

Cooperative Agreements

The purpose of cooperative agreements is to delineate the roles of the involved agencies, provide stability in case of staff turnover or changes in officials, increase the program's network of referral sources, lessen likelihood for duplicated services, define gaps in existing services, and initiate/develop/expand collaboration (especially for new victim/witness programs or new agencies in your area).

Submission of signed cooperative agreements with the application is not mandatory; however, as a condition of funding, successful applicants may be requested to enter into agreements with agencies with which the victim/witness program has a direct relationship when working on behalf of crime victims. Each agreement should include the specific roles and responsibilities of each agency entering the agreement. A single agreement can be made with multiple agencies. Each agreement should have an implementation date, a review date, and should be signed by persons who have the authority to implement the agreement.

If your agency is having difficulty obtaining a cooperative agreement with a particular agency, the following documentation may be submitted to DCJS with the application:

- How your agency attempted to attain an agreement;
- Why you were unable to attain the agreement;
- Future plans (if any) for attaining an agreement, and;
- Description of how a relationship will be fostered with the other agency.

Attached is a description of how to get a cooperative agreement and topics that should be covered in agreements with various agencies. If you need further assistance, please contact staff of the Victims Services Section at DCJS.

Sample cooperative agreements are attached. The underlined language is highly encouraged for all cooperative agreements.

These materials were developed by the Cooperative Agreement Subcommittee of the Victims' Rights Implementation Advisory Committee.

Development and Implementation of Cooperative Agreements

Before drafting a written agreement, the victim/witness program should discuss which services should be addressed in the agreement with the other agency. This communication encourages ownership of, and commitment to, the agreement.

Below is a list of recommended agencies with which victim/witness programs should obtain cooperative agreements. A list of services is provided as a guide for discussion prior to drafting the agreement. **Not all services or agencies will be applicable to all localities.**

Cooperative agreements should be program specific, locality specific, and should list only the duties/tasks provided by each agency. If your agency is a regional program, agreements should be made with each applicable agency in each locality.

You are not expected to get cooperative agreements with your host agency (i.e. Commonwealth's Attorney's office, police department, etc.)

Prosecutors

- Accessibility to case files
- Referral to victim/witness program
- Notification of judicial proceedings
- Advising victims of rights to restitution
- Advocate present when interviewing victims or witnesses (if requested)
- Access to victims and witnesses for interviews

Magistrates

- Referral to victim/witness program
- Identify need for interpreters or other special services and notify victim/witness program of need(s)
- Advise victims of Bill of Rights
- Availability/display of brochures
- Explanation of confidentiality

Law Enforcement Agencies (Sheriff's Department, Police Department, or both, if applicable)

- Notification - of victims and victim/witness program
- Confidentiality
- Referral to victim/witness program
- Special needs or interpreters - work with victim/witness program in meeting needs
- Access to law enforcement reports
- Provide, directly or by referral, victim and witness protection
- Refer homicide victims' families to victim/witness program
- Provide follow-up information on cases to victim/witness program

Child Protective Services

Referral to victim/witness program
Provide changes in victim information (address/phone) to each other
Notify CPS staff of interviews with victims, changes in cases, and continuances
Victim/witness program assist in court preparation
Victim/witness program provide escort, if requested
CPS present at police department interviews of victims
Offer Kids in Court booklets

Domestic Violence Programs

Referrals to and from victim/witness program (to DV program for shelter, counseling and support groups)
Explanation of crime victims' compensation
Notification of changes in status of case
Assist victim/witness program in interviews (both with police and prosecutors)
Provide court accompaniment (clearly define which agency provides this service to which victims)

Sexual Assault Centers

Referrals to and from victim/witness program (to center for counseling and support groups)
Explanation of crime victims' compensation
Assist victim/witness program in interviews (both with police and prosecutors)
Provide court and/ or hospital accompaniment (clearly defined which agency provides this service to which victims)
HIV notification
Collaborate on submission of PERK bills
Notify victim of right to closed-circuit TV or closed hearing

Probation and Parole Offices

Restitution - monitoring, collecting and disbursing
Referral and information provided on restitution
Referral to victim/witness program
Confidentiality
Notification
Preparation of victim impact statements

Court Services Units

Restitution

Interpreter services and other special needs

Referral to victim/witness program (including protective orders)

Pretrial monitoring - notification

- No contact orders
- Drug testing
- Threats to victims or witnesses
- Confidentiality

Jails

- Notification
- Confidentiality

Sample Cooperative Agreement

Cooperative Agreement
Harristown Police Department
Harristown Victim/Witness Program

The Harristown Police Department, Harristown Victim/Witness Program, and the Office of the Harristown Commonwealth's Attorney have agreed to the following measures that will enable these agencies to provide better services to victims of crime. The procedures agreed to herein are intended to ensure that victims of crime will receive information about services available to them and that they are made aware of their rights as victims. These procedures are also designed to encourage the cooperation of victims with law enforcement, prosecution, and the criminal justice process. This agreement broadly defines the services which will be provided by each agency.

1. The Harristown Police Department (HPD) will comply with the intent of the Crime Victim and Witness Rights Act (See §19.2-11.01 et seq.) by providing services described below. However, in accordance with §19.2-11.01C of the Code of Virginia, no liability or cause of action shall arise from the failure of the Harristown Police Department and/or its members to ensure that victims and witnesses receive such services or from the failure of victims or witnesses to receive any such services.

HPD will provide the victim/witness program with copies of all incident reports involving violent crimes on a daily basis.

HPD will provide case information crucial to rendering services to victims.

HPD will assist in the prompt return of property held as evidence.

HPD officers will give victims of violent crime a brochure regarding victim/witness services and printed information on victims' compensation.

HPD officers will make direct referrals to the victim/witness program at their discretion.

2. The Harristown Victim/Witness Program (HVWP) agrees to the following:

HVWP will send a letter to each victim of violent crime informing them of their rights as crime victims and of the services available to them from HVWP.

HVWP will provide services to victims of crime on request of the victim or on referral from HPD.

HVWP will provide an advocate to HPD to accompany officers conducting death notifications.

HVWP will provide training to HPD in victim assistance techniques and information on victims services available.

3. The Office of the Harristown Commonwealth's Attorney (HCA) agrees to the following:

HCA agrees to honor victim requests to have a support person or victim advocate present during any interview.

HCA agrees to explain legal alternatives to victims and keep victims informed of any proceedings relevant to their cases.

HCA agrees to offer the services of an HVWP advocate and will contact the HVWP office if the victim agrees.

This agreement is effective July 1, 2008, and will remain in force until any party terminates in writing. This agreement may be amended, modified, expanded, etc. as mutually agreed upon by the parties, in writing. The agreement will be reviewed biannually by the parties.

John Law, Chief
Harristown Police Department

July 1, 2008
Date

Susan B. Advocate, Director
Harristown Victim/Witness Program

July 1, 2008
Date

Joe Prosecutor, Commonwealth's Attorney
Harristown Commonwealth's Attorney's Office

July 1, 2008
Date

Sample Cooperative Agreement

Cooperative Agreement
Taylor County Victim/Witness Program
Taylor County Sheriff's Office

The Virginia General Assembly passed legislation, effective July 1, 1995, that affords victims of crime the right to notice of a detainee's projected release from jail. To ensure this right, the Taylor County Sheriff's Office and the Taylor County Victim/Witness Program have agreed to the following measures.

1. The Taylor County Victim/Witness Program (TCVWP) agrees to the following:

TCVWP will inform victims of their right to notification when a defendant is sentenced to a period of incarceration in the Taylor County Jail (TCJ). This can include state prisoners as well as local detainees.

TCVWP will provide victims desiring notification with a Victim Notification Form (VNF). To receive notification victims must complete the VNF and return it to TCVWP.

TCVWP will make a copy and immediately send the VNF to the Taylor County Sheriff's Office.

TCVWP will attempt to contact by phone victims desiring notification, if they are notified that a prisoner is to be released. Whether or not contact is made by phone, the TCVWP will send a letter to the victim with notification of when and where the prisoner is to be released. A copy of this letter will be sent to the TCSO.

2. The Taylor County Sheriff's Office (TCSO) agrees to the following:

TCSO will send an updated list to the TCVWP of those persons scheduled to be released from the TCJ on a weekly basis.

For those persons who are transferred into the State Department of Corrections or released from the TCJ with little or no advance notice or whose custody status changes without prior notice, TCSO will attempt telephone contact with the victim prior to the detainees' releases. Whether or not contact is made by phone, the TCSO will send a letter to the victim with notification of when and where the prisoner was released. A copy of this letter will be sent to TCVWP.

This agreement is effective July 1, 2008, and will remain in force until any party terminates in writing. This agreement may be amended, modified, expanded, etc. as mutually agreed upon by the parties, in writing. The agreement will be reviewed biannually by the parties.

Matthew Dillon, Sheriff
Taylor County Sheriff's Office

July 1, 2008
Date

B. N. Court, Director
Taylor County Victim/Witness Program

July 1, 2008
Date