



STATE OF CONNECTICUT
DEPARTMENT OF EMERGENCY SERVICES AND PUBLIC PROTECTION
Police Officer Standards and Training Council
Connecticut Police Academy

GENERAL NOTICE 17-01
(Reference General Notice 14-03)

To: Chief Law Enforcement Officers
Training Officers
Protective Services
Resident Troopers

From: Thomas E. Flaherty
Police Academy Administrator

Date: May 12, 2017

Subject: **Revision to Advisory Model Policy Domestic Violence Lethality Assessment Program**

At the regular May, 2017 Meeting of the Police Officer Standards and Training Council on May 11, 2017, the Council adopted the change on the last page of the "Advisory Model Policy – Domestic Violence Lethality Assessment Program".

New reporting recommendations are included on the last page of the Model Policy outlined in red. The yellow highlighted crossed-off area is no longer valid.

This form has been provided by the Connecticut Coalition Against Domestic Violence (CCADV) and has been modified to comply with Connecticut statutory definitions.

Questions or comments may be directed to my attention in writing either by e-mail or letter.

Police Officer Standards and Training Council

Advisory Model Policy

Domestic Violence Lethality Assessment Program

Purpose and Background: Law Enforcement Officers are regularly assigned to investigate incidents of domestic violence. It is critical that Law Enforcement Officers approach these incidents with professionalism while vigorously pursuing a thorough and comprehensive investigation. Law Enforcement Officers should make every effort to consider and identify the potential for escalating violence during these investigations.

This Model Policy establishes protocol to implement the use of a domestic violence lethality assessment at domestic violence calls for service. The provisions of this policy shall operate in addition to, and not in lieu of, the requirements of Connecticut General Statutes § 46b-38b concerning the investigation of family violence crimes by Connecticut Peace Officers, and the Connecticut Police Response To Crimes of Family Violence - Model Policies, Procedures and Guidelines. To the extent that any of the provisions of this policy may be interpreted to be in conflict with the provisions of Connecticut General Statutes § 46b-38b concerning the investigation of family violence crimes by Connecticut Peace Officers, and the referral of the victims of such crimes for enumerated services, the statutory requirements shall prevail.

The Lethality Assessment Program (LAP) is a program for law enforcement officers. It is a screening tool that begins when an officer arrives at a domestic violence call. The goal of the LAP is to prevent homicides, serious injury and re-assault involving intimate partners by encouraging victims to utilize the support and shelter services of domestic violence programs.

Definitions:

- 1. Intimate Partners** are persons involved in an intimate relationship who:
 - a. Are married, separated, or divorced;
 - b. Live or have lived together;
 - c. Have children in common; or
 - d. Are dating, or have dated, but do not live, or never have lived together.
- 2. Lap Assessment Screen** is a lethality assessment utilizing the Connecticut Coalition Against Domestic Violence's (CCADV) Form, the Lethality Assessment Screen For First Responders (lethality assessment screen).

3. **“Screened In”** is a term that refers to situations when a victim’s responses initiate a “protocol referral.”
4. **Protocol Referral** is the process of initiating a LAP call to the regional domestic violence service provider and speaking to a LAP Victim Advocate from that agency.
5. **Lethality Assessment** is the identification of victims who are at the highest risk of danger or serious injury by their abuser.
6. **Lethality Assessment Program (LAP)** is a two-pronged intervention process that features a research based lethality screening questionnaire and an accompanying protocol referral that provides direction for law enforcement, medical personnel, clergy, social workers and others to initiate appropriate action based upon the results of the screening process.

Policy: It is the policy of the _____ Police Department to identify victims of domestic violence involving intimate partners in potentially lethal situations, and to place those victims in immediate and direct contact with a domestic violence advocate trained in LAP. The Domestic Violence Assessment shall be used at the scene of a domestic violence incident to assist the officers in identifying high risk situations and follow the established criteria to place the victim in direct contact at the scene with a domestic violence program counselor. Officers conducting a Lethality Assessment will ask the victim the Lethality Screening Questions included in the accompanying document titled, “Domestic Violence Lethality Screen For Law Enforcement Officers,” and when a victim is assessed as being in danger, will contact (Insert Local Domestic Violence Provider) and ask the victim to speak with an advocate.

Procedure: Officers shall perform a Lethality Assessment Screen with the victim when the domestic violence incident involves an intimate partner relationship and:

1. The officer reasonably believes there has been an assault or other act of domestic violence, and/or
2. The officer reasonably believes that the victim may face danger once the officer leaves, and/or
3. This agency has investigated previous domestic violence incidents at the home or previous incidents involving the family or household members, and/or
4. When the officer’s training and experience indicates the situation is dangerous, but the officer may lack probable cause to make an arrest.

The officer should remain at the scene for a reasonable time until, in the judgment of the officer, the likelihood of further imminent violence has been eliminated or the officer has helped the victim with a safety plan in conjunction with an advocate after completing the LAP screen.

The process for conducting a lethality assessment in domestic violence incidents involving intimate partners is as follows:

1. Determine if any party present is in immediate need of medical attention.
2. Interview all persons present including the victim, suspect and witnesses.
3. Assess the scene. If, based on physical observations and/or information gathered from the interviews, the officer believes that the victim could be in danger or is at risk of serious injury, the officer shall complete a lethality assessment screen.

Lethality Screening Questions: The eleven questions that comprise the Lethality Screen are specified in the accompanying document. The investigating officer shall:

- a. Advise the victim that he or she will be asked a series of questions to help the officer determine the immediate potential for danger to the victim.
- b. Ask the questions in the order that they are listed on the form.
- c. Ask all the questions in assessing the victim. The more questions the victim responds to positively, the clearer and more immediate the potential for danger is to the victim.

Assessing the Responses to the Lethality Questions:

After the responding officer asks the questions on the Lethality Screening, the information shall be handled as follows:

- a. A **single** “yes” or positive response by the victim to questions #1, 2 or 3 signifies a high danger situation and automatically triggers the protocol referral.
- b. If the victim gives negative responses to questions #1 – 3, but positive responses to **four** or more of questions #4 through 11, this also signifies a high danger situation and triggers the protocol referral.
- c. “No” or negative responses, to all of the assessment questions, or positive responses to less than four of questions #4 through 11, may still trigger the referral if the investigating officer believes it is appropriate. The officer should ask the victim the following clarifying questions:
 - i. ‘Is there anything else that worries you about your safety?’ If the victim answers, “Yes;” then ask, “What worries you?” The response to this question may aid in your decision.
 - ii. Trust your instincts. Use of the domestic violence lethality screen takes into account your training and experience as a police officer. It’s flexible and relies on the investigating officer acting on that training and experience. If the victim’s responses don’t trigger the referral, but the officer’s assessment of the situation indicates high danger, the officer should still initiate the referral.

If the Officer concludes that a referral is not indicated:

1. If the referral is not indicated or the victim does not answer the screening questions, the officer should:
 - a. Advise the victim that domestic violence is dangerous and sometimes fatal.
 - b. Inform the victim to be alert to signs listed in the assessment because they may convey to the victim that she or he is at an increased level of danger.
 - c. Refer the victim to the (**regional family violence organization**).
 - d. Provide the victim with the Department's telephone number, the case number and the officer's contact information should the victim wish to discuss the event further or requires additional assistance.
 - e. Ensure that the encounter complies with the requirements of Connecticut General Statutes § 46b-38b concerning the investigation of family violence crimes by Connecticut Peace Officers, and the Connecticut Police Response To Crimes of Family Violence - Model Policies, Procedures and Guidelines.

If the Officer concludes that a referral is indicated:

1. If a danger assessment is made or the officer believes it is appropriate, the referral will be implemented as follows:
 - a. Advise the victim that this situation indicates that the victim may be at an increased risk of danger and that others in similar situations have suffered serious injury or death.
 - b. Advise the victim that you would like to call the (Local domestic service provider) and have the victim speak with an advocate.
 - i. If the victim declines to speak with an advocate, the officer should:
 1. Tell the victim that the officer will contact the domestic violence hotline to receive guidance on how to proceed further.
 2. Tell the victim that they would like the victim to reconsider speaking with the hotline advocate and;
 3. Ask the victim again if they have reconsidered and would now like to speak with the advocate.
 - ii. Regardless of whether the victim continues to decline to speak with an advocate, the officer should provide the same service they would perform for a victim when a referral is not indicated pursuant to the provisions of Connecticut General Statutes § 46b-38b concerning the investigation of family violence crimes by Connecticut Peace Officers, and the Connecticut Police Response To Crimes of Family Violence - Model Policies, Procedures and Guidelines, including conveying information that the advocate may have suggested, reviewing safety tips and discussing the option of leaving the location if possible.

- c. If the victim agrees to speak with an advocate, the officer will advise the advocate that the officer has completed an assessment that indicates danger or that the officer believes that the victim may be in danger and would like the advocate to speak with the victim.
- d. Officers should not provide the name of the victim and their contact information to the advocate without the consent of the victim.
- e. During the conversation between the victim and the advocate, the advocate may ask to speak with the officer regarding the situation.
- f. The officer will then be guided by the discussion with the advocate for further assistance.
- g. Officers should provide reasonable assistance to the victim if the victim wants to leave the residence.

Reporting Recommendations:

It is recommended that all lethality assessment screens be signed by a supervisor and sent to (Domestic Violence Provider) regardless of whether the victim screened in, as soon as possible.

~~It is further recommended that the (Name of Police Agency) complete and forward to the (Domestic Violence Provider) the Lethality Assessment Reporting Template by the 15th of each month which contains the following information:~~

It is further recommended that the (Name of Police Agency) Domestic Violence Liaison coordinator/supervisor compile the corresponding monthly LAP data totals and enter them into the LAP database by the 10th of each following month. If there are no lethality assessment screens for a particular month, the Domestic Violence Liaison coordinator/supervisor shall indicate the number zero for the corresponding data entry points in the database.

The data entry points will include the following information;

1. The number of lethality assessment screens that were attempted.
2. The number of victims screened to be at "high danger".
3. The number of victims screened as "non-high danger".
4. The number of victims who did not respond to the screening questions.
5. The number of victims who were screened and spoke with a domestic violence advocate.