INFORMATION FOR
FAMILIES of
HOMICIDE VICTIMS

VICTIM SERVICES BRANCH
Hamilton Police Service

www.hamiltonpolice.on.ca
MESSAGE FROM THE CHIEF OF POLICE

May I take this opportunity to extend to you my gracious regards at this time of the loss of your loved one. This is a very emotional and distressing experience for your family, for your friends and for our community as a whole. Nothing we say at this time can alleviate your sorrow and anguish. To assist you during this very intensely private and most challenging of circumstances, the Hamilton Police Service would like to provide you with this guide on “Information for Families of Homicide Victims”.

This guide has been designed to provide information about the investigative process, to help you identify appropriate supports and resources available to you and other members of your family and to empower you to seek answers to some of the questions you may have.

Please know that coping with the loss of your loved one doesn’t have to be done in isolation and that there are resources and support groups available when you feel the time is right for you.

The Hamilton Police Service is committed to pursuing the criminal element, with a relentless vigour, focused on keeping our city safe for all and to bringing those responsible for the loss of your family member to justice.

FOR FAMILIES OF HOMICIDE VICTIMS

We recognize this is a very difficult time for you. It is important for you to know that the Hamilton Police Service is here to provide assistance to you in any way possible in relation to the case involving the death of your loved one.

Our duty is to bring an appropriate resolution to the case by conducting a professional and thorough investigation with the goal of identifying, apprehending, and bringing to justice the person(s) responsible.

During the course of the investigation, there are many things that will occur. This Guide for the Families of Homicide Victims will identify the phases of our investigation so you have a clear understanding of the process. Included are contact numbers, resource information and what you can expect during a homicide investigation.

If there is anything that you need to know that is not included in this guide, do not hesitate to ask. We are here to help you.
HOW WE CAN HELP FAMILIES

I need help dealing with the aftermath of the murder. Where can I go to find help?

There is support available whether as private counselling or with others. The Victim Services Branch of the Hamilton Police Service assists victims of crime and trauma. Victim Services operates 24 hours a day and provides immediate crisis response and support services to those who are affected and impacted by a homicide.

The Victim Services Branch assists with urgent and practical matters. For example, we:

- Provide emotional support during death notifications
- Provide emotional support during the identification process
- Assist the family in locating a funeral home
- Work closely with the Homicide Unit and act as a liaison for the family to the Homicide Unit
- Assist the family in explaining the investigative and general process in relation to the aftermath of a homicide (e.g. media, funeral, etc)
- Assist the family in accessing various municipal, provincial and federal finance programs to assist with funeral planning
- Assist with counselling referrals and resources
- Assist the family in accessing financial compensation programs
- Assist the family with notifying and supporting children affected by the homicide
- Will connect family members to a support person within the court system (Victim/Witness Assistance Program) if an arrest has been made.
- Will facilitate interpreter services for families if required.

I cannot afford a funeral. What kind of assistance is available?

Different government services, funds and compensation are available and can be accessed by the family. Please contact the Victim Services Branch to obtain detailed information, direction and emotional support.

Who will help me through the court process if there is an arrest?

If an arrest has been made, the caseworker at the Victim Services Branch, Hamilton Police Service, will refer the case to a caseworker at the Victim/Witness Assistance Program, Ministry of Attorney General at the court house located at 45 Main Street East. The caseworker at Victim/Witness will then assist the family members throughout the court process.

Who will update me and assist me if no arrest is made?

If an arrest has not been made, the Victim Services Branch, Hamilton Police Service will continue to offer support and assistance to family members as requested. The Homicide Unit Case Manager and Victim Services caseworker will update the family members regarding any significant case changes or information.
THE CORONER / FUNERAL PROCESS

The Coroner
The Coroner will attend the scene and examine your loved one. They will then be taken to the Hamilton General Hospital located at 50 Barton Street East.

The Death Notification
As soon as it is known who the next of kin is, the Case Manager will attend your home and formally notify you.

Identifying the body of your loved one
You may be required to attend the Hamilton General Hospital with the Case Manager to formally identify the body of your loved one. It usually involves viewing his/her body.

The Autopsy / Post Mortem
The law requires that an autopsy be performed on all homicide victims. The autopsy usually occurs within 24 hours of arrival at the Coroner’s Office. The autopsy is critical in collecting evidence.

Releasing the body
Usually as soon as the autopsy is complete your loved one can be released to the funeral home of your choice. The funeral home will contact the Coroner’s Office and arrange this for you.

The Funeral
Now that your loved one is at the funeral home you can proceed with your funeral plans.

FACTS ABOUT HOMICIDE INVESTIGATIONS

Who is responsible for investigating the death of my loved one?
The Homicide Unit is divided into teams. The Officer in Charge of the case, often referred to as the Case Manager, is responsible for ensuring that the investigation is complete and that the case is prepared for trial.

The Case Manager is not the only one working the case. He/she works with other members on the team, support units within the Hamilton Police Service, and other law enforcement agencies, if needed.

The Homicide Unit works in partnership with the Victim Services Branch. The Victim Services Branch has the expertise to address your practical needs and provide guidance and support throughout and beyond the investigation process.

Sometimes investigators leave the Homicide Unit because of transfer or retirement. If this occurs, your loved one’s case will be assigned to another Case Manager. The investigation will continue, and you will be notified of these changes.
**Why doesn’t the Case Manager answer the phone when I call?**

We understand your frustration. There are a number of reasons why a Case Manager may not answer the phone when you call.

They are required to go to court frequently. They may be out of the office following leads, reviewing the evidence, interviewing witnesses, looking for potential witnesses, and in some cases looking for the person who committed the crime.

In order to maximize the investigator’s time in conducting the investigation, it is suggested that you appoint one family member as the designated contact person. This will assist the Case Manager in making timely notifications to your family regarding the status of the case. The designated contact person should also be the individual to contact the Case Manager with any questions or concerns in order to prevent duplication.

**What can I expect after the case is assigned?**

Once the case is assigned to a Case Manager, he/she will ensure that certain steps are taken. This includes examining physical evidence, gathering evidence for further processing, and conducting interviews with witnesses and family members.

You will be contacted and interviewed regarding your loved one. This is both normal and necessary. The investigator needs to learn all that he/she can about the victim. This information is extremely important when investigating a homicide.

At times, the questions asked may be sensitive and may make you feel awkward. Please be assured that we are not “digging up dirt” or making judgments about your loved one’s behaviour or lifestyle. You may be requested to provide information of your loved one’s habits, friends, places frequented, and/or possessions. This information is very important to the investigation, and it is information that often only you can provide.

**Why can’t I be told all the facts about the case?**

Depending on the circumstances regarding the death of your loved one, the Case Manager may not be able to provide full, detailed information concerning the investigation.

This information may be withheld for a variety of necessary reasons. For example, if you or other family members will be required as witnesses at the trial it would compromise the case to share certain information with you that will be used as evidence.

**Why won’t the Case Manager return government identification to the family?**

Government identification, such as driver’s license, birth certificate or military ID, is the property of the issuing agency and will not be returned to the family.
**What about releasing vehicles?**

Sometimes vehicles are impounded at the scene and held as evidence. These vehicles are generally held at a city authorized pound and may be released after any necessary processing is complete.

**How do I get the property of my loved one?**

Some property can be returned rather quickly. Other property may need to be retained as evidence and cannot be returned. Certain items of property, such as clothing, may have been exposed to biological hazards that prevent them from being released to the public. Such items will ultimately have to be destroyed.

The Case Manager of the case is responsible for both deciding on and facilitating the release of the various items of property.

**When should I expect an arrest?**

Every case is different. Some cases are closed with an arrest within hours of the incident; others take days, months and sometimes years. There is no statute of limitations (time limit) on murder investigations. Although we want to close cases as soon as possible, there are many factors involved, including family cooperation.

The key to solving cases is the cooperation of both witnesses and family. Witnesses are sometimes reluctant to cooperate with the investigation; however, it does not necessarily mean that the uncooperative witness was a participant in the crime.

Sometimes witnesses are not cooperative because they are afraid of the perpetrator(s), dislike the police, and/or do not want to get involved.

We do everything that we can to make witnesses feel comfortable and less afraid to cooperate; however, we cannot and do not arrest someone just for being an uncooperative witness.

In some cases, an arrest is made soon after the incident. If this is the case, the Case Manager will determine what the specific charges are to be and will place an information before the court. A crown attorney will be assigned and the court process will begin.

**What happens after an arrest (if applicable)?**

After an arrest is made, the judicial (or court) process begins. There are a number of possible resolutions or dispositions of a criminal case.

In most cases a preliminary inquiry/hearing at the Provincial Court level will take place in the jurisdiction of the murder. A trial will then be held at the Superior Court level. The court in Hamilton for both levels is located at 45 Main Street East, Hamilton.
Each case is very important to us, and your support is both necessary and genuinely appreciated. You will be notified as soon as progress is made in the case, including any arrests and subsequent court appearances. It is important that you keep in touch with the Case Manager of the case. Please update your information with us if you move or change your phone number so that we can continue to keep you informed in a timely manner.

CRIMINAL CASE PROCESS - REFERENCE GUIDE

- Police Investigate Crime
- Warrant Obtained Or Person Arrested
- Provincial Court Appearance
- Provincial Court Preliminary Hearing/Inquiry
- A Bail Review can happen between Preliminary and Trial
- Trial Judge & Jury or Judge alone
- Sentence Pre-sentence & Witness Impact Statements
- Appeals

Victim Services Branch provides emotional support and assists with urgent and practical matters.

Victim Services Branch will connect you to a support person (Victim Witness Assistance Program).
USE OF THE MEDIA

How does media attention on a particular case affect homicide cases? In what instance will media attention hurt/help an investigation? Can the family help by getting media attention?

- The media can help in some cases and can hurt in others
- Frequently we contact the media to help with investigations. Sometimes this will provide us with new leads or witnesses will contact us with information about the investigation
- However, sometimes the media will talk to neighbours in the area of a homicide and create false information that can hurt the investigation
- It is highly recommended that you do not talk to the media, without first contacting the Case Manager, because it could hurt the Hamilton Police Service’s ability to solve the crime or bring the person(s) responsible to justice. Instead, work with the Case Manager, who will in turn, coordinate with the media.

CONTACT INFORMATION

Victim Services Branch Caseworker

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Homicide Unit Case Manager

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For more information contact: Victim Services Branch
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