As noted in the instructions, the FRC and/or designee will send the original to the victim by Certified Mail unless it is provided to the complainant/victim at the time of the interview.
- i. When the FVEP is recommended, the FRC will complete the FVEP Application, Orders and Disposition, [JD-FM-97](#) in CMIS, as directed by office protocol.

(6) Employment Services

- a. Defendants who are unemployed and not attending school full-time will be referred for Employment Services in addition to other services that address the behaviors that led to the arrest. The FRC or designee will facilitate the referral in CMIS. If the defendant demonstrates a lack of engagement in this service, the FRC will attempt contact with the defendant to encourage the defendant to reengage. The defendant's lack of engagement with Employment Services will not be considered in determining compliance with behavioral, substance abuse, or mental health treatment recommendations, unless the referral is ordered by the Court. The defendant's lack of engagement and all contacts and attempts to contact the defendant will be case-noted in CMIS.

(7) Assessment Reports

- a. A Family Services Assessment Report, [JD-FM-224](#), will be prepared in CMIS for each case by the FRC in compliance with the Family Services G.A. Report Protocol (**CSSD Attachment C**). This report will detail the information and criteria set forth and in accordance with the G.A. Report Protocol (**CSSD Attachment C**). If the defendant did not comply with the assessment process and subsequent attempts to ascertain the defendant's attitudes and desires were unsuccessful, the FRC may submit conclusions and recommendations if the FRC has interviewed the complainant and considered the criteria set forth in the



TITLE:

FAMILY SERVICES

FAMILY VIOLENCE ASSESSMENTS

G.A. Report Protocol (**CSSD Attachment C**). The assessment report will note the defendant's lack of participation in the assessment process and should instruct the defendant to see Family Services. If the FRC assigned to the case is able to conduct an assessment interview in accordance with the G.A. Report Protocol (**CSSD Attachment C**) on the defendant's court date, updates the information in the assessment screen in CMIS and submits an updated [JD-FM-224](#), the FRC should modify the assessment outcome as "satisfactory". If the FRC is unable to submit conclusions and recommendations and is requesting a continuance to complete the assessment, the request should not exceed three weeks and the assessment report should instruct the defendant to see Family Services prior to leaving court.

- b. This report will be submitted to the State's Attorney's Office prior to or on the continuance date.
- c. Upon completion of the Assessment Report, [JD-FM-224](#), the FRC will enter recommendations in CMIS.

(8) Protective Order Modifications

- a. At the direction of the Court, the FRC will be responsible for screening all Protective Order modifications.
 - i. Prior to recommending any modification to a protective order that decreases the level of protection for a victim, the FRC will review the Family Services case file or, if unavailable, will orally obtain this information from a Family Services staff person, re-interview the defendant (including attitude and indications of behavior change), review progress and compliance with any existing recommended and/or court ordered intervention, and consult the FVVA regarding the complainant/victim's position and speak directly to the complainant/victim in regards to the modification of the protective order. The FRC will also review prior DVSI-R and



TITLE:

FAMILY SERVICES

FAMILY VIOLENCE ASSESSMENTS

SRI scores as part of the process and may re-administer, if warranted. It will be the responsibility of the FRC to determine and assess the change in circumstances since the original order was put in place by the Court prior to recommending a modification of the order.

- ii. If the defendant is participating in a recommended and/or court-ordered intervention/treatment or has completed treatment, a protective order modification that decreases the level of protection for the victim will not be recommended without verification of the defendant's progress. This includes the FRC obtaining input from the treating professional regarding frequency/attendance, motivation and treatment effectiveness.
- iii. In situations involving substance and/or alcohol abuse, it is the responsibility of the FRC to obtain verification of active or completed treatment before recommending a decrease in the level of protection. This includes the FRC obtaining input from the treating professional regarding frequency, attendance, motivation, and treatment effectiveness. In regards to substance abuse treatment where substance testing is a component of such treatment, the FRC will solicit and take the results into consideration prior to a modification of a protective order. The FRC will not recommend a modification of a protective order that reduces the level of protection if the results of substance testing suggests chronic and/or ongoing usage.
- iv. Unless there is a significant period and verification of appropriate treatment that has occurred subsequent to the existing order, the FRC will not recommend a modification of a protective order that decreases the level of protection for the complainant/victim.
- v. When a modification of a protective order is requested, the FRC will obtain current information from the complainant/victim and/or Family Violence Victim Advocate prior to



TITLE:

FAMILY SERVICES

FAMILY VIOLENCE ASSESSMENTS

recommending the modification.

- vi. In cases where a protective order modification is requested, the Protective Order Modification Request form (**CSSD Attachment D**) will be completed in CMIS and will be submitted to the court.

(9) CMIS Case Notes

- a. The following case notes are mandated statewide with the understanding that each individual office may require additional information to be included in case notes. The FSS will clearly define additional requirements and are considered mandatory to be compliant with this policy. An FRC is not limited to the above and may include additional case notes to manage his/her case beyond what the CSSD or office policy requires.
 - i. All attempts to reach out to the defendant and complainant/victim after a missed assessment appointment
 - ii. Service provider contact (contracted, non-contracted, or private intervention)
 - iii. Protective Order modifications that are ordered by the court and are contrary to CSSD Policy 3.16, Family Violence Assessments and/or Family Services' recommendation
 - iv. Re-docketing a case for non-compliance; noting the reasons and specific conditions of the court ordered supervision
 - v. AN/GPS cases will be case-noted per [CSSD Policy 3.18, Alert Notification/GPS Initiative](#)
 - vi. Substantive contact subsequent to arraignment between client, complainant/victim, or collateral contacts.



State of Connecticut
JUDICIAL BRANCH
COURT SUPPORT SERVICES DIVISION
POLICY AND PROCEDURES

POLICY NO.
3.16

EFFECTIVE DATE:
January 4, 2021

PAGE 11 of 14

SUPERSEDES:

October 1, 2019

TITLE:

FAMILY SERVICES

FAMILY VIOLENCE ASSESSMENTS

4. **References** – No references.

5. **Exceptions** Any exception to this policy will require prior written authorization from the Division's Executive Director.



TITLE:

FAMILY SERVICES

FAMILY VIOLENCE ASSESSMENTS

EXHIBIT I

Definitions

- A. Arraignment The first court appearance after a person is arrested for domestic violence.
- B. Bail Services CSSD employees with the qualifications and training who performs the functions outlined in the job description for [Intake Assessment and Referral Specialist \(IAR\)](#) or for [Bail Commissioner](#).
- C. Case Data Record/Interim Assessment (JD-FM-94) The report provided to the court at arraignment that includes defendant, complainant/victim, and case information, as well as an interim assessment and recommendations.
- D. Complainant/Victim The person who suffers injury or is harmed as a result of a domestic violence incident, or who has been subject to threat of harm or injury. The person may be listed as a complainant/victim on the police incident report or may subsequently be identified through the court process.
- E. Court-Imposed Monitoring (CIM) A case not eligible for a referral to Family Services per [CSSD Policy 3.15, Family Violence Intake](#), but ordered by the Court for monitoring of program, service, and treatment intervention compliance.
- F. Defendant A person arrested for an alleged crime in a domestic violence case.
- G. Domestic Violence Screening Instrument (DVSI-R) A risk assessment tool for court personnel to assist in screening domestic violence offenders for the purpose of planning services and case disposition.
- H. Evolve A 52-session (2-hour sessions, twice a week for 26 weeks) post-conviction program. It is an intensive cognitive behavioral intervention designed for high-risk family violence offenders.

[Back to Top](#)



TITLE:

FAMILY SERVICES

FAMILY VIOLENCE ASSESSMENTS

- I. Explore A program for eligible offenders designed to change offender behavior through 26 weeks of psycho-educational group programming.
- J. Family Relations Counselor (FRC) A CSSD employee with the qualifications and training who performs the functions outlined in the job description for [Family Relations Counselor I](#) or [Family Relations Counselor II](#).
- K. Family Services Assessment Report (JD-FM-224) The report, written by a Family Relations Counselor, that provides an assessment of the defendant, including identified risks and needs, an assessment of eligibility and referral to pre-trial diversionary options, and a recommendation to the Court.
- L. Family Services Supervisor (FSS) A CSSD employee with the qualifications and training who performs the functions outlined in the job description for [Family Services Supervisor I](#) or [Family Services Supervisor II](#).
- M. Family Violence Education Program A pre-trial diversion program as defined by statute [C.G.S. 46b-38c\(g\)](#).
- N. Family Violence Protective Order A court order against the defendant, [JD-CL-98](#), [JD-CL-98S](#) (Spanish version), [JD-CL-98P](#) (Polish version), [JD-CL-98PT](#) (Portuguese version), [JD-CL-99](#), [JD-CL-99S](#) (Spanish version), [JD-CL-100](#), and [JD-CL-100S](#) (Spanish version), which may include provisions necessary to protect the complainant/victim from further harm as defined by [C.G.S. 46b-38c\(e\)](#).
- O. Family Violence Victim Advocate (FVVA) A person working for a community-based domestic violence agency who provides support services to victims of family violence. The FVVA works with the complainant/victim to enhance safety planning for the individual, provides information to the court concerning the complainant/victim's position regarding a protective order, and offers additional services and resources to the complainant/victim of domestic violence and their children.

[Back to Top](#)



State of Connecticut
JUDICIAL BRANCH
COURT SUPPORT SERVICES DIVISION
POLICY AND PROCEDURES

POLICY NO.
3.16

EFFECTIVE DATE:
January 4, 2021

PAGE 14 of 14

SUPERSEDES:

October 1, 2019

TITLE:

FAMILY SERVICES

FAMILY VIOLENCE ASSESSMENTS

- P. Firearm Disclosure Notice The approved Judicial Form, [JD-FM-189](#), utilized for tracking all disclosed firearm information as required by [C.G.S. 46b-38c](#).
- Q. Individual Case Report The approved Judicial Form, [JD-FM-102](#), utilized by the Family Violence Victim Advocate to provide information concerning the victim to the Family Relations Counselor.
- R. Intake Assistant A CSSD employee with the qualifications and training who performs the functions outlined in the job description for [Court Support Services Intake Assistant](#).
- S. Pre-Trial Supervision A case referred to Family Services for the purpose of supervising a defendant's compliance with diversionary conditions set forth by the Court.
- T. Protection Order Registry A computerized database to offer immediate access to all current orders of protection for court staff and law enforcement.
- U. Report to State's Attorney Notification made utilizing Judicial Form, [JD-FM-109](#), Compliance with Conditions of Pretrial Diversion (Family Violence), utilized for reporting the defendant's compliance with pre-trial conditions to the State's Attorney.
- V. State's Attorney An attorney who represents the state in criminal cases, also referred to as the prosecutor.
- W. Supplemental Risk Indicator (SRI) A risk assessment tool for court personnel to administer in intimate partner violence cases to determine whether the defendant poses an increased risk for further violence.

[Back to Top](#)

COMPLAINANT/VICTIM ASSESSMENT INTERVIEW GUIDE

Scheduling the interview:

1. The FRC will schedule separate office appointments for the complainant/victim and the defendant to ensure the parties do not intersect
2. The appointments will be a minimum of two hours apart
3. In high risk cases, the appointments will be scheduled on separate days
4. The complainant/victim's appointment will be scheduled before the defendant's appointment to allow the FRC to get a broader perspective of the incident and the relationship
5. Whenever possible, interviews with adolescents/teenagers will be held during non-school hours.
6. Minor complainant/victims will be accompanied by an adult relative (21 years or older) who is not the defendant

The FRC's interview with the complainant/victim will include, but not be limited to the following:

1. The FRC will explain the role of the FRC and the reason for the interview:
 - a. The information obtained from the parties is not confidential and may be shared with the State's Attorney and, if directed, with the Court
 - b. The FRC will be speaking with both the complainant/victim and the defendant separately
 - c. The FRC will be preparing a report with recommendations as to services that may be ordered by the Court to assist the parties involved in the incident
 - d. The FRC will explain that it is the State of Connecticut that presses or withdraws charges; not the complainant/victim. However, the State's Attorney does take the desires of the complainant/victim into consideration when prosecuting cases
 - e. The FRC is responsible for reporting incidents of suspected child abuse or neglect, crimes against people over 60 years of age, and crimes against the disabled.
2. The FRC will discuss the following issues with the complainant/victim:
 - a. Verification of address and telephone numbers and update in CMIS
 - b. The relationship between the complainant/victim and the defendant:
 - i. The length and nature of the relationship
 - ii. The manner in which they met
 - iii. In intimate partner cases:
 1. If the parties were never married, how long have they been dating
 2. If the parties are cohabitating, how long have they resided together
 3. Are there children in common?

4. Has the relationship ever ended? If so, how and why did they reconcile?
5. How did the defendant respond to ending the relationship in the past
6. Was there violence, threatening, harassing behavior during that period?
7. Was an order of protection needed at that time
- iv. In all cases:
 1. Are there any other pending Family Civil or criminal actions or orders in any other courts?
 2. Are there any children residing in the household?
- c. The defendant's history of violence toward the complainant/victim, children, or pets including physical, verbal, emotional, sexual, financial, or electronic abuse, or threatening, intimidation, isolation, stalking, and coercion
 - i. What happens when the defendant becomes stressed or feels like he/she is losing control?
 - ii. What happens when they argue?
 - iii. What happens when the defendant does not get his/her way?
 - iv. How do defendant and complainant/victim resolve issues in the relationship?
 - v. Have weapons ever been involved in prior incidents? If so, describe the weapons
3. If appropriate, discuss the dynamics of power and control
4. Regarding the incident:
 - a. What led up to this incident?
 - b. Who was there (children, neighbors, etc)?
 - c. Who telephoned the police?
 - d. How did the incident end?
 - e. If this was not an isolated incident, was this the most severe incident? If not, describe the most severe incident.
 - f. Were weapons used or involved in the incident? If so, describe the weapons
5. Summarize the facts of the police report for the complainant/victim to ascertain if the complainant/victim agrees with the facts as outlined in the police report and to address any inconsistencies.
 - a. If the complainant/victim appears to be in denial, use this opportunity to ask what has changed between the time of the incident and now.
6. Assess the level of fear:
 - a. Are you afraid of the defendant?
 - b. Do you have a safety plan?
 - c. Do you intend to continue in or resume the relationship with the defendant?
7. Assess mental health issues:
 - a. Does the defendant have any diagnosed mental health issues? If so, what is the diagnosis?

- b. Is the defendant presently being treated? With whom? For how long?
 - c. Is the defendant required or recommended to take medications? If so, does the defendant take the medication consistently?
 - d. Do you believe the defendant has any undiagnosed mental health issues? If so, who do you believe there are mental health issues?
8. Assess substance abuse issues:
- a. Does the defendant have an issue with alcohol or substance abuse?
 - b. Has the defendant ever been in treatment? If so, when and where?
 - c. If there is an issue, what is the substance of choice, the length of time the defendant has been using, and the amount consumed?
9. Firearms*, permits, and ammunition
- a. Does the defendant possess a firearm or other weapons, permits to carry firearms, or ammunition?
 - b. Does the defendant have direct access to a firearm, other danger weapon, or ammunition?
 - c. Does the defendant possess a pistol permit in this or any other state?
 - d. **Upon affirmative disclosure from the complainant/victim pertaining to the defendant's possession of or access to firearms, permits to carry a handgun or pistol, or ammunition, the FRC will immediately report such information to the State's Attorney and the Court on the Firearms Disclosure form [JD-FM-189](#) that must be created and saved in CMIS, unless this information has previously been submitted in regard to this arrest.**

***The FRC will define a "firearm" according to the description given on the protective order and in the statute.**

- e. **The FRC will explain that when a protective order is in effect, there are restrictions regarding possession of weapons, firearm and pistol permits, and ammunition**
 - f. **The FRC will explain that a firearm is any weapon that fires a shot.**
 - g. **The FRC will explain that if a protective order is issued, the complainant/victim will receive a copy**
10. DCF and other collateral agencies
- a. Is DCF involved?
 - b. Has DCF ever been involved? If so, why were they involved?
 - c. Are any other collateral agencies involved? If so, who and for what reason?
11. Protective Order Violations
- a. If there is a protective order in place, have there been any violations?
 - b. If there have been violations, how was it violated? Were the police called?
 - c. What happened as a consequence of the violation (additional arrests, warrants, etc.)?
12. Protective Order Modifications
- a. Is there a request for a protective order modification?

13. Restitution

- a. Is the complainant/victim requesting restitution for medical bills or property damage because of the incident? If so, ask for copies of the bills

14. Final Disposition

- a. What does the complainant/victim wish to see happen with this case?
- b. Explain the options for interventions and sanctions
- c. If FVEP is a possible option, the complainant/victim may be asked to sign the Notice of Application for Family Violence Education Program JD FM96 during the meeting with the FRC. The JD FM96 will be created and saved in CMIS-II

15. Prior to ending the interview, the FRC will provide the complainant/victim with the FRC's and the Family Violence Victim Advocate's telephone numbers

DEFENDANT ASSESSMENT INTERVIEW GUIDE

Scheduling the interview:

1. The FRC will schedule separate office appointments for the complainant/victim and the defendant to ensure the parties do not intersect
2. The appointments will be a minimum of two hours apart
3. In high risk cases, the appointments will be scheduled on separate days
4. The complainant/victim's appointment will be scheduled before the defendant's appointment to allow the FRC to get a broader perspective of the incident and the relationship

The FRC's interview with the defendant will include, but not be limited to the following:

1. The FRC will explain the role of the FRC and the reason for the interview:
 - a. The information obtained from the parties is not confidential and may be shared with the State's Attorney and, if directed, with the Court
 - b. The FRC will be speaking with both the complainant/victim and the defendant separately
 - c. The FRC will be preparing a report with recommendations as to services that may be ordered by the Court to assist the parties involved in the incident
 - d. The FRC will explain that the State of Connecticut presses or withdraws charges; not the complainant/victim. However, the State's Attorney does take the desires of the complainant/victim into consideration when prosecuting cases
 - e. The FRC is responsible for reporting incidents of suspected child abuse or neglect, crimes against people over 60 years of age, and crimes against the disabled
2. The FRC will discuss the following issues with the defendant:
 - a. The relationship between the parties:
 - i. The length and nature of the relationship
 - ii. The manner in which they met
 - iii. In intimate partner cases:
 1. If the parties were never married, how long have they been dating
 2. If the parties are cohabitating, how long have they resided together
 3. Are there children in common?
 4. Has the relationship ever ended? If so, how and why did they reconcile?
 5. How did the defendant respond to ending the relationship in the past
 6. Was there violence, threatening, harassing behavior during that period?
 7. Was an order of protection needed at that time

- b. In all cases:
 - i. Are there any other pending Family Civil or criminal actions or orders in any other courts?
 - ii. Are there any children residing in the household?
- c. The history of violence with the complainant/victim, children, or pets including physical, verbal, emotional, sexual, financial, or electronic abuse, or threatening, intimidation, isolation, stalking, and coercion
 - i. What happens when the defendant becomes stressed or feels like he/she is losing control?
 - ii. What happens when they argue?
 - iii. What happens when the defendant does not get his/her way?
 - iv. How do the defendant and complainant/victim resolve issues in the relationship?
 - v. Have weapons ever been involved in prior incidents? If so, describe the weapons
- d. If appropriate, discuss the dynamics of power and control
- e. Regarding the incident:
 - i. What led up to this incident?
 - ii. Who was there (children, neighbors, etc)?
 - iii. Who telephoned the police?
 - iv. How did the incident end?
 - v. If this was not an isolated incident, was this the most severe incident? If not, describe the most severe incident
 - vi. Were weapons used or involved in the incident? If so, describe the weapons
 - vii. Summarize the facts of the police report for the defendant to ascertain if the defendant agrees with the facts, as outlined in the document and to address any inconsistencies
 - viii. Assess the defendant's level of responsibility for the behavior during this or any prior incidents
 - ix. Address the defendant's denial, minimization, blaming victim/complainant, manipulation and any attempts by defendant to have FRC collude with him/her
- f. Assess mental health issues:
 - i. Does the defendant have any diagnosed mental health issues? If so, what is the diagnosis?
 - ii. Is the defendant presently being treated? With whom? For how long?
 - iii. Is the defendant required or recommended to take medications? If so, does the defendant take the medication consistently?
- g. Assess substance abuse issues:
 - i. Does the defendant have an issue with alcohol or substance abuse?
 - ii. Has the defendant ever been in treatment? If so, when and where?

- iii. If there is an issue, explore the substance of choice, the length of time the defendant has been using, and the amount consumed?

3. Firearms*, permits, and ammunition:

- a. Does the defendant possess a firearm or other weapons, permits to carry firearms, or ammunition?
- b. Does the defendant have direct access to a firearm, other danger weapon, or ammunition?
- c. Does the defendant possess a pistol permit in this or any other state?
- d. **Upon affirmative disclosure from the defendant pertaining to the possession of or access to firearms, permits to carry a handgun or pistol, or ammunition, the FRC will immediately report such information to the State’s Attorney and the Court on the Firearms Disclosure form [JD-FM-189](#) that must be created and saved in CMIS-II, unless this information has previously been submitted in regard to this arrest.**

***The FRC will define a “firearm” according to the description given on the protective order and in the statute.**

- e. **The FRC will explain that when a protective order is in effect, there are restrictions regarding possession of weapons, firearm and pistol permits, and ammunition**
- f. **The FRC will explain that a firearm is any weapon that fires a shot.**
- g. **The FRC will explain that if a protective order is issued, the defendant will receive a copy**

4. DCF and other collateral agencies

- a. Is DCF involved?
- b. Has DCF ever been involved? If so, why were they involved?
- c. Are any other collateral agencies involved? If so, who and for what reason?
- d. If children were present during the altercation, what is the defendant’s awareness of the impact the incident or prior incidents has on the children?

5. The FRC will review the following information with the defendant:

- a. The defendant’s current address and telephone number and update CMIS
- b. The current level of the order(s) of protection and compliance with the protective order and any other orders imposed by the Court at arraignment
- c. Compliance with mental health or substance abuse evaluation(s) and treatment
- d. Cooperation with DCF and/or any other collateral agencies
- e. Subsequent incidents or arrests
- f. The defendant’s perception of the status of the relationship

6. Family Services Assessment

- a. The FRC will formulate an assessment based on all information gathered from the complainant/victim, defendant, and collateral agencies and resources
 - b. When formulating the assessment, the FRC will consider cultural issues that are relevant to the case
 - c. The recommendation(s) made by the FRC will directly address the issues of the case with a goal of lessening the risk of re-offense while maximizing complainant/victim safety and defendant accountability
 - d. The FRC may select, but not be limited to, the following pre-trial interventions/sanctions subject to eligibility:
 - i. Family Violence Education Program
 - ii. Explore
 - iii. Evolve
 - iv. Individual counseling with a specific focus
 - v. Family counseling
 - vi. Alcohol or substance abuse evaluation, treatment, and/or testing
 - vii. Parenting classes
 - viii. AIC programming
 - ix. Restitution
 - x. Additional sanctions
 - xi. Prosecution with conditions that address complainant/victim safety and treatment interventions
7. Recommendations
- a. The FRC will discuss with the defendant the specific recommendations being offered to the Court and what the defendant's options are should the defendant not accept the recommendations
 - b. If the FVEP is recommended, the FRC will review the Family Violence Education Program Application, Orders and Disposition form [JD-FM-97](#) that has been prepared and saved in CMIS, program fee waiver (when applicable), and the conditions of Pre-Trial Supervision prior to the defendant signing the application
 - c. The FRC will remind the defendant of the next court date, time, and location

FAMILY SERVICES G.A. REPORT PROTOCOL

The report back to the Court will be prepared and saved in CMIS. It will be a professional product that includes detailed information gathered during the interview process that may not otherwise be accessible to the Court. In addition to offering new facts to the Court, the FRC's report will include a well-developed evaluation of the violence in the relationship and the defendant's behavior, from both a historical perspective and an assessment of future risk. Finally, all recommendations offered will be explained as to why they are appropriate actions to take in the case.

The following outline provides an overview of the type of information that will be included in the report:

- 1) **Who was interviewed** – also include how they were interviewed; in the office or via telephone. Indicate if someone did not attend, whether they called to cancel or reschedule, and attempts made by the FRC to contact the complainant/victim
- 2) **Describe the nature of the relationship** – identify the type of relationship between the parties – married, divorced, separated, never married, children in common, and if any children reside in the home, etc. Also indicate if the parties were living together at the time of the incident. If the parties separated prior to the incident, state how long ago the separation occurred; how did the relationship end; has there been a history of separations and reconciliations; how has the defendant responded to ending the relationship in the past. Include any pending Family Civil Court actions; are there custody/access issues in dispute?
- 3) **History of violence** – describe the violence that occurred in the past; include any of the following topics if they apply: the severity of past incidents; who was the primary aggressor; was there physical, verbal, emotional, sexual, financial, electronic abuse, strangulation, or threatening, intimidation, isolation, stalking, and coercion of the complainant/victim by the defendant; How long has it been happening; is the violence escalating? Were weapons or threat of weapons ever used; are there pending DV cases in Court with this complainant/victim or others. Has the defendant participated in any prior treatment to address DV issues?
- 4) **Additional factors that impact the incident** – identify if the defendant has other issues, such as psychiatric/psychological problems, substance abuse, loss of employment, etc. Has the defendant participated in any prior treatment to address these life issues?
- 5) **General account of the Incident** – This section will inform the court of additional information about the incident that is not available in the Police Report. Identify if the complainant/victim and/or defendant agree with the account of the incident in the police report. Include their versions of the incident; if it differs from the police report, highlight the differences. Provide an account of the severity of the incident and identify injuries, treatment for injuries, and any property damage that occurred. Discuss if the children were witnesses to the incident and the impact the violence had on them as described by the defendant and complainant/victim. Indicate if the children were in the house at the time, were they present in the same room as the incident was occurring, or were they physically involved in the altercation.

- 6) **Possession of or access to weapons** – Address this issue if one of the parties indicates the defendant has possession of or access to weapons, a permit to carry firearms, or ammunition. If this is a new report, a completed Firearms Disclosure form [JD-FM-189](#) will be forwarded to the Court and State’s Attorney immediately.
- 7) **Situation since the incident occurred** – Describe the current circumstances since the arraignment; Have the parties separated, changed residence; have there been violations of the protective order, any additional violence, threats, etc., Have the police been called; have there been additional arrests? Has the defendant become involved in any treatment or had any evaluations for treatment? Has DCF become involved at all? If there are children involved and they are not included in the PO, is the defendant having access to them and how is that being arranged. Has there been any activity in the Family Civil Court since the arraignment?
- 8) **Complainant/victim’s attitude and desires** – Address the complainant/victim’s level of fear; Does the complainant/victim support the defendant receiving services or oppose alternatives and desire further prosecution. What is the complainant/victim’s attitude toward diversionary programs? Does s/he want any changes made to the protective order? If medical expenses were incurred or there was property damage, is restitution being sought?
- 9) **Defendant’s attitude and desires** – What level of responsibility/accountability does the defendant take toward his/her actions; does the defendant display any empathy toward the complainant/victim? Is the defendant in denial of the alleged behavior, or is the defendant blaming the complainant/victim for the incident? Is the defendant receptive to the recommendations of Family Services, or does the defendant intend to pursue other options to resolve the matter. Is the defendant indicating an inability to receive treatment because of financial difficulties/lack of insurance?
- 10) **Collateral contacts** – This information will be provided in narrative form, collateral reports will not be attached to the Family Services report. In the narrative describe who the collateral contact is, how they are associated to the case, how long they have been involved and provide a brief description of the information they shared on this matter. Collateral contacts will be professional sources of information such as the FVVA, DCF, treatment provider, etc.
- 11) **Assessment of situation** – The FRC will provide the Court with an assessment of the case; is this a chronic situation or an isolated incident; on what facts does the FRC base this assessment. What is the risk or likelihood of future violence? Connect this assessment back to the history of violence in the case, the nature and severity of the violence, and the degree to which the additional factors are being addressed by the defendant. Does the defendant appear to accept responsibility for his/her actions and is the defendant a good candidate for treatment services or the diversionary program?
- 12) **Conclusions** – The FRC will identify for the Court the most appropriate recommendations to address the violence and the reasons for these recommendations. Include the complainant/victim’s support of and the defendant’s willingness to participate in these services.
- 13) **Recommendations** – The FRC will enter all recommendations in CMIS. Additionally, the FRC may enter recommendations in a narrative form in CMIS.

REPORT TO COURT/STATE'S ATTORNEY PROTECTIVE ORDER MODIFICATION REQUEST

STATE OF CONNECTICUT
SUPERIOR COURT
COURT SUPPORT SERVICES DIVISION

DEFENDANT DOCKET NUMBER CASE NUMBER Date

VICTIM (S) REFERRED TO
FAMILY SERVICES: YES NO CASE STATUS

MODIFICATION REQUESTED BY:

LN, FN (DEFENDANT) LN, FN (VICTIM) LN, FN (VICTIM)

CURRENT PROTECTIVE ORDER(S):

CURRENT COURT ORDERS:

VICTIM INPUT:

DEFENDANT INPUT:

ASSESSMENT AND RECOMMENDATIONS (include treatment compliance):

MODIFICATION RECOMMENDATION:

PREPARED BY:

Date