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Probation Response: Messages of Help and Accountability

Jim Henderson, BWJP

July 13, 2017

>> Thank you to everyone who has joined us today. Welcome to the webinar on the probation response, messengers of help and accountability presented by praxis international in partnership the office of violence against women. My name is Amalfi Parker Elder and I am the training specialist here at praxis. I am joined by two colleagues, to be saying the blueprint program manager and Liz Carlson. I will introduce our presenter but first, Liz will you tell us a bit about about the webinar. There are rolling captions at the bottom of the screen, you may notice there might be errors, so just be mindful and aware of the possibility. We are anxious to hear from you throughout the presentation.

>> The way in which you will be able to relay your questions and comments to us will be in the Q&A box that you see in the middle of your screen. Questions and comments will get routed to us as presenters and then Amalfi will make a point of responding within the presentation . If you have something that you would like, either a technology issue or something you would like to chat, just privately to us, make a point of letting us know that. You can adjust each of the boxes on your screen to each of your own preferences.. I can show a range of options to just adjust the display of the boxes and use those at your discretion.

>> I would like to call to your attention the materials referenced throughout today's presentation. They are posted in the materials box at the bottom of your screen. You can download those materials directly at any point and also, Amalfi .

>> You can contact me by email, Liz@praxisinternational.org

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>> This will be available to you and your colleagues on the blueprint access on the Praxis International website.

>> Today we have James Henderson, more commonly known as a gym, he is a Probation Project Coordinator to the Battered Women's Justice Project, a national research Center in response to domestic violence and domestic abuse intervention in Minnesota, the Duluth model of the coordinated community response. Jim provides training and systemic responses to domestic violence and CCR. He is author of several articles and has created specific assessment tools to help assess abuse risk and lethality as well as contributing to education and training materials for the Battered Women's Justice Project and several other national organizations including the American probation and parole Association, the family Justice Center alliance.

>> We are extremely excited that you're joining us today to talk about the probation response pretrial evaluation evaluation and supervision, thank you for joining us, Jim.

>> I am honored, thank you.

>> Today, this webinars primary focus is to talk about pretrial and probation within the Blueprint for Safety. In doing that we will briefly touch upon what the Blueprint for Safety is and then move into how the blueprint addresses the pretrial response and the probation response to domestic violence crimes, emphasizing the ways in which pretrial staff and probation officers send really important messages and help and accountability to victims and offenders. We will also touch on policy development as it pertains to blueprint and speaking to those who may be involved with blueprint but also to those on the line who are interested in knowing more. As a way to kick this off, I will ask Denise to give a brief overview of the Blueprint for Safety.

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>> Thank you, Amalfi , thank you to everyone who has joined us and welcome to the webinar. I will take a few minutes to give a brief overview of what the blueprint is. I am aware that many of you on the webinar are familiar with the blueprint but in case we have some for whom it is new, I want to take a little time to grand you and what the blueprint is. The blueprint was developed in response to a recognition that many communities around the country who were doing CCR work were coordinated immunity response work that were finding that the CCR's were not functioning in the way they had hoped. There was an overall drift away from the original intent to where people would get together and meet on a monthly basis without a clear purpose for the meetings, without a clear idea of where they wanted to take their community response to strengthen the response to domestic violence. Sometimes agencies are communities will develop a policy for a domestic -- particular agency. Or they will do training of a particular agency but they were not necessarily bringing everyone together. The blueprint was developed to try to solve this problem.

>> The blueprint was pioneered in St. Paul Minnesota and it began in 2007, when the city of St. Paul did a safety and accountability audit examining the early points of intervention in its criminal legal system beginning with 911 through prosecution charting decisions. At the conclusion of the process, they decided that they wanted to strengthen their entire response throughout the whole system, building on the foundational work that Duluth Minnesota did when it established to the CCR. The city in partnership with the St. Paul domestic abuse project and others who work on Economic Justice petitioned the legislature to create a comprehensive framework that would delineate the way that our criminal justice system response to domestic violence crimes at every point of intervention through the process. This project came known as the Blueprint for Safety. It went through seven criminal justice system agencies with strong leadership through the criminal advocate Associates and also support from praxis.

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Over the next two years we held multiple victim support groups, practitioner impact panels, interviews, observations, we worked with a team of researchers who advise us and finally launched a blueprint in St. Paul in 2010. Since then, St. Paul has been working to implement their blueprint to train everybody up and to engage in the ongoing process of monitoring to assess their projects.

>> So, as I said, I wanted to talk about the blueprint and what makes it distinct. The blueprint is a form of CCR, it is a coordinated community response but it is distinct in a number of ways. First of all, blueprint has a chapter for each agency that participates but we like to think of it as a single overarching policy, because every single policy is linked to everybody else. So even though there is a separate policy for 911, law enforcement, prosecution and so on, they are all linked together in particular ways to create a single coherent policy. The blueprint is supported by research and through the years of practice in this field we had a team of researchers who were advising us that key points about the process about what the research tells us is effective intervention in these cases. A third way in which the blueprint is distinct is that each worker is organized to to identify, document and Medicaid and act on risk and danger. The blueprint provides some specific guidance with tools to help each practitioner do so. The blueprint is also grounded in the experience of it comes in there is an emphasis on victim engagement that I know Jim will talk about later in the context of probation, but it is rooted in this recognition that we get better results when victims feel like they have some partnership with people in the criminal, legal system. Finally, these last two points about in try and and check agency monitoring and the structure for ongoing problem solving are really the glue that holds the blueprint together we think of this is the foundation that helps to sustain the blueprint over time. The blueprint provides mechanisms for working with an agency's to make sure practitioners are implementing the blueprint has designed and to work in small interagency groups to make sure we are doing

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what we said we were going to do and it is having the impact that we wanted and making adjustments of ordinary.

>> Another way we think of the blueprint is the notion of it being three things, a document and a process. What we mean by that, the blueprint approach is ringing everyone together to articulate a shared consistent way of thinking about domestic violence and what makes for effective intervention in this case. I will talk about approach in a little bit but it's the idea we're working together with the same understanding of what domestic violence is in the best ways to intervene. Eyeball already reference the blueprint document which is a series of chapters for each of the participating agencies that are linked together. I should say will we work developing the blueprint policies and practices for each agency it was not unusual for us to identify and With one agency that could be filled with another, we would go back to the other agency and ask if they could adjust their practice to make sure this was available to those who need it. These are the ways the policies are linked together. Finally the process is this ongoing way of working together to evaluate what it is we are doing and then adjust our practices accordingly.

>> The underlying principles are what we would describe as the blueprint approach. Our researchers helped us come up with Six Principles of effective intervention that are grounded in what researchers can tell us about what is effect that in these cases and I will talk about these briefly. The interagency approach means that we get better results when we work together when we come together and talk to each other about cases and come together to problem solve we get better results.

>> Attention to context and severity cut is a recognition that not all domestic violence is a like and not all is severe or dangerous and we need to organize ourselves to be able to the how one case differs from another in terms of context

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and severity, risk and danger, capture information and act upon it and be ready to respond that the level -- to the level of violence that is occurring.

>> Recognition that domestic violence is not a single isolated event. The criminal justice organization is organized to respond to a single event but we know domestic violence is a reoccurring crime and that we practitioner responds got a police officer -- or a police officer response, chances are they been to the residence before and chances are they will have to come back again. The key to effective intervention is responding to the idea and the reality in mind and using that as an opportunity to create a relationship and partnership with the victim over time.

>> Swift and sure consequences mean that we do not have to have harsh consequences but they need to be predictable and the need to happen quickly. Often times the criminal legal system has a response that stretches out over month or weeks of time and that can be problematic in these cases. We need to organize ourselves to tighten timeframe so we are able to respond as quickly as possible.

>> Messages of help and accountability is a account where every time there is a interaction between a practitioner and the criminal legal system and a the them of violence, there are messages that the victim receives about the practitioners intervention. We have to organize ourselves and be mindful that when we interact with the terms we are communicating -- victims were communicating the message that the victim did the right thing by calling and we are here to help as long as it takes but they are not to blame for violence we're here to help. The message to a perpetrator needs to be that this form of violence is not acceptable to us as a community and to the individual practitioner and that if the perpetrator is interested in changing their contacts help is available if not, we will use that criminal legal system response in order to make things uncomfortable for them.

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>> Finally, we want to avoid unintended consequences and disparity of impact. This means that we want to make sure that we are doing more good than harm by what we do. We intend to do well but we have to build into our response a recognition that our intervention, although well intended can be harmful if we're not thoughtful about who the individual person is and who they are in society and how they are situated in the impact of criminal intervention is. We want to make sure we're not making things worse for people

>> This is a list of all the agencies involved, as you can see there are seven justice agencies involved with the blueprint and there is a chapter in this section for each agency. Advocacy is the center, it's really important to have the advocacy voice as a representation of what victims of violence experience, giving us feedback and advising us and bringing information about how victims of domestic violence experience the response of the criminal legal system.

>> I will ask Jim about that, Jim can you tell us about how you started working with advocates and what it was like initially?

>> Initially, when we first came on, probation does not have a good relationship with advocates. For the most part, we were not doing a good job for victims. So, a lot of advocates would come in and be frustrated and then probation would just try to placate them. We would say whatever we thought we needed to say to pacify them, they would leave the room and we would go along with colluding with the offender that we are not holding him accountable. There was this constant tension.

>> When we had a new judge come on, the Honorable Elizabeth [INAUDIBLE], she asked me to take on the domestic violence Docket. The first thing we did is go through the same 40 hour training that they offered all of their victim advocates. So when they bring in their new volunteers, when they hired new staff, they send

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them through two weekends in a do a Tuesday/Thursday night. That was amazing for us as a publishing department. We were for the first time sitting down for advocate not discussing cases. We were breaking bread with them, going to smoke makes with them, learning about all of the different resources that the community had in our own backyard and who actually delivered them. So, from there we actually went one step further and ask to them to come in and do a full day training with us on how to interview victims because some of our agents were not really palatable in the way that we talked to victims. If we thought somebody was lying, we might pressure them, we might confront them in a harsher way that was not really helpful for a person who has already been traumatized and who has already felt controlled and belittled. To the court needed to learn a new way of reaching out to reach this population that would not read traumatize them or put them in a worse situation. That was the biggest start for us, sitting down, working with the advocates that and then we built -- going one step further -- we started doing our own victim interviews and we had advocates come into observe us. What would happen, let's say, Denise you were the victim, I would introduce myself to you and let you know I am not confidential, I am the eyes and ears of the court, and let say Teresa was from victim services and she with you to evaluate me and help me to improve my skills in working with women who have experienced violence in their lives. With a objective she sat in the back of the room and took notes that were not going to be shared with anybody at all, it was really going to be to help me in my skills. We have never had a victim or an offender say no. So, what was helpful for that was if I went to my supervisor, to give feedback on how to interview victims, they had never interviewed the terms, they were not able to help me so we were now working with experts for our community who had worked with the population for a long time and have excellent skills and they did this for a free. They did not charge us to come in and do this. Then that if you treat me respectfully, Denise, if you are the advocate,

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when I had a tough case down the road I felt safe to call you and say I am stuck on this case I don't know what to do with this, we really tried to figure out how we could get advocates to understand what we were doing so they could inform new victims coming in, here is what probation will do, here is what your experience will be like, you could kind of ease fears and anxieties of some women coming in. We can also tap into all of your years of expertise and really speed up the learning process for the probation department.

>> That is great. I was kind of chuckling to myself over the smoke break strategy as a way to break down barriers.

>> That was the old days. We don't smoke nowadays, it might be a yoga meditation nowadays but in those days you got a smoke break.

>> That is great.

>> Jim will talk to us about these aspects of probation response built into the blueprint as we go through the webinar. There are four sections in the blueprint that address the kind of work that Jim has done in the past and now consults and trains and what the blueprint addresses. Those are bail evaluation, pretrial supervision, presentence investigation and report and probation supervision. So, we're going to spend the rest of the webinar on that with some emphasis on victim engagement and building messages of health and accountability at each point of intervention. With that I will ask Amalfi to pick up and talk with us.

>> Great. Thank you, Denise.

>> The blueprint, as we mentioned before, when it Denise was talking about the foundational principles, in terms of directing practitioners to identifying document and share information on risk and danger at every point of intervention, at the point of pretrial and the point of information, pretrial the bail

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evaluation, bail determination setting, we want to -- including risk factors present, the history of violence and the level of severity. Whether pretrial services are present in the community or not, this is the type of information that really needs to come to the attention of the court when making determinations about release or bail amount conditions of release. Communities who may or may not have pretrial services, this information can still be collected and gathered and shared by other players in the system. This can adjust recommendations for bail amount and conditions of release, based on information known about the level of risk and danger. Jim Kyle want to talk to and see a little bit if in your experience working in a community with pretrial services and taking on this role, or if it was different for you in your community ?

>> This is interesting, because in the state of Michigan we have pretrial services but they do not use pretrial services for violent offenders. The goal was that violent offenders were not supposed to get out of jail on pretrial but we know was jail overcrowding they always get out of jail. We had a large group of violent offenders not getting supervise but if they wrote a bad check or were drinking you would be. When we started working in the DV unit we decided we were going to put more emphasis on some pretrial conditions. The first thing we did was talk to police about the way they write the police report. Historically the police department rights the report for the prosecutor, they were very incident-based looking at probable cause to make an arrest that is the prosecutor going to be able to go forward on this? But there is certain evidence that can be collected at the scene and if it is not collected and documented at that time it is forever lost to the system and it will not help the prosecutor's case in any way, shape or form. It will significantly help a judge determine appropriate bond and it may significantly help a probation officer assess the level of lethality or risk and it will help a batterers intervention program determine the type of intervention and the strategies used to. We talk to the police about broadening and we were lucky, we

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had really good police support already, so to go ask somebody who is doing better than the majority of the police in the state, can you update a little bit more, luckily we had that buying from them. So, from there, we created a bond form and the police would even make recommendations for if it was a very minor assault and the victim did not want any arrest did not want to participate and did not appear fearful or scared, the police might recommend on that one that they not have a no contact order. It is rare but it does happen. We kind of believe that victims should have a right to make some of their own decisions within the court. We should not take all of that power away from them. So, from there when the judge reads the bond we have the information in the resources. We can go to this day and change the whole bond form and it was generic and not very effective, so we sat down with the judge and prosecutors and defense counsel, victim services, batterers intervention, probation and parole, we all sat down and said what should this really look like to enhance victim safety? We had women who had been victimized prior whose partners were now in prison and they had long let the relationship go. We had them as part of our team to make sure that victims had a voice in this model. Then, we created this form that would be signed that it's a script attached that the judge agreed to an offender when they make the bonds decisions.

>> It is very clear. They sign it saying they understand this. The judge speaks very closely -- clearly and slowly to make sure the defendant understands. Still Colin they come to see me in the pretrial meeting, when I go over that conditions people do not even know what they signed. When they are in front of the judge the only thing that here is that they are getting out. So, I could be ordered that I am to have zero contact with you, I can go back to my house, I can't have any possession of weapons and the minute I get out I go to my house and I tell you, you need to move, it's my house my name is on the deed, they are coming in and telling is that a pretrial.

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>> Weight, the judge made it very clear that you signed a and you said you understood it, but they still seem to be confused.

>> Well, she is in my house and she has to leave.

>> And no, you can't go back there until a divorce decree has been done, at this point you have to do this.

>> So we did not have the resources to have a full-fledged pretrial office. Part of my probationer well was two days a week I did a pretrial group meeting where every guy who got arraigned, or woman, who got a range that week would have to come in, either on Monday or Thursday, depending on when they were arraigned and we would go through every condition. You are told in the group if it is not checked off, this condition does not apply to you but we went through every condition and talked about with the condition meant and we talked about resources in the community that would help you to comply. Let's say one of the conditions across the board is no use or possession of alcohol or illegal drugs or to be in the presence of anyone possessing any illegal drugs, drug paraphernalia -- we would talk about, if you have a drug problem, we do not want you violating this order because of this. We have established a free intervention program that you can do on pretrial and you don't have to let the court know that you are doing it. You can do it to get support for this. We talk about the batterers intervention program, you can start on your own, you do not have to sign a release. We are not ordering them to batterers intervention, they are presumed innocent but we are talking to them. If you have a problem. Some of you may have a problem and some of you may be guilty. If you are and you are willing to look at that, we want to get you intervention as quickly as we can and help you to avoid further damaging your family, children, putting yourself at risk of incarceration, and it really dramatic we reduces the violations of the no contact orders. Clients would say I didn't understand, I didn't know you meant to that.

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Plus, we just felt that an empowered the judge if they needed to hold the individual accountable because not only were they told in court and signed a form saying they fully understood, and we had a QWERTY -- copy in the court file that they also went to the pretrial group meeting where they also signed a form saying they totally understood. I think that clients heard me better than my judge. I'm not saying I did a better job than the judge, the judge is phenomenal and they do a great job, but, I think because I am not in court, it's not as intimidating, I haven't been up all night with no sleep, they are begging to get out of jail, the client at that point only here they are getting out. When they're with me they've had a day or two to relax and readjust and now we are going back to say what does this really mean. They can ask questions and even if this guy doesn't ask a question because it's in a group, another guy will ask the question that the sky was thinking about the didn't have the confidence or the wherewithal to ask.

>> Jim, how often did this group meet in the pretrial setting?

>> It's twice a week for new guys. They don't have to keep going. We do pretty good rocket docket they are back in their court within two weeks. Different guys are required to do different things. If there are drug issues they might be ordered that if going to inmate services, to drug testing. If they fail a drug test that is a violation and they go back before the court. This is a cost-effective way to at least have the offenders do something that actually panned out to reduce our technical violation for its help full to victims women are not being contacted were harassed and an empowered the court and made them feel more confident in holding people accountable. It was never a misunderstanding, it was clear at this point, he had been told by so many people throughout the system and he purposely chose to disrespect the court order. That it's easier for the judge to hold them accountable.

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>> We have a question from a participant who asks that what would typically happen if someone failed to show up for a group a worried where to attend?

>> An immediate warrant goes out. We started out with a designated detective who was also in charge of doing our warrants. What happens is, historically, you have a warrant and no one did anything, it went into a box and if you got pulled over for speeding or running a red light down the road you got arrested. We decided there needed to be a swift clear predictable consequence so if a guy does not show up that we wanted someone looking for him the next day. We needed the message in the community that domestic violence is a serious crime and when the court says you need to do something They are serious about it.

>> I'm sorry, I transitioned while you were talking, to how in the pretrial something how messages of accountability are sent and what you just described is an excellent example of something that could but put into place to accomplish that goal. I realize that I did want to ask the audience got to get a sense of everyone listening, who actually listening and it works with pretrial services or is involved in pretrial programming in your community. There is a little person at the top of the screen who has their hand raised. If you click the arrow next to it you can click raise hand if you are someone working in pretrial. I will give that a second. Liz, if you can give it a second and let us know what the results are that if folks are responding.

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>> Is there differential supervision in keeping with the principle of context and severity.

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>> For ask a these guys did not have much assessment, it was based on how well the police officer wrote the police report. If there is a history of higher risk they will ask for a higher bond, they may put the person on a tether if there are concerns of ongoing stocking and content. They may require drug testing, firearms was a pretty big thing in our County. We are pretty lucky, the police are proactive. They would ask if there are weapons in the house, and if you say yes they ask if you would mind if they take them away. So when I was being released from jail, the judge will ask are there any firearms and if she has proof the firearms were removed, if they were not we would not let a person out of jail until we knew the firearms were secured.

>> We try to at least make it very clear that he may have a legal right to give the guns to his father, but his father knows if he gives the guns back or he gives him access there are of evil -- there are legal ramifications to the father as well.

>> We didn't have it as good as pretrial services would have liked.

>> I think that answer the question.

>> I wanted to ask briefly about any type of interaction that you had that in the process you describe with pretrial victims, but quickly before I get to the slide cover last question for you Jim is which County in Michigan are you in.

>> We work with Ann Arbor, the county in Michigan.

>> In terms of the flip side of messaging of accountability that Jim is describing different ways to send the message that in terms of offenders that the blueprint calls pretrial services to explain the limits of privacy versus confidentiality. The first point about explaining the limits of privacy and confidentiality in terms of what Jim described early on, Jim I will ask you in a moment to go into this point a little more in terms of how you were called on to interact with victims in the

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pretrial setting, regarding modifications for dropping of no contact orders. The blueprint for sure is calling on, the pretrial setting, pretrial services to really make sure to incorporate the victim's concerns regarding safety and what is happening in the case cut into the bail evaluation, including the victims preferences and preferences for release. What does the victim have to say about the and what victim information there is an release or the amount of bail and how does this affect the victim and their safety. It's important to provide the contact information with victims so they have a clear understanding of who they need to contact if a violation of a condition does occur. So Jim, what I wanted you to share with us is what the process looks like, you are saying there were not really pretrial services in the community and you did take on a role for the court with victims in the pretrial setting.

>> We're lucky we do judicial review, some people call them compliance reviews, court reviews, domestic violence courts, we had a designated docket where I had only to account to two judges who handle all the DV cases. Whoever the reigning judge was will be the judge the route, that way there is consistency. If you are judge in said this is your last chance, he doesn't pitch to another judge at the next arraignment and get another chance. Wanted consistency from the court

>> I went to the arraignments, I was there in the courthouse, it changed the relationship with the terms. Prior to doing DV court we had about a 5 to 8% contact after that we had 98%, that is a tremendous difference. What happened was, we are at arraignments that you come in and you want the no contact order listed. Everybody knows the judge will want us to talk to you. The prosecutor is going to, usually go against it because he thinks the case will be lost. I go off of research on that victims have felt they have more power in the courts and were much more likely to particularly -- continue to participate. Sokol you come in and what the no contact order listed -- lifted, defense knows, the prosecutor knows,

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people come to me right away and say they want this, and so I go talk to you. A tap you on the shoulder, I say I am Jim I am the probation officer for the court. If your husband gets convicted I will be the one working with him. I will understand -- I understand you want the no contact order listed. They always say yes when I asked to talk to them. To take you to another room and I ask a victim advocate to come with me. The first thing I do is let you know that I am the eyes and ears of the court, there is zero confidentiality, anything that you say I might need to tell the judge. If I tell the judge, the prosecutor and your husband's attorney have to hear and your husband gets to know, he has a right to cross examine his witness and I let them know ahead of time. I let you know I will ask you questions and if you are 100% honest they might put you in an awkward position in might make your life more dangerous. You are not on probation. You have zero obligations to me and you don't have to answer questions. What I usually ask people and tell them is I prefer cut if you cannot answer, don't lie to me just say Jim, I don't want to discuss that. I will never document and say what you don't discuss because there is nothing to discuss or document. That I let you know there is a victim advocate who works for us, anything you say to the victim advocate is confidential. You can tell me, the judge, the police, your husband, you can sign releases and let her know that. At the end, what I want to do is give you and the victim advocate time to talk privately. I grab another case and give you 10 minutes alone and you can ask things and when I come back, if the victim advocate has hypothetical questions for me she can ask him if you have additional questions after talking, that you want to ask, that helped me in a variety of ways. It lets the victim know that she is in control and that she has power. It lets her connect to a nongovernmental victim advocate who she may or may not have had contact with if there were issues that she could not talk about to me, when I come back out, the nongovernmental victim advocate would ask me the hypothetical questions. I have no way to know if the questions were really from

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the victim or if they are inquisitive things that the victim advocate needs to know. I ask and answer to the best of my ability. If you want a no contact order listed, I would probably go in and recommend that to the court.

>> In the beginning that we were told that we would have a dramatic decrease in the them participation of the victims were being manipulated by partners and they were dropped cases but that ended up not happening. Usually when we listen to people and respect their wishes, a lot of these women wanted their partners to go to treatment and they wanted help, they did not want to go to prison for five years and they were scared of that, they may have told them what would happen but we were able to tell them what would really happen and we gave her some say in some voice and she was much more likely to participate. Now, on occasion, let's say you were there and you appear nervous and Andy Baskin you who drove you hear you end up telling me that you live with his parents, you want him back home, the police report alleges that he struggled you with a high blood alcohol level.

>> At the end of my interview, I might say I understand you want him home, his family want him home, it's uncomfortable for you to stay there with his parents, we will understand the risks about him strangling you, that is high on the lethality charge, he was drunk with a high blood alcohol level and was still able to do that, it puts him higher on the chart. What would happen if I went into the core and set in open court that you understand your rights and you want the no contact order listed and you want him to return home but I object based on the allegation that he strangled you and was intoxicated. I want to see him continue to pass his sobriety tests for the next two weeks and we will re-looked at it at the next three arraignment date, would that be okay with you ? Sometimes the woman would have a huge smile of relief because she gets to be the stand by your man in court. She doesn't upset his family and have that stress, she doesn't upset him and have

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retaliation, I am the bad guy. So, I think having the victim advocate their helps me in a variety of ways. If I victim blame, and advocate will call me later on and say, hey Jim, when you said this I think you made her feel like it was her fault or when you said this I think she felt you were advocating for him. It was free supervision from me for someone who had an insight to for how victims feel in our community. It was a way to collaborate with our partners, better engage victims, let them know about resources and improve my skills on a daily basis.

>> Thank you for describing that. I know that, similarly there is a really thoughtful process in the probation setting so we are we approaching that now so, actually before we move into the probation response itself I want to touch on the presentence investigation briefly -- pre-set investigation. Some of the things called on as cure critical for the court to see in the report and be reflective in the investigation, I think some of the basic pieces, the past use of violence, what was happening in the current offense -- but that a piece of it that is getting information from the victim again, what is the victim input on the incident itself, the history of violence, conditions of ovation -- probation and if the at defendant has been identified by probation. But essentially, when the offender is recognized to be a victim of battering outside of the present court case and different steps would be taken if that was what the defendant was identified as. Pointing out, of course if the defendant is a high risk offender and that enhanced supervision is needed in pointing out what the appropriate type of treatment should also be based on the level of risk and danger.

>> I wanted to ask you if there was anything else that stood out for you when completing PSIs?

>> Let me say, I have rarely, if ever, found a victim who comes into court and says she is a bit -- victim. Most. Do -- most people who if they say they are a batterer, are victim. They have a lot of shame and don't identify. You have to find a that

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through the process of the investigation. If I am interviewing a person, if you go off of the wheel, has George ever hit you or has George ever smacked you, people deny that as well. We look at the power control wheel and all the pieces and say where would that be found in a presentence evaluation.

>> Let's say economic abuse. We look at economics, does a person have a job. Access to resources. Is their name on the lease. On the checking account talking they make financial decisions, those types of questions let me know, if the person is controlling with money or being controlled with money. In a variety of other ways I can do that. In relationships and friendships are you isolated or not.

>> Jim, sorry to interrupt, I want to call attention to cut in the materials box, what you were describing to me sounds a little like to risk indicator and the power and control tactic worksheet that is in the material box if you want to reference. Continue, sorry.

>> What we did there, in the checklist, we took the power and control wheel and we created a form and took all of the different risk indicators from Jackie Campbell and we created a form and we asked both the offender and the fifth them. And we looked at who is covering for who. Then we ask why is she still covering up for him, is their fear, what is going on, it does allow us to go back through and document the that.

>> I will say if you ask questions directly that people tend to minimize them. What we do is normalize violent in the beginning. When you first meet someone everything's perfect that you go on a date, they wear cologne, we go back home, they put the toilet seat down but if they spend the night, they put the toothpaste Back on the toothpaste but after a while that wears off. You are not perfect, all the sudden somebody burps and something happens. How long was it in your relationship before Johnny was willing to say hurtful things to you. How long was

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it before he was willing to call you out your name. You know how sometimes when you're mad someone grabs you are pushes you to get your attention, how long was it before that happened? When I do that, I have people who swear on the Bible this is a first-time offense that then admit to multiple forms of isolation, emotional abuse and even physical abuse. I will have offenders come in and swear they are good guy that they just happened to do too much and made a bad choice to admit to all these different forms of abuse. Then what I can do at the end of the interview, I can take the form and say I know that you said this is an isolated first-time offense and I explain how we come up with the power and control wheel. It's look at what you check, here. Under emotional abuse UN Johnny both identified five out of six things that using isolation, four out of six, economic abuse, I know it feels, in your heart that this is an isolated event but it looks like there are a lot of things that we need to work with Johnny on.

>> This really helps people to solidify and realized that this has snuck up on me. I didn't see it, it became almost natural and I didn't recognize that than the identify the behavior as criminal and wrong.

>> We do that for the offender and for some they are quite shocked because they don't see themselves as batterers they see themselves as a good guy who has some anger issues but when you show him on paper that he answered that, when I am next to Johnny, if I look at this and write a book on healthy and loving relationships there is a lot of stuff I would have to be about. Let's see if we can work on that in a batterers intervention program. I am trying to engage him or her, whoever the victim is. If it is a victim who has been charged and may be she was rightfully charged but she is not a batterer, I definitely have to change the way I do my victim interview and make sure my collateral contacts are different. I have to go and make sure all the sanctions I put on the individual will not embolden the perpetrator and put them at greater risk because that can happen.

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The batterer will use the court system to further batterer, control and dominate the victim. That is not just a have to be able to go into court and say your honor, yes my client did this to their partner at this time, however, contextually this is what is going on and then even these women use these classes, I like them but for some victims who are still with their partner they don't have the financial means for the way to get there and then that will be a violation was and that getting them that if they are on a deferred sentence, convicted and thrown in jail. We have to be careful on is this program helpful, is it achievable given the realities of this person and where they are.

>> Right.

>> So I think this is a really good transition forest into looking at the probation response when somebody is ordered into probation.

>> You are talking a lot about your role and what it was in terms of what you were relating to victims and offenders and also speaking a little bit to the type of information that victims can provide for you, the worksheet where you go through these risk factors and power and control tactics both the victim and the offender. In the blueprint it calls on probation to actually sit down and talk with the victim first without the first meeting with the defendant that type of information. This can get insight into the offender's trigger and patterns and what the safety concerns could be and to mold and shape your supervision around the factors. As you mentioned there is the piece that probation provides basic information to victims in terms of notice of the sentence that if there is a release or not and if there is when does it happen, what are the conditions and what are you supposed to do to respond if the offender does violate, how can the them know who to notify and how to notify them?

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>> I want to move us along a little bit so we don't fall too far behind and we cover everything we have for today. But, you mentioned something to me today in terms of it not doing me any good as a probation officer is Johnny does every thing for his homework and looked me in the eye and does everything you supposed to do but he is still beating up his partner at home. That stuck with me and I wanted to see if you could speak for a moment about why there is this important in the blueprint of engaging with victims at this probation stage where the probation response is centered so much around offenders, what is it about victim engagement that is so important for this process for probation?

>> For us we had to do a paradigm shift, we had to figure out our true mission statement of the court and our number one goal was to enhance the safety of those victimized by violence, that is broader than just the victim, this means the individual assaulted got individuals exposed to it, whether children, their in law, etc. there are a lot of people who can be traumatized by violent behavior. The number one goal is to enhance the safety of that population. Secondary to that would be offender behavior. My offenders and what I found around the country, there are many domestic violence offenders who are very charismatic, that is how they keep their partners in the first place but the number one people who they always throw on trustees are the domestic violence offenders, they are great trustees but they know how to follow rules, they can be polite as long as they are getting what they want, they are very engaging. So, we can have guys come in and be very polite, respectful, make appropriate jokes, and still be terrorizing their partner. We decided that really the only way that I can make sure that my policies and procedures are not harming the people I say I am trying to protect is that I actually engage in talked to the individuals. Are these sanctions helpful to ? Power the harmful? What can we do to modify them to make them less harmful? What we do to make things more helpful ? We have to do that and we have to do that by having excellent relationships with the victim advocates and respecting

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them as the voice of the victims that they worked with. But we can also get that firsthand ourselves by being trained and informed and actually engaging the women in our community, or men, whoever is being victimized but engaging the individual and actually having a discussion and thinking about what are the collateral contact lenses. When I do this to George, what does it do to Mary and her children? If I put George in jail and he loses his job in the children's health insurance and they lose their house, what is the impact on the family and what is the impact on safety? Do I have to do things differently with this case than how I have done a historically? I think that is why we felt it was imperative that we have the presentence investigation. When I meet her at pretrial and makes it so much easier because she remembers me when I call her back. This is Jim. I know life is hectic and you are busy. Is there anyway we can talk? I need to make recommendations on George and I need to make sure they are least destructive to the family. Some don't want to talk to me because they've been screwed over by the court before. I have to assure them that I am not trying to do that.

>> I am going to do what we did earlier and ask our artistic and listening in to use the hand raising function again, anybody who works in corrections or as a probation officer or staff, raise your hand for us and we will take a quick glance and survey to see who we might have on the line

>> The looks like there are about five people right now. I will let you know if the number changes.

>> Focusing now more closely on the piece that involves monitoring offenders. Monitoring them for compliance with their probation conditions and responding immediately to violations and kind of the immediate response piece is key in the blueprint, particularly when it comes to determining whether or not to have probation response to a violation and how that timing works out with prosecution if they are interested in pursuing a new charge for the violation. Can you speak to

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us a little bit about what that immediate response to a violation of a condition to probation would look like and how you might work with prosecutors on that?

>> First and foremost I have to have accurate information from all and I need to have up-to-date information. Getting a monthly report is not enough. It tells the victim that nothing is being done and it has people losing confidence in the flesh in asked. We have to have the report every week where I am looking at it. If I call my client first thing in the morning, it changes my compliance levels. Letting him know that I am watching and I know what is going on. If a intervention program in the substance abuse community can start operationalizing their CCR, and what I mean by that is, if you are wired to go to mental health programming you need to

>> He will go to jail for everything that he missed Doing that a few times and catching people quickly, at one time we had a defense counsel get mad and say I send everyone to jail. They did a study and found out they were right, I threw more people in jail than any other probation officer in the county, however we use significantly less jail beds than any other probation officer in the county and has the highest completion rate. Eye-catching offenders early and holding them accountable consistently every time this drastically reduces the amount of men who end up dropping out not completing and violating ending up back in incarceration. I can't decide that we will give you a break but not George, I will treat the sky differently because he had an expensive attorney or he was a dock or. It cannot be based on economics, race or religion, they were treated with some type of procedural justice that they knew the consequences and they will be consistent. The judicial review dramatically helped. My client was 100% compliant I did not make them go to those. Some courts do but I look at the research and this suggests that for every consequent it should be seven rewards. Of the client does everything right there's a reason for them to go to war have the judge telling me what every class and pay fines and went to get his drug test. He knows that

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but we will still be good often courts of the advocate can here in case I don't have context of the car the advocate cannot release it, that he is doing all of these things and probation has excused him.

>> The clients who are noncompliant get to hear all of the clients who were excused and did not have to spend money because they were compliant and this really helps.

>> The other thing we did that change is we do things more and a group reporting. I don't see my client individually and I think it so important that I am at a CR meetings meeting with advocate and I go to advocate programs to make sure they are accountable. I don't think it's nearly as necessary for me to see my client individually, think it's a waste of resources and an old-fashioned way of doing things. Hardly any treatment plan now is individual. We have a better success rate in group therapy for eating disorders, mental health, we started doing group health meetings and this dramatically dropped our technical violations for probation, increased my time for victim contact, the victim interviews and the time to network. It ended up being very helpful for us.

>> We have a question, in terms of whether or not you conducted these group reporting meetings at the probation office or another location.

>> We did all of them. Depending on where we were at, in the beginning we had a really nice unit and a huge hallway in the probation Department. I would do them after our so clients would not have to work. I split them up by program. ADA clients came from 5 PM to 6 PM. Different groups came from different areas and had different times. The guys would come in and I would call everyone's chairs out of their offices and we would meet in a hallway and do it there. When we lost funding for the big unit, we moved it -- before that I did it at the probation department but then we did at the jail for a minute been removed from there to

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inmate services for a little bit, then inmate services that remodeling we ended up doing it at Catholic services for a while.

>> You really did do it everywhere.

>> I like doing it at the court because I have a computer where I can document things, I can look up in the system your next court date, if you throw me a curveball I can look it up and see if it is true. When I met Catholic social services I don't have access to the data. If you throw me a curveball I have to do work tomorrow to fix it, that is the only problem with that.

>> Gotcha.

>> Can I say something else about victim engagement, realize, when all of your probation procedures and policies were created, domestic violence was not a crime. Not a single policy and practice that we engage in was ever considered in the victim safety. When we started our unit we had the them services come in and look at and talk about every single policy and practice that we did. We did not let them dictate our office we asked for their opinion and thoughts so, even our probation group meeting, the batterers group intervention programs would watch, victim advocates would watch, the defense bar has watched, the judge has watched and the prosecutor. It sends a good message to offenders that the community is interested in what we are doing and it really helps me to improve my skills and let every partner know what is going on, it's the same thing as having advocate and watching a victim interview, it helps fine-tune my skills and has made me better at my job. It lets other people inform their clients about what would happen whether offender or victim. Both are nervous about coming into court. To have accurate, up-to-date information is very helpful

>> You mentioned several times when talking, batterer intervention programs. Part of the blueprint messaging of accountability to offenders -- I should say, in

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addition to messaging of accountability, part of the messaging of help from the blueprint is geared towards offenders as well in the sense of, what I think Denise said earlier when talking about messages of health and accountability, if you do recognize your behavior and you recognize what is wrong with the and you want to change it and we are here to help you do that. That there is hope for you if you are willing to recognize what you are doing and recognize that you need help and you want to make a change that is something that the system and the community will help you do if you don't we will make it really uncomfortable for you. Part of the opportunity to change are these treatment programs. Can you speak to us a little on the difference between anger management and batterer intervention. I think you mentioned something about a guy thinking he might think he just gets angry but that's not quite the case when We're talking about battering can you describe the difference for us?

>> I think there is a variety of things going on, some people think it's a family issue, some people think it's my mental health, I'm ADHD, I have issues, but for us we truly believe that battering is about entitlement and privilege. It's just like racism. If I am a member of the Ku Klux Klan you will not send me to a weekend program and then all of a sudden I will deal with my white the premises issues. It takes a long time. So, for these guys to send them through short-term programs it just doesn't work. They might go to the program and say they learned a ton, and they might learn great skills, that really to make that true change and have more of a muscle memory was bonds, when they are confronted with a event it is a long process. What we find in most states but whatever your state minimum is is how long your batterers intervention program is. So if it is 12 weeks, it's 12, if it's 52 it is 52, there is an old saying, it's the least I could do. It's sad lonely talk about violence against women, that most of us in most states to the least expected of us. When I look at the bare minimum that should be for my low risk offender, a misdemeanor guy who comes in admitting wrong, he might do okay in a short-

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term program that my guy that is high risk and who has been to the system before and has a huge amount of denial, a huge amount of blame, is not able to articulate his accountability, he will not do as well in a short-term program. When I look at models, used to be a little more hung up on models and say I like to do the Duluth model or emerge are the programs that were well established, but I'm not so much into that now. I see people who claim to be deleted who have never been trained by Duluth. I have seen people who use different models that are still abusive. I think as a probation officer I have a moral and ethical public nation to go sit in and watch these groups and find out if facilitator has colluded with offenders. Do they let people defocused by talking about Vick comes. I have seen people do this in all kinds of programs you would never imagine, I've seen people come to the door and present the program well, talk a great game but do not have a true skill to do it.

>> I was in one community and the programs that I thought I would like, they marketed well and claim to be certain models, I heard -- I would not have sent anyone I cared about to them. The programs I was least drawn to, had the best clinicians who understood accountability and victim safety. I think we need to go watch each program and understand the model and we need to work with programs. If you have every program, the same session in your system, you do not have a good system. We know that the highest risk is the first 90 days, that is when people are most likely to dropout of probation. You might want to put high risk clients in 2 to 3 times a week for the first 90 days and then once a week for a year. You might take really low risk clients and do a 26 or 36 week program. Then, I might need to meet with different providers and ask them to specialized in higher risk offenders. Can you specialize in youthful offenders, we can't do this in rural areas we might have only one or two treatment programs but there are ways to do that Think about it, with substance abuse they don't all go to the same program, we do intensive outpatient, residential, mental health, we don't all go to

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counseling the same amount of times domestic violence should not be once a week for 26 weeks, it should be individually assessed by risk and the to find the appropriate level. This needs to be determined by individual communities by really looking at the evidence and the research and what can economically be afforded if we have no money and we are under resourced some probation resources provide services themselves. If I live in a new -- a high crime and low economic community and no one offers services it's not fair to the clients to not get those services. We might have to step up to the plate and go get the training and there are probation departments doing that around the country and doing a great job.

>> I am glad that you mentioned options for smaller communities or communities that don't have a lot of resources. It brings us to the next slide on taking a moment to talk about misdemeanors. I think, similar to pretrial and similar to treatment programs, probation for misdemeanors is another one of those areas that sometimes lacks resources. So, a lot of what we talked about today is recognizing and paying attention to the context and level of risk and danger in that happens across the board whether the case is a misdemeanor or a felony. But, often times, there is a little bit less of an intense response in terms of pretrial or probation supervision for misdemeanors. I was hoping you could speak a moment on why it is still important even though it is a misdemeanor and not a felony, to take the same approach in misdemeanor cases, paying just as much attention to risk and danger and paying attention to the type of risk at hand and what that means for victim safety and what that means for monitoring and supervising the offender.

>> I do a batterers intervention program in Detroit. The majority of my clients, the climb -- crime that got them there was not the most violent offense. I may have committed a misdemeanor offense today but that doesn't mean that last week I

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didn't strangle you until you defecated. I could be a highly lethal guy. We have to look at contextually what is going on with the individual. You and I talked about research out of Quincy where Andy Klein had a probation department that had all dedicated staff, well-trained, and at the end of the year, NIJ tracked women and 49% had been re-assaulted. These are women whose partners were in the emerge which has well-trained staff, dedicated to the movement and when they talked to the women only 22% of the 49% only reported it to anyone. The only women who reported it were women who have received the least amount of violence. The ones with the most amount of violence, when asked why they did not report it for those in the most danger, they felt it was useless. He was already in the best treatment program and on probation and he is still doing it, what can we do for her? They gave up hope that we could impact the offender. They were not going to talk to us because all we could do was make things more difficult on them, not make them more safe. That is a smart victim. We might not like it but she is thinking for herself.

>> GS-12 did come forward were at a lower level but still had hope that the probation department could do something and impact of change.

>> If we listened to the person and give them power and a voice they were much more likely to use us in the future even if they got to the higher level of violence.

>> Having the initial contact and taking concerns seriously in the beginning, listening, lending them a voice, it makes a much more like the to participate when they need us.

>> If I am going to deal with your trauma, is it going to be easier for me and easier for you if I catch you at low level, or will it be easier after years of ongoing abuse and traumatization. If I can get you earlier on and get you early intervention, you can get well and get healthy far quicker and move on and have a productive life,

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then someone who has PTSD. The same thing for the offender. If he has been battering for 20 years and you will send them to a once a week last for an hour and a half and expect a miracle, you are probably not going to get that. If you can catch that guide a much earlier level and send him a message saying this is not going to be tolerated, you cannot do this in our community, there are severe consequences if you do, here is an opportunity to look at yourself and here is an opportunity to consider alternatives and behaviors, we will have a far greater like the hood of impacting the individual and their behavior change than a guy with all that baggage to unpack in the limited amount of time people want to go to programs nowadays.

>> Thank you so much, Jim.

>> I will come back to you for final thoughts. I will go over the last couple slides and I encourage anyone listening into if you have Westerns for Jim, please type in -- questions for Jim type them into the Q&A box to bring them to his attention.

>> You mentioned a few times the step she took coming in, taking over the DV unit in your probation agent who, to address policy and to make changes right away and what was guiding your agencies work and to bring an advocate be part of the process. For those who are currently implementing a blueprint in your community or if you are interested in implementing a blueprint, I ask you all to use the hand raise function one must time and the head to raise your hand -- one last time and raise your hand if you are currently working on Blue Point -- blueprint or taking on blueprint.

>> We think about institutionalizing these best practices as really meeting and needing three things to happen effectively. Think of it as a three-legged stool, because of any of the legs or missing the stool would topple over. So, in addition to the policy piece, which Jim talked about in many effective ways, especially

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when he mentioned bringing local advocacy into the process and being open to allowing that to happen. Once policy is put into place, whether you have existing policy and you are taking him taking on blueprint there are often six folks who have raise your hand about doing blueprint or who are interested in blueprint so thank you all for reading your hands. The blueprint does offer policy templates. Denise mentioned there are a series of these policies that are part of the blueprint as a document and they are policy in protocol for every agency from 911 to probation and parole. Once the policy is put into place you have to back it up with a couple of things. The first thing you back it up with his training. All of your staff, practitioners, everyone who is going to be responsible for enacting the new policy. Then training gets further backed up and implementation comes full circle when proper supervision is put in place so that the proper mechanisms are put in place administratively for there to be oversight internally and interagency wide. So, Jim --

>> I would even say supervision/support. We want to make sure that what we are doing is not harming those we are trying to's her. We decided to engage a victim services, nongovernmental to train us and help us with that. I am not going to my supervisor for supervision because that person does not have expertise in victim work. My supervision was from the them advocates that even having them be part of what I'm doing in no contact orders, bond conditions, having them watch me do victim interviews, how that changed our relationship, calling them on a hard case, my supervisor does not have to be within my agency. It could be my colleague, partner in the community with expertise that I need. Another way we did this whole policy thing, everybody wanted to do batterers intervention in our program. I don't care if programs are certified or not it means little, what means is how good is a clinician in doing their work so we had each program come in and I had to present in front of competition, the model they used in they had to defend their model. Who trained to, how long ago, why you chose the model to be the

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best to enhance the safety car why you chose the model to be the best to promote offender behavior change and other procedural things, have you can the program how much they charge and that anybody in the audience could ask you questions. We had all of our victim advocates there, prosecutors, I judge, all of the probation departments were there. And the other batterers intervention programs. At the end when all of the intervention programs were done we thanked them and had them leave and we had an open discussion, a community meeting. What did people think? Advocates got to say whatever they thought. In the end we dismissed all of them and probation decided what we would do. They don't run our department but they inform our department and the Mayfield their voice is valued and they have a hand in the are really our partners.

>> Jim, I just wanted to see two, we're close to the end of our time together, we have two minutes left and I want to make a couple housekeeping announcements. Do you have any final thoughts for our group today. Thank you so much for your information. It is incredibly helpful and very meaningful in terms of a lot of great examples that you gave us. We do have the probation project that Jim directs that the link is on the screen as well as gems contact information. Do you have final thoughts?

>> We will do a big conference in June, it will be firearm, strangulation and talking managing your highest offense offender. It will be a phenomenal training, hands-on work, great planning on breakouts with big names. I am really excited about it. It will probably be in St. Louis but it will be on the page shortly. We're working on that. I encourage people to do that. We will do anything we can to support the blueprint. Thank you for the pioneering direction that you gave us.

>> Thank you so much for Jim. I have the our information that praxis here. Just to call out your attention to a couple things under web links on your screen, there is a link to the praxis website, there is also an evaluation . Please, please, please it is

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not a long evaluation at all but it helps us to see how we can improve these webinars at all if we need to. Chapter 7 of the blueprint for that is the policy and protocol template that we have been talking about on the probation response, it is also there and available as a web link.

>> In the materials I just wanted to call attention to some of the materials that Jim shared with us for you all to have. He included the risk indicators worksheet and the power and control worksheet that he described. He also provided a copy of the Michigan law enforcement bond information and domestic violence conditional release form so you could have a sense of what they look like as well as the TV victim letterform that his office uses to communicate with victims and several different questions to consider in your PSI investigation.

>> So, Jim provided us with really excellent materials. I believe the PowerPoint is also in the material box.

>> There are some other helpful resources and tools that we will be providing you as well with a follow-up me mail within one week of today's webinar. There will be more helpful information from praxis and Jim in the email.

>> Thank you all so much for your time today. Great presentation, Jim. I think this is very helpful and don't hesitate to reach out to us or Jim if you have any other follow-up questions or would like any more information for work being done in your communities.'s back thank you all.

>> Thank you.

>> Thanks everyone. Goodbye.

>> [event concluded]

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