



CONNECTIONS

Colorado Department of Public Safety
Division of Criminal Justice

More Changes At The Office For Victims Programs

By Nancy Feldman

Once again, there have been some exciting changes in the *Office for Victims Programs* (OVP). Tony Tilger was hired for the Victim Compensation Administrator position and transitioned to that position on June 1. Tony worked for five years with the VOCA program at DCJ and prior to that time served on the *Victims' Compensation and Assistance Coordinating Committee* as a

Board member. We appreciate the many positive changes Tony brought to the VOCA program over the years.

On July 1, Sandy Scheffel joined the VOCA team as the Program Assistant. Sandy comes to the OVP after working in the Sex Offender Management Program at the Division of Criminal Justice. She has worked with the Assault Survivors Program at Exempla West Pines and was the volunteer coordinator at metro Denver and Boulder hospice programs. Sandy will be a tremendous asset to the OVP Unit.

Heidi Pomfret, the Victim Rights Act Specialist, left OVP on September 10 to pursue her dream of going to medical school. Heidi will be attending the University of California-Davis beginning this fall. We appreciate everything that Heidi has accomplished in the area of victim rights and we will miss her greatly.

In May, over 100 board and staff members attended the 2004 Victim

Compensation and Local VALE conference. The feedback from the conference was very positive. People especially enjoyed the opportunity to network and share ideas with other board members and staff. The next conference will be in 2006!

Finally, we are looking forward to a busy fall. During the last few months of 2004, the Stop Violence Against Women Act and State VALE grant funding processes will occur. The VOCA staff will be involved in the re-contracting process for current subgrantees since VOCA grants are allocated for a two-year period of time. The new Victim Compensation and Local VALE Standards have been completed and Tony Tilger and Rebecca Oakes will be working with local programs on the implementation process.

We look forward to working with all of you during this time. Please do not hesitate to call any of us with questions, concerns, or ideas.

Inside

New Granting Process for SAPF	2
New Standards for Victim Compensation and Local VALE Programs	2
VRA Subcommittee Update	3
VRA Audiotapes Available	5
New VOCA Program Assistant	5
VRA Subcommittee News	6
Domestic Violence Awareness Month	6
Calendar	7

Colorado
Office for
Victims
Programs



New Granting Process For The Sexual Assault Prevention Funds (SAPF)

By Betsy Anderson

Since 1997, the grant process for the Sexual Assault Prevention Funds (SAPF) has been managed by the Division of Criminal Justice (DCJ). Although the SAP Funds actually flow from the U.S. Center for Disease Control and Prevention to the Colorado Department of Public Health and Environment (CDPHE), DCJ has administered the grant process and funds at the request of CDPHE by virtue of an agreement between the two agencies. This arrangement was the result of some logistical and contracting considerations that existed at CDPHE at the time. SAPF applicants have used DCJ's common application form to apply for SAP Funds, and the subgrant awards and cash disbursements have been administered by DCJ. In an effort to make the process as responsive as possible to the philosophy and intent of the SAPF program, DCJ has worked closely with CDPHE staff and with the Sexual Assault Prevention Advisory Committee over the past two years to enhance the involvement and oversight of these two entities with the SAPF granting process.

When Shannon Breitzman and Grace Sandeno stepped into the positions formerly held by Deb French and Nancy Henderson, they decided to take a fresh look at the feasibility of returning the SAPF grant process to CDPHE. With the input and agreement of all partners, it has been decided that beginning with the FY 2005 grant cycle, there will be a major change in the application process for SAP Funds. The CDPHE will be managing the

grant process and will work with the Sexual Assault Prevention Advisory Committee and DCJ to implement this transition. *Please note that timelines, application forms, the funding process, and funding priorities for the Sexual Assault Prevention Funds will be revised.* Application packets for FY 2005 SAP Funds and other information will come directly from CDPHE and should be released to the public by November 1, 2004, with a grant application due date of December 17, 2004. The funding cycle for FY 2005 will be May 2005–June 2006 (14 months).

CDPHE will still work with DCJ during the transition year to assure that groups that have traditionally received notice about the funding continue to do so.

This change does not affect the current FY 2004 SAPF subgrant cycle or administration. The current SAPF subgrants began on May 1, 2004 and will conclude on April 30, 2005. DCJ will continue to administer these subgrants. FY 2004 SAPF subgrantees will submit their quarterly and final reports and cash requests to DCJ throughout this cycle. FY 2004 subgrantees will continue to receive technical assistance from CCASA.

For more information about these changes, please contact Nancy Koester, Sexual Assault Prevention Coordinator, Colorado Department of Public Health and Environment—(303) 692-2591, nancy.koester@state.co.us or Betsy Anderson, VAWA Program Administrator, Division of Criminal Justice—(303) 239-5703, betsy.anderson@cdps.state.co.us.

The New Standards Are Coming, The New Standards Are Coming!

By Tony Tilger

By the time this article is published, the new Standards for Victim Compensation and Local Victim Assistance and Law Enforcement (VALE) programs will be in effect. The new Standards are the culmination of hard work by a number of dedicated individuals. The Division of Criminal Justice (DCJ) would like to thank everyone involved for generously giving their time and expertise to the Standards revisions.

In 2001, the Office of the State Auditor conducted a performance audit of DCJ, including the local Victim Compensation and Victim Assistance programs. The audit resulted in four recommendations affecting Victim Compensation and Local VALE. Soon after the audit recommendations were published, the Standards Subcommittee of the *Victims' Compensation and Assistance Coordinating Committee* began to work on proposed

changes to the Standards. Over the next two years, the Standards Subcommittee met and solicited feedback from administrators and Board members from the local programs, District Attorneys, Judicial District Administrators, Chief Judges, and other interested parties. This information was incorporated into the proposed Standards prior to the initiation of the formal rulemaking process (The

(continued on next page)

New Standards...

(continued from previous page)

Administrative Procedures Act) in 2004. As part of the formal rulemaking process, DCJ submitted the proposed Standards for additional public review and comment. In May of 2004, a videoconference was held in five locations throughout the state. All public comments were reviewed by the Standards Subcommittee prior to making a final recommendation to the full body of the Coordinating Committee. The *Victims' Compensation and Assistance Coordinating*

Committee and the Executive Director of the Department of Public Safety approved the proposed Standards in June of 2004.

Some of the major changes in the Standards include:

- new financial requirements regarding the use of administrative funds (Local VALE)
- new requirement that the District Attorney or Chief Judge only consider for appointment those individuals who reside in that judicial district (Local VALE and Victim Compensation)
- new requirement that no attorney currently practicing law in the criminal

court shall be considered for appointment to the board (Local VALE and Victim Compensation)

- development of a statewide common application to be placed on the DCJ website (Victim Compensation)
- development of an alternative application process (Victim Compensation)

The revised Standards went into effect on August 30, 2004. Programs should be in compliance with the revised Standards by January 1, 2005. Please contact Rebecca Oakes (Local VALE) or Tony Tilger (Victim Compensation) with any questions or requests for technical assistance.

Victim Rights Act Subcommittee Update

By Heidi Pomfret, VRA Specialist

The Victim Rights Act (VRA) Subcommittee recently reviewed the following case.

Case Scenario:

In the fall of 2002, 21-year-old "Chris" was the victim of a felony assault perpetrated by "Sean" in connection with an argument involving the mother of Chris's son. Chris sustained several injuries as a result of the assault including a concussion and reported blindness in one eye. Sean was arrested in connection with this incident. Several days later, Sean was released from custody on bond.

Chris' mother contacted the Division of Criminal Justice subsequent to Sean's release. She reported that, although Chris had been injured in the assault, he had not been listed as a victim of the crime or notified of Sean's release. Additionally, she was concerned that Chris had not been interviewed or kept apprised of the status of the case. At that time, Chris' mother was acting on his behalf due to his injuries.

Since Chris was not listed as a victim, was not informed about Sean's release from custody, and did not feel he was informed about the status of the case, Chris' mother submitted a formal complaint alleging that the Police Department that handled the case violated Chris' victim rights.

The following is a summary of the alleged violations and the findings of the Victim Rights Act Subcommittee:
C.R.S. § 24-4.1-302.5(1)(c) The right to be informed, upon request by the victim, when a person who is accused or convicted of a crime against the victim is released or discharged from custody,

is paroled, escapes from a secure or non-secure correctional facility or program, or absconds from probation or parole.

The legislation defines "victim" in the following manner: **C.R.S. § 24-4.1-302 (5) "Victim" means any natural person against whom any crime has been perpetrated or attempted, unless the person is accountable for the crime or a crime arising from the same conduct, criminal episode, or plan as crime is defined under the laws of this state or of the United States, or, if such person is deceased or incapacitated, the person's spouse, parent, child sibling, grandparent, significant other, or other lawful representative.**

Allegation #1:

Chris felt that he was not provided an opportunity to give information to the jail as to how to contact him should Sean be released. The Chief of Police advised the Subcommittee that Chris had been evasive when interviewed at the hospital and that he had not wanted the case to be reported or prosecuted. Due to these facts, the officer on duty listed Chris as the "complainant" in the report rather than as the victim. Subsequently, when jail staff received the booking information, there was no victim notification provided.

Finding Regarding Allegation #1:

The Subcommittee found that there was a basis in fact to the allegation that the Police Department did not inform Chris of his right to be notified of the defendant's release from custody.

(continued on next page)

VRA Subcommittee Update...

(continued from previous page)

Although Chris was listed only as a “complainant” on the police report, it was clear from the interview conducted by the Police Department that Chris was considered to be the victim of an assault. Specifically, officers responded to the hospital with requests for the release of patient records and a serious bodily injury form, justifying the charge of 2nd degree assault, a VRA crime.

Chris should have been provided with victim rights information at that time indicating that he had a right to request notification of the defendant’s release from custody. It is the responsibility of law enforcement agencies to advise a victim that he/she has the right to request such notification and the Police Department did not inform Chris of his rights; therefore, it was impossible for him to know that he could make such a request.

• • • • •

C.R.S. § 24-4.1-302.5 (1)(f) The right to be informed by local law enforcement agencies, prior to the filing of charges with the court, or by the district attorney, after the filing of charges with the court, of the status of any case concerning a crime against the victim, and any scheduling changes or cancellations if such changes or cancellations are known in advance.

Allegation #2:

Chris believed that his right to be kept informed as to the status of the case in which he was a victim was violated by the Police Department. Specifically, he was concerned that case follow-up did not occur until eight days after the incident despite calls to the Police Department. The Chief of Police noted that information was sent to Chris in a timely manner and felt that the eight-day time period was not excessive given the resource constraints of the Police Department.

Finding Regarding Allegation #2:

The Subcommittee found that there was a basis in fact to this allegation because Chris was not kept informed as to the case status during the initial phases of the investigation. Specifically, Chris was not informed of the arrest of the defendant by the Police Department nor was he provided information about requesting notification of the release of the defendant. The Subcommittee expressed concern as to the safety issues and potential for harm that this violation could have caused. The fact that Chris was unaware of the release of the defendant rendered him unable to take precautions to protect himself from further harm by the defendant. Additionally, it appeared that during the week following the incident, Chris had difficulties obtaining information about the status of the case from the arresting officer.

• • • • •

C.R.S. § 24-4.1-302.5(1)(l) The right to be informed of the availability of financial assistance and community services for victims, the immediate families of victims, and witnesses, which

assistance and community services shall include, but shall not be limited to, crisis intervention services, victim compensation funds, victim assistance resources, legal resources, mental health services, social services, medical resources, rehabilitative services, and financial assistance services, and the right to be informed about the application process for such services.

The following procedure is associated with this right:
C.R.S. § 24-4.1-303 (9) The district attorney and any law enforcement agency shall inform each victim as to the availability of the following services:

- a) **Follow-up support for the victim and the victim’s immediate family in order to assure that the necessary assistance is received by such persons;**
- b) **Referral to special counseling facilities and community service agencies by providing the name and telephone numbers of such facilities or agencies, whether public or private, which provide such services as crisis intervention services, victim compensation funds, victim assistance resources, legal resources, mental health services, social services, medical resources, rehabilitative services, financial assistance, and other support services.**

Allegation #3:

Chris felt that this right was violated due to the fact that he did not receive such information at the scene of the crime from law enforcement. The Chief of Police responded that Chris was not cooperative and was evasive with law enforcement during the initial portion of the investigation. The Chief further stated that Chris was provided with all of the mandated information by mail within days of the incident.

Finding Regarding Allegation #3:

The Subcommittee found that there was no basis in fact to this allegation as there was documentation provided to support the fact that this particular information had been mailed to Chris by the law enforcement victim advocate. Although the information was not provided immediately at the scene, it was provided in a timely manner.

• • • • •

C.R.S. § 24-4.1-302.5(1)(s) The right to be informed of any rights which the victim has pursuant to the constitution of the United States or the state of Colorado.

Allegation #4:

Chris believed that this right was violated because he did not receive information from the Police Department about his rights pursuant to his status as a crime victim. The Chief argued that Chris had, in fact, received such information through the mailing provided by the victim advocate.

Finding Regarding Allegation #4:

The Subcommittee did find a basis in fact pursuant to the findings in Allegation #1 and Allegation #2. Chris should have been

(continued on next page)

Update...

(continued from previous page)

informed of his right to request to be notified of the defendant's release from custody as well as kept apprised of the initial events in the case.

• • • • •

Requirements Mandated by the Victim Rights Act Subcommittee

Prior to these findings, several steps had been taken by the Police Department to remedy some of the issues that came to light from this complaint. However, the Subcommittee did mandate the following requirements be completed by the Police Department:

1. Mandatory Training for the Police Department provided by the Division of Criminal Justice regarding the specific information that statutorily must be provided to a victim (including the arrest and any release of a suspect) must be completed within six months of the receipt of the findings.
2. Victim Empathy Training for the Police Department provided by the Division of Criminal Justice or the Colorado Organization for Victim Assistance, must be completed within six months of the receipt of the findings.
3. A modification of the Victim Rights brochure pursuant to the conditions listed below must be completed within six months of the receipt of the findings. Specifically, the brochure states that "upon WRITTEN request" the victim must be notified of the release of a suspect. However, the statute reads as follows:
C.R.S. § 24-4.1-302.5(1)(c) The right to be informed, upon request (emphasis added) by the victim, when a person who is accused or convicted of a crime against the victim is released or discharged from custody, is paroled, escapes from a secure or non-secure correctional facility or program, or absconds from probation or parole.
4. The Police Department must have Victim Rights brochures available and distribute these brochures to victims at the time of initial contact.

5. Forward existing policies to DCJ regarding the method in which victim rights information is/will be provided to victims. If no policy currently exists, a policy must be developed in writing to address this issue.
6. A change in documentation procedures should be effectuated within six months such that all correspondence to victims of crime includes the date that the letter was mailed.

The Police Department cooperated fully with these requirements. Additionally, the Department invited all of the law enforcement agencies in the judicial district to attend the training on Victim Rights and Victim Empathy. The Department's policies have been clarified so that a victim is always listed in a VRA crime and that specific information regarding how to request notification of a defendant's release and how to obtain follow-up information on a case is provided to the victim on scene.

Audiotapes Of The Victim Rights Act Available

Thanks to the innovative efforts of the Domestic Violence Initiative (for women with disabilities), the Victim Rights Act Brochure (*Victims and Witnesses Have Rights!*) is available on audiotape for crime victims who are blind or otherwise unable to access the written brochure. Additionally, the brochure is available in large print. To obtain a copy of either the audiotape or the large print brochure contact Nancy Feldman at the *Office for Victims Programs*, Division of Criminal Justice. (303) 239-4437, toll free outside metro-Denver at (888) 282-1080, or by e-mail at nancy.feldman@cdps.state.co.us.



Sandy Scheffel

Office For Victims Programs Welcomes New VOCA Program Assistant

In July, Sandy Scheffel joined the *Office for Victims Programs* (OVP) as the Program Assistant on the Victims of Crime Act (VOCA) team. Before coming to OVP, Sandy worked with the Division of Criminal Justice's Office of Domestic Violence and Sex Offender Management. Prior to coming to DCJ, Sandy spent 10

years as a Hospice Volunteer Coordinator, then worked for Exempla West Pines for 5 years in several programs (including the Assault Survivor's Assistance Program and the Employee Assistance Program). Sandy enjoys gardening, reading, traveling with her husband and spending time with her family and friends.

Victim Rights Act Subcommittee News

The Victim Rights Act (VRA) Subcommittee has undergone some changes in membership! Due to an ever-growing court docket, the Honorable Brian Boatright from the 1st Judicial District, Vice-Chair of the Subcommittee, resigned from the Coordinating Committee, and thus the VRA Subcommittee. We sincerely appreciate the Judge's commitment to assisting victims during his term as Vice-Chair. He will be sorely missed.

The Subcommittee is delighted to announce that Lakewood Police Chief Ron Burns has agreed to assume the Judge's position as Vice-Chair of the Subcommittee. Thank you, Chief Burns!

DCJ Staff is also pleased to announce Governor Owens' appointment of Judge James Hartmann, District Court Judge in the 19th Judicial District (Greeley). Judge Hartmann brings over 20 years of experience as a prosecutor and a former Victim Rights

Advisor for the 19th J.D. District Attorney's Office. Additionally, Judge Hartmann serves as a member of the Weld County Domestic Violence Coalition, is on the Board of the Weld County Child Abuse Coalition, and the Board of the Child Advocacy Center in Weld County. He promises to be an excellent addition to the Subcommittee. Welcome Judge Hartmann!

Nancy Koester and Carol Worth have also resigned from the Coordinating Committee and therefore the VRA Subcommittee. Paul R. Miller and Ruth Glenn, both currently Coordinating Committee members, will be joining the VRA Subcommittee.

Finally, DCJ Staff Member Heidi Pomfret left the Victim Rights Act Specialist Position effective September 10, 2004. Heidi is headed to medical school at the University of California at Davis. Good Luck Heidi!

October Is Domestic Violence Awareness Month

Domestic Violence Awareness Month is a time to mourn those who have died, celebrate those who have survived, connect with those who work to end violence, raise awareness about the issue of domestic violence, and educate the public about its effects.

On October 1st, CCADV will hold a rally from 11:30-12:30 on the west steps of the State Capitol. The theme this year will be "Remembering the Past, Picturing the Future". To illustrate this theme, individuals and programs attending the rally should bring placards with illustrations of past accomplishments on one side and an image symbolizing the hopes for the future on the other side. Since the reauthorization of the Violence Against Women Act (VAWA) funds is being reviewed this year, the visual representa-

tion may also highlight what VAWA funds have meant to programs across the state and what programs hope future VAWA funds will mean.



Domestic Violence Awareness Month evolved from the first Day of Unity observed in October 1981 by the National Coalition Against Domestic Violence (NCADV). The intent was to connect battered women's advocates across the nation who were working to end violence against women and their children. The Day of Unity soon became a special week where ranges of activities were conducted at the local, state, and national levels.

In October 1987, the first Domestic Violence Awareness Month was observed. That same year the first national toll-free hotline was implemented. In 1989, the first Domestic Violence Awareness Month Commemorative Legislation was passed by the U.S. Congress. Such legislation has passed every year since 1989 with NCADV providing key leadership in this effort.

In October 1994, NCADV, in conjunction with Ms. Magazine, created the "Remember My Name" project, a national registry to increase public awareness of domestic violence deaths. Since then, NCADV has been collecting information on women who have been killed by an intimate partner and produces a poster each October for Domestic Violence Awareness Month, listing the names of those documented domestic violence deaths in that year.

The Day of Unity is celebrated the first Monday in October. NCADV hopes that events in communities and regions across the fifty states will culminate in a powerful statement celebrating the strength of battered women and their children.



Domestic Violence advocates and community members at the 2003 DV rally

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 VOCA Recontracting Applications Due	2
3	4	5	6	7	8	9
10	11 <i>Columbus Day (State Offices Closed)</i>	12	13	14	15 VRA Subcommittee Meeting (Brighton); Announcement of VOCA Training Awards	16
17	18 State VALE Board Meeting— Oral Presentations (Lakewood)	19 State VALE Board Meeting— Preliminary Funding Recommendations (Lakewood)	20	21	22	23
24	25	26	27	28	29	30
31 1st Qtr. State VALE Reports Due; 2nd Qtr. VAWA/SAPF Reports; 3rd Qtr. VOCA Reports Due; 4th Qtr. Final Victims Comp. Reports Due						
7 (November 7–10) COVA Conference (Keystone)	8	9	10	11 <i>Veterans Day (State Offices Closed)</i>	12	13
14	15	16	17	18	19	20
21	22 State VALE Board Meeting— Request for Reconsideration of Denials (Lakewood)	23	24 VOCA Recontracting SOGAs Due	25 <i>Thanksgiving Day (State Offices Closed)</i>	26	27
28	29	30				
			1	2	3	4
5	6 VAWA Board Meeting— Oral Presentations (Golden)	7 VAWA Board Meeting— Funding Recommendations (Golden)	8	9	10	11
12	13	14	15	16	17 State VALE Award Letters Mailed to Grantees	18
19	20	21	22	23	24 <i>Christmas Observed (State Offices Closed)</i>	25
26	27	28	29	30	31 <i>New Year's Day Observed (State Offices Closed)</i>	

Division of Criminal Justice
Office of Victims Programs
700 Kipling Street, Suite 1000
Denver, CO 80215

M460000782

PRSRT STD
U.S. POSTAGE
PAID
DENVER CO
PERMIT 738

Who's Who at the Office for Victims Programs

*Division of Criminal Justice
700 Kipling Street, Suite 1000, Denver, CO 80215*

General Information (303) 239-4442
Fax..... (303) 239-5743

Toll-Free Victims Unit Number ... 1-888-282-1080
OVP Website: <http://dcj.state.co.us/ovp/>

Joe Morales (303) 239-4398
Executive Director
Colorado Department of Public Safety

Raymond T. Slaughter (303) 239-4442
Director, Division of Criminal Justice
E-mail: raymond.slaughter@cdps.state.co.us

Carol C. Poole (303) 239-4446
Deputy Director, Division of Criminal Justice
E-mail: carol.poole@cdps.state.co.us

Karen Dechant (303) 239-4662
Grant Financial Specialist
E-mail: karen.dechant@cdps.state.co.us

Rob Gallup (303) 239-4529
VOCA Assistance Grant Program Administrator
E-mail: robert.gallup@cdps.state.co.us

Pat Glick (303) 239-5719
OVP Administrative Assistant
E-mail: pat.glick@cdps.state.co.us

Diana Gutierrez (303) 239-4650
Grant Financial Specialist
E-mail: diana.gutierrez@cdps.state.co.us

Rebecca Oakes (303) 239-5714
State and Local VALE Program Administrator
E-mail: rebecca.oakes@cdps.state.co.us

Sandy Scheffel (303) 239-4454
VOCA Program Assistant
E-mail: sandy.scheffel@cdps.state.co.us

Tony Tilger (303) 239-4493
Federal and State Victim Compensation Program Administrator
E-mail: anthony.tilger@cdps.state.co.us

Office for Victims Programs (303) 239-5719

Nancy Feldman (303) 239-4437
Manager, Office for Victims Programs
E-mail: nancy.feldman@cdps.state.co.us

Betsy Anderson (303) 239-5703
S.T.O.P. Violence Against Women Grant Program
Administrator
Sexual Assault Prevention Funds Administrator
E-mail: betsy.anderson@cdps.state.co.us