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Text Analysis: Reading Between the Lines of our Response to Domestic Violence

**Rhonda Martinson, Praxis consultant, and Matt Wiese, Marquette County,
Michigan**

June 8, 2017

>> Good morning everyone and welcome to this webinar, text analysis, reading between the lines of our response to domestic violence, presented by Praxis International. My name is Amalfi Parker Elder and I'm joined by my partners, Denise and Liz who will help us with technical aspects of today's webinar. In just a moment, Denise will introduce our presenters and before then, Liz, can you tell us a little bit of how the webinar will function today.

>> Thank you Amalfi, we are happy your can be with us today, I would like to let you know, as you perhaps have already noticed that there are captions willing at the bottom of your screen. Because this is real-time captioning, sometimes you will notice errors and we ask you to not be overly distracted by that. We also encourage you to share your questions and comments with us cut you will see the question and answer box in the middle column top portion of your screen. That is the place for you to share your comments with us, your comments will get routed directly to us as presenters and we will share those thoughts with the whole group I would also like to let you know all of the boxes on your screen that you can change the settings and display, so there is a very slight icon in the right of the far right of the box and if you have over it you will see it says pot options and there are a variety of ways in which set you can change the display.

>> Also I would just encourage you to notice below in the bottom left to boxes, there is a box called web links and a box called materials, the materials will be specifically referenced during the presentation today as well as the PowerPoint, and they are available for you to download at your discretion.

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>> This session is being recorded and will be posted to the audio archive page of the Blueprint for Safety website. So, with that, Amalfi I will turn it back to you.

>> Hello, this is Denise, I think Amalfi was waiting for me to come in and introduce Matt and Rob. This is Denise, I'm happy to have everyone with us today, I am from praxis. I want to take a minute to introduce our guest speakers. Rhonda Martinson and Matt we see. Rhonda has been a former prosecutor and 911 dispatcher and has worked as a consultant and trainer across the country. She has consulted with the number of agencies including praxis and we are delighted to have her with us today. Matt Weise is the prosecuting attorney in Marquette County since 1977, she has -- he has worked on the battered women's project and praxis. Matt has been a leader in the state of Michigan in developing statewide policies and initiatives to address crimes in his area.

>> Welcome, Matt and Rhonda.

>> Thank you.

>> I want to say a bit about learning objectives, what we will try to cover in this webinar. We will talk a little bit about the blueprint for safety, this is a webinar being presented on tech analysis within the context of the blueprint. I want to emphasize that really anyone tiny community that is interested in interested in enhancing response to domestic violence and sexual assault crimes can use these strategies to improve response. I will give a brief overview of what blueprint is that for those who may be unfamiliar with it, provide a basic understanding of what text analysis is and how to organize such an analysis in your community, what to look or how it fits into the blueprint or other responses to enhance your system response to violence against women.

>> So, let's talk a little bit about the Blueprint for Safety. As I said, this webinar is designed to explore text analysis specifically in the context of the Blueprint for

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Safety which is a comprehensive approach to criminal case processing of mystic violence related crimes. This is 911 all the way through probation. The blueprint brings communities together to look at the entirety of the criminal legal system response to domestic violence, we're not looking at an isolated agency, we're looking at all agencies in the response to domestic violence. If you are not currently developing or implementing a blueprint response, don't worry you can still use these strategies, but before we dive into a text analysis itself, I want to say a little bit more about the blueprint. We think of the blueprint as three things, we think of it as an approach that document and a process. The blueprint brings together every agency in the criminal legal system that handles domestic violence crimes to build a single coherent response to violence against women. So, it might sound a little jargon need to talk about this notion of approach document but let me describe what we mean by this. By approach we mean that we try to develop the same understanding by everyone who works on these cases about what this violence is and what response is effective. This work is informed and the approach is informed by the 30 years or so of the experience and research in the field that provide the framework for this kind of thinking and developing and shared understanding of what domestic violence and battering that we are focusing on within the blueprint process. By a document, we mean that every agency that touches a domestic violence case has a detailed set of written policies and protocols to guide the response. But, more than that, we like to think of all of these agencies and policies of being linked together in a single cohesive document, every single agency's policy is written with all of the other agencies in mind. For example, when we are writing a 911 response, we're thinking about how law enforcement will use the information, 911 is able to produce and how prosecutors and others may use it and on down the line. We always link back to make sure that we have a single coherent approach that is captured within the document that guides the response. Then, by a process we mean that in a

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blueprint community we commit to a new way of working together that is guided by the blueprint approach and documents, so the community commits to this ongoing process of continually coming together to examine what it is that we have implemented in the community cut to see if we did what we intended to do and is a having the impact that we wanted and what do we need to adjust in order to make sure that our response is what it is that we had intended.

>> The blueprint is implemented in five basis, so, Amalfi , if you have the five phases slide, available to us on the webinar that this is a graphic representation that some of you may have seen, but it bears repeating for those who have seen it before and especially for those who are on the phone who might be less familiar with it. Phase 1 of the blueprint is the time where we explore and prepare. We have ongoing conversations with all of our community partners, advocacy, law enforcement, 911, prosecution, probation, every agency that handles a domestic violence case. And even the larger communities really look at what is happening in the community and are we prepared to take on a project of this magnitude. Once the community decides to do this, then we determine who is going to coordinate the project, how people are going to work together to who is going to be assigned to it and then we begin the process of analyzing the community response which brings us to phase 2. So, in faith to what we call practice assessments, a community is really diving into learning as much as it can about how the details of the community response actually work. So we use a number of strategies in order to do this. We bring people together to map out our systems response, to talk to people who are workers in the agencies to learn what we can about how they do their job and what guides them and we watch people at work and go on police right along or sit in the 911 call center. We talk with the terms of violence about their experiences in the criminal justice system and we analyze text, which is the focus of our conversation today. After we have done all of that, then we work together to decide to bring all of that information together

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and put it up against the blueprint document and develop our own adaptation of the blueprint in the community. Following that we implement and train everybody up, build it into the agencies processing steps and then finally, we engage in this process of ongoing monitoring and assessment to make sure that we are doing what it is that we intended to do. So, the information that we uncover in our text analysis in phase 2, helps us inform our policymaking decisions in phase 3. Then, it is also very much involved with the ongoing monitoring activities in phase 4. We will talk mostly about phase 2 and some about-face three and we will touch on phase 5 at the end of this. Listeners should also be aware that, on the Praxis International website we have a wealth of information available on the blueprint. This is just a brief snapshot of what it is but we have additional webinars that describe the blueprint in more detail that are on the archived portion of our training tabs and we also have a number of written documents as well. You can learn more about that at www.PraxisInternational.org. With that, Amalfi can you dive into the specifics about text analysis?

>> Yes, so what do we mean when we say text analysis? Well, that brings us to uncovering this word text and text is a word that is used in this process to represent many different forms of documentation, mostly written by verbal as well. So we will talk through different examples of what the texts are and what you see is a close careful reading of forms reports files and curriculum. There are many different types of text that fit into the categories we woke cover today. Why do we do this process ? We look at text and analyze text uncover a full picture of our community's response to domestic violence. So much of what will not be said interviewing a practitioner or even observing them will not touch on what the system is documenting at every point of intervention. What gets documented become so important to have these cases are processed through and what we can learn about the response. When Denise touched on this, talking

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about the phases of the blueprint, but even outside of the blueprint, in general, that if your team is doing work in a learning phase that would be similar to phase 2 of the blueprint, you can do several different sessions in that kind a phase in the community where you're trying to learn as much as you can. Is also something that can be applied, phase 3 of the blueprint or similarly if you are not in a blue and community, it can be used to review either your current policy or a sample policy to compare with current policy, this can be used to kind of analyzing the close at policy as well as, like Denis said, information from text analysis can be used when developing policy. Then, when we say phase 5 in the blueprint, similarly to phase 5 in the blueprint, if your community is at a point where you have done some of this work to already look at your system, you put in place new policies are best practices, have implemented changes and you want to check in and say, are these changes being done and are we doing what we set out to do, and then revisiting text analysis at that point as a check in to see how you're doing. So, what kinds of text can re-examine. I'm just going to call everyone's attention, at this point to your Q&A box that was described to you earlier. As I talk through each of these categories of text, I invite you to it type into your chat, ideas you have about other examples of what these types of text can be. So, for instance, let's chart out with what we mean when we say policies, policies is really one example of many different types of regulatory text, text that define what people are required to do. They are largely invisible to workers in their day-to-day work, so for instance, when practitioners are carrying out their work, they are not often referencing policies on a day-to-day basis or a minute by minute basis during their work and policies are not often going to get put into a case file being produced by a practitioner. Yet, they are very critical for helping us learn about the underlying principles and philosophies of an agency of the criteria and procedures for how they are meant to carry out their work and how monitoring and compliance also gets approached by an agency. So, I encourage you all to

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type some ideas that you might have of what are some other text that kind of define what we do in our work. I will be those out if anybody wants to type in some of the examples. Other examples but side policy include laws, whether on a state level custody level, court rulings, case law can stand in as a statue to kind of direct what the law for that jurisdiction did. Jury instructions are another example. So Rhonda and Matt will talk us through concrete examples as we move forward, you will get a better sense as we keep moving forward. So, policies, again, they are kind of created to guide our big picture thinking about the world and they kind of provide those out of parameters. Reports are probably the types of text that everyone is the most familiar with because especially when talking about the criminal legal system, police reports, will kind of be the thing that will come to your mind right away when you say reports. What is so important about analyzing and looking at Reporter case record, these other text that stand in for the messy reality of people's lives. When a police report is written that often becomes a kind of to shuttle and official story of those people's lives and it becomes the official story of their life that been is the only thing that is really concretely recognized and reference from the first response of police all the way through the system. So really understanding how information gets captured and reports of case record and case files, tells us so much about the impact of the system response than what is being documented. Other examples of case record, like I was saying before, text is not always written, 911 audio recordings, radio transmission recordings, between 911 and police. Jail tapes, those are also considered text, verbal instead of written, but, again, the idea is, what is the language that we use in our response and how are we documenting those things. Criminal complaints, presentence investigation, prosecution case files, these are all examples of it reporting to case record text. I invite anyone to type in examples of text that I might not be saying out loud and I'm happy to share those with the rest of our listeners. So, finally, forms are really, primarily used by practitioners to

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help them to categorize and organize cut to prioritize what may come first to that is on their desk. Forms like checklist, report writing formats, pocket cards, charts, these are the things that kind of help outline -- I'm sorry, their use by practitioners to carry out the directives that are outlined in the policies or regulating text that guide their work. Forms also shape the way that Reporter case records are put together. So, for instance, a form, like a patrol officer checklist that kind of has a list of everything that an officer should do in responding on a scene, is going to impact and shape the way that the police report gets written. The police report can be used in text analysis to look at it as a form in terms of how is this form set up, how is the format of the police report set up and what can we learn about that as well as then analyzing the content.

>> The -- so there are different ways to approach in the get you to these kinds of text that we are going to kind of move forward with -- Rhonda and Matt will give us more concrete examples.

>> So what are we looking for when we do this process of text analysis. We are really analyzing text to teach us how workers are organized, how are they directed to do their work. How is the text capturing or obscuring real-life experience, this is what I meant before, about report standing in him becoming the official story of the case. But, is that text allowing for any insight into the real lived experience of the people whose names are just written on the paper. Text will also tell us how practitioners document and share information on risk and danger. Tax can also tell us if the system response is picking up on information, capturing and documenting and then relaying information about safety and accountability. So, I will point you to one of the handouts that we sent to you in advance of today's webinar, the handout called key questions to ask in text analysis. That will also give you an example of the questions that we ask when we do text analysis, what are we looking for and the handout talks about how is this

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used in created and how does it fit into the sequence of actions and case processing, etc. So one of the concepts that has been developed at Praxis International, that really helps us to analyze and think about the way that workers are organized by the eight methods that you see in front of you on the screen these eight methods we look at as kind of the overall categories of the various different ways in which workers are organized -- workers are organized, we set out kind of a blank version of this image, hoping that maybe would look at it and start thinking about your own work, what are the rules and regulations that guide my work or who am I linked to? So as I talked to the eight methods, I encourage you to think yourself about how these methods apply to your own work and her own job and then I will invite Rhonda and Matt to talk to us a little bit about this, particularly from the perspective of prosecution Since we're so lucky to have their expertise in the field with us today. So, rules and regulations, policies, laws, court rulings, we have kind of talked on this in terms of talking about the regulatory type of tech. Administrative practices are going to be more like your protocols, the forms, the screening tools, the paperwork, as I described, those types of text but also other instructions that might not be on a written format and how to carry out the direct gives right now in the rules and regulations. Support staff, the numbers of staffing, caseloads that people have to manage, financial help, financing in funding, legal representation, and resources not just for practitioners in the system but resources for the terms and offenders as well. Concepts and theories do with the language in the assumptions and ways of thinking about issues, that is a lot of physical optical -- philosophical ways to deal with domestic violence., Linkages is who is connected to who and how is a text connected to either other practitioners or not, so thinking about prosecution, they are really linked to a lot of different people and so I will let Rhonda and Matt kind of give us some of those examples and I think what I will do for timing is turn to you Rhonda and ask you to give us some examples about mission and purpose and rules and

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regulations that if you can talk us through and give us a sense using prosecution is an example. What are these as they relate to prosecution?

>> Hello everyone, this is Rhonda Martinson, and the several types of examples that Amalfi has asked me to articulate, I will spend more time on mission, purpose and function and a bit less on subsequent things and I think you will see why, mission can be fuzzy. So everywhere in law school is asked to read the case of Berger versus United States from 1935, a United States Supreme Court case where a man disputed his conviction based on the conduct of the prosecutor. The U.S. Supreme Court said that the prosecutor represents not just a party to a controversy but a sovereignty whose obligation is to govern and -- impartially, if it's to govern at all, and his interest therefore in criminal prosecution is not to win a case but that justice shall be done. The court goes on to comment on what justice means, it uses phrases like servant of the law, making sure that they guilty not escape nor the innocent suffer and a prosecutor must refrain from just getting a conviction. When you think about those of us on the X -- on this call either being a domestic violence prosecutor or -- you also have the justice attorneys Association commented on what the mission of a domestic violence prosecutor should be. They produce standards for domestic violence prosecutor's Coptic them occasionally -- update them occasionally, so they would say a domestic violence processes -- prosecutor's mission is to increase accountability by aggressively prosecuting domestic violence cases when the evidence support that car promoting multidisciplinary collaboration and also strategies for successful prosecution of these cases even one victims are unable or unwilling to participate so, those are things to keep in mind as it relates to mission. It also tells you where they come from and the kinds of documents to look at. Then, very quickly, a prosecutor's purpose would be to represent the people against persons charged with violating criminal laws and function. The American Association also comments with another definition saying that the assumption of a prosecutor is

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not only responsible for prosecution but also to seek and improve the administration of criminal justice, which I think is an important thing to say in this webinar which is about looking at text analysis and case files in a prosecutor's office to improve response. Quickly the other thing that I think the other thing that Amalfi would like me to identify, I think of examples of rules and regulation. These are things like code of ethics, these guidance as to what to do in particular crimes in cases, our courts have criminal court procedures, which were to be guided by when we bring people to court. We have state statutes regarding crimes which guide us as to the elements which must be proven that to prove someone guilty in a particular crime within a reasonable doubt and finally as Amalfi already said, many of us have written and domestic violence policies for prosecution in our offices. Administrative practices is a fancy word for the thing that we need to help carry out these policies cost of things like checklist, I think Matt's office was the very first office that I saw produce a simple checklist for prosecutors to utilize to make sure that everything one might need for a good quality domestic violence process might be available to him or her. You might find that advocates in a domestic violence prosecutor's office have administrative aids such as scripts to use in which to mediate with victims by phone or a check was to use in order to assess risk and safety planning with victims. Last but not least, I think, Amalfi left her conversation with linkages and was hoping I would exemplify those. We partner with many people in the criminal justice system, 911, law enforcement, and the thing that I would say about that is prosecutors are not like law enforcement in that they produce reports. They are, however the hub of report making activity, they are the place where all of those things come to and then they have to make a decision, so that is the way we describe a linkages and information sharing with criminal justice partners, prosecutors not being the producer of it but the collector of it upon which a decision must be made.

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>> Thank you, Rhonda. Those are very helpful examples. But now can you give us examples of accountability, resources, concepts and theories, education and training, and give us a better sense of those ? Matt?

>> Sure, Rhonda, did you know I have that justice quote on my wall?

>> Oh, no.

>> Wow, amazing. I just want to reiterate that that hangs on my wall as a daily reminder as to what is our obligation to seek that guilt shall not escape and that in a sense will not suffer -- for that in a sense suffer.

>> I'm glad you mentioned that, so not to belabor that too much, the prosecuting attorney as the chief official for the division, official officer, we work with law enforcement in tandem and one thing I do want to mention is that I feel that prosecutors have an obligation to provide police training on legal updates, changes in law, both case law and statutes to and from time to time, one of my practices is to send out a law enforcement memo to clarify a change in law or a change in procedure so that we are consistent across the jurisdiction. I represent an entire county and a number of police departments. So, with regard to our accountability, number one, we represent the people so we are accountable to the community, to society. Number two, we are accountable to victims, and that may seem like an obvious thing, the When I started back in 1987, night -- not 1977, we didn't even have the victims right form then, prosecutors did whatever they wanted, the victims rights that have been passed and incorporated in obstetricians are now in place to make sure victims have a voice in the system. With regard to that, accountability for offenders, think our accountability is not to offenders but we have accountability to the system to make sure that we are the gatekeepers cut to make sure that when cases coming that they are done appropriately, that no constitutional rights are violated, that due process is

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followed. Our job is to play by the rules. I think that is extremely important. Additionally, as we work with the law enforcement agencies, we work also with other partners, as Denise mentioned, we work with a community-based advocacy system, the blueprint community we work with dispatch, probation, parole, we are developing a pretrial services program. So, the linkages expand the more that you get involved with this. As far as resources go, think most prosecutors and most police will say that they do not have enough resources and I am one of those. Our caseload has doubled in the last five years as far as felonies are concerned and they are -- there are basically five of us in my office to handle 5000 cases a year and that is 1000 cases each which is a lot. I think even though we cannot have a designated prosecutor to do just domestic violence or just the crimes against spouse or violence against women crimes, I have specialized in that area and I right now bring along a couple of assistance in to specialize in that area also, so that we can cover those cases. Technology is another area in which I think we need to use what's available, we are now developing a case tracking system, document management system so we can keep track of individuals who have been in the system and we know their history. I will talk about some of that more, later. One area where we are kind of lacking resources is detection order enforcement and getting protection orders prosecuted when there has been a violation. That is one of the gaps we have identified in our blueprint process. Me take a look at the time, we are running a little behind.

>> We are but that's okay, Matt. I'd like you to briefly give us an idea about concepts and theories education and training still and then we will move forward.

>> Okay.

>> One of the concepts and theories that we found to be extremely helpful in our office is that we try to get connected to the victims as soon as we possibly can, within 24 to 48 hours at the latest. Rhonda mentioned forms that are used

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perhaps by prosecutors and victim witness folks Orphic them advocates in the prosecutor's office, we have such a former we been able to modify the form to make assessments for locality. That is something that our victim advocate does do. With regard to working with community-based advocacy programs: we get involved with the victim early on, they should have already been connected by law enforcement to the advocacy initiative response and that was a bit of a struggle to get that off the ground in our community, because every community has its own unique challenges. Then finally, it's one area where we noticed we were missing as far as education and training, is the area of strangulation. It's not uncommon for us to see a case that comes in as a domestic violence assault, misdemeanor, and we would charge it as a strangulation or maybe even assault with intent to commit murder in the police were kind of like taken aback by that, but because of that we realize that we needed to do training on that and actually tomorrow we are having a forensic nurse here in Marquette to do strangulation training and we have a number of our police and prosecutors going, I will go again just to get refreshed on it. So to keep up on what you identify in police report is very important.

>> We spent time diving into these methods because they are going to play a very important role in framing our analysis of text. What these methods do is allow us to really focus our analysis on the system response and not individual practitioners that this process is about how to these various things, not only direct workers but then what type of impact are they producing within the system and outside of the system and again to kind of emphasized, looking at text to understand the system response and not just our individual practitioners are carrying out their work. So, with that I'm going to turn over to you, Denise to bring this into the more practical application of this background that we have been talking about.

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>> Thank you, Amalfi. I think it's an important point you made there at the end, what the eight methods do is to help us really get a focus on all assessment activities including text analysis, it helps us zero an unwary problem is located. For example, as Matt just described, if you discovered through text analysis that there is a weak response to crimes of strangulation, you asked the question, how does that happen, for example, are we giving law enforcement sufficient guidance to help them to recognize it and know how to capture information and recorded. Are we training them so they understand what is happening, are supervisors watching for an adequate and appropriate response for their officers when reviewing reports. The eight methods are very much linked to our analysis including text analysis. I will now turn to the application in the Blueprint for Safety. The same things apply in your community whether or not you are doing blueprint. The way to kind of frame this up in your community is, a lot of the work that you will have done to assess practice, for example, listening to victims of violence and focus groups or advocates are practitioners talk about particular issues or problems that they see emerging, you can try to figure out what text you want to analyze in order to help you uncover what the problem is, so, for example if you identified a problem in your community, you can pull together a number of case files for women who were battered defending themselves cut you can link them to women arrested and link them to what you see in the records. If you find a high rate of dismissals of mystic violence cases you can put cases that have been dismissed and I'm things around that. Want to find a focus that lead you to the text to use and pull them.

>> In phase 2 of the blueprints, community will look at a wide range of potential capture problems because the blueprint is a comprehensive project. That car you cannot do it all at once, so we're going to keep the prosecution example and kind of as a way of helping us think about how to do text analysis use it.

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>> So, Rhonda, if a community identifies the two problems I have described, higher Risk -- high arrest and the dismissal, what text would we look at?

>> I actually have not had that experience in some project I have been involved in, I am recalling specifically that we looked at cases not only that proceeded to disposition against one person, but also cases where both parties were charged as well as cases that were declined and by declined I mean cases that were not accepted by law enforcement so that no charge was issued at all or initially by a prosecutor. Also, cases that were dismissed another was cases that were initially charged with a prosecutor but then later dismissed, cases where charges were reduced or changed and in those states that statutorily provide for a diversion agreement or deferral agreement of some sort for first-time offenders, sometimes those cases are listed in state data is not having a close disposition because there isn't a conviction. So if that is the case in our community where you do utilize diversion or deferral agreements which are not considered a disposition one might look at those cases as well.

>> So then would you look at police reports? Would you pull 911 calls? To get protection order documents? What type of text would you pull the world could be included in a prosecution file to help you assess this or analyze this response?

>> Hopefully all of the above. Although, there is sometimes data privacy concerns, now we're going to talk about that in a moment, this makes it difficult to look at the prosecution's files. I also prefer to look at the prosecution file because of what you just said Denise, because most of the time all of the documents you have described are going to be in their given the collecting point rule I just mentioned. In the prosecution file or if you can't get the file, documents you would want to look at or collect separately are the 911 recording, any computer aided dispatch documents going along with it, the police report, some police agencies collect supplemental report or supplemental information separately from the police

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report and if that is the case you want to check and make sure and get those. Criminal history, any protection orders, again as you just said, and any other sort of additional documentation that might exist in a particular case of for example, pictures of injuries, medical records if there are injuries, if there was a vandalism or criminal damage to property, photos or a sketch of the crime scene and so on.

>> So, if you are constructing a project like this, how many files do you typically poll in order to look at this? Do you need a whole bunch of them or is a handful enough, what do you really look for and how do you figure this out ?

>> That is a question that comes up a lot. I would say the first question one needs to ask the group, the small group I assume that looks at files together, is how many files or documents are enough to address our question. So for example, the question you just asked me, Denise Scott to be thinking about, is in those cases where the defendants or victims are arrested, or if there was a high dismissal rate. So, how many files do you need to flesh out the issue of high dismissal rate, how many files do you need to look at for victims that may be were arrested while defending themselves. So, my multipart answer to a question like that would be is we are in looking not -- not looking for a example of classic research. I had a situation arise in a project for we're looking at the kinds of things that you suggested, Denise. We looked at small groups of files of the example I just had a few moments ago, so probably 50 to 75 miles with 10 the 15th each of the types I mentioned, and at that point, a new prosecutor was elected and I think did not understand what the process was, felt a little concerned or defensive and asked for many more files to be look at, so we looked at 200 and they simply indicated what we already saw, high dismissal rates. There were problems in reviewing evidence and so on. So, getting many more numbers did not help articulate any better that with the team then what was already looked at by its much smaller number. This should be enough to determine that what you're saying if it

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reflecting an institutional issue and not an isolated practice were something relating to one individual. You should be looking across prosecution styles that are only looking at reports generated or generated by the night shift only, that would not be representative of any problem.

>> You don't want to be representative of prosecution call substation in one city and not others. Basically what you want to get is a complete picture, but we are not looking for, again a representative sample, of the hundreds of files you may look at in a classic research methodology.

>> I know that I have had these experiences to where you read and kindly get a clear picture as you read more you don't really learn more that it's just kind of affirming what you already uncovered. Matt Scott can you talk a little bit about this case you've been doing practice assessment in your town, saluted you include in your practice assessment and can you give us an example of something you may have learned from text analysis that you may have learned before or how it has helped your project?

>> One of the things we talked about early on is that we did not want this to be at an administration level only, we wanted to bring in first responding officers to be involved with this, too. Because as everyone knows, what the boss may say is going to happen may be different than what the responders who are called out to the scenes may see. So we wanted to make sure the things we did and looked at were looked at by line workers all the way up the chain of command. Looking at some police reports, we involved them and involved the blueprint advocate, we have had others involved from Central dispatch, we have invited magistrates, recently to some of our practice assessments so that is the approach that we are taking and trying to be more inclusive and not an exclusive. One thing that came up in one report that we were looking at for women who were arrested that is we were able to cut I believe ascertain that they were not doing a proper

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predominant aggressor assessment. That is something that we talked about, trying to address through our policy, we take the blueprint principles and try to make sure that our policy covers all of the areas when it comes to women who are arrested you probably should not have been arrested in the first place. So, that is one good and helpful thing that happened, and then in another practice assessment we discovered by sitting down with various police and various advocates from our program and prosecutors that when it came to protection orders there was a disconnect that some people in the room, the cops thought this is what happens after an arrest, or no arrests, and in essence cover those things were not happening so we identified a huge gap and probably a frustration as to why protection orders or not being taken as seriously as they should. That is an ongoing thing that we have to continue to address. Today I had to call is about to protection orders where there was no arrest and what do we do now?

>> Interesting.

>> It will be interesting to see how you can resolve this, you can see how text analysis help illuminate the problem in pointer in the direction of how to respond.

>> Let's move on a little bit and talk about text analysis logistics.

>> One of the questions we get asked a lot is about gaining access to document and agencies are understandably protective of the records and sometimes access is protected by state law and ethical standards, and a lot a lot of experience in this area and what kind of strategies have you seen ?

>> I think people get bogged down, especially people who are not lawyers but are involved in a project like this. They get a certain explanation on data privacy and data sharing and I think also they are getting misunderstandings or misinformation and you can get bogged down into whether this is right or wrong or whether someone is interpreting it correctly, etc. I think it's best to sidestep

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the legalities of that and try to get into a legal argument was somebody about whether they have this level of data privacy are not and respond to their concerns. So, if you are working with a prosecutor's office who would like to participate and has a certain understanding or concern about privacy, whether it's an actual legal concern or perhaps a review about a particular victim in a file, there are several things one can offer to do and respond to people's concerns, again I emphasized that we are not trying to get into legal arguments for just responding to partners concerns. This can be to be identified information in the file, it's rather time-consuming but if that's what it takes, that's what it takes. On the other hand you might do things like, I have worked in a project where it was felt that information regarding the advocacy communication with the terms might be where some things may not exist in other parts of the file so parts of the fire were removed before few of the members looked at them. Couple other things, the concern was not so much whether we look at files but making photocopies of the files and somehow thinking they could get away from people or pieces with look -- and up in the trash, so we agreed to look at the actual file without making copies for in a room adjacent to the prosecutor's office so that it was a sure that they were not taken out of the building and that we made commitments that we would not leave the room an photocopied and that led to concerns and that worked out fine. Than last but not least, it was felt that the privacy concern was that there was not really a place for a community team But there was for researchers or for people providing data analysis, I been able to categorize myself as a researcher or a data analyzer undergo a criminal background check and that got me in the window that they felt I needed to be in to engage in a project like this.

>> And you know, Matt Scott from the standpoint of somebody who is currently an agency head, when I think about these projects I often think about how, for any of us really, it would be a very courageous act to invite someone into look at

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all of our records. Can you talk about, from the standpoint of an agency head, what is in it for you, why do this, why would you open your records in this way. I know Michigan has an open records law where you are located, and that that often factors into your thinking, but the sense I have from having worked with you is also that you really believe in the importance of this work. Why shouldn't an agency opened its record.

>> I've done trainings around the country and we talk about sharing information with the community-based advocates this is also an issue, privacy law, privacy law, we cannot share this information. When we drill down into what individual state laws look like, it's very rare that there is something that you cannot share this information in most states do have open records and Michigan is one of those. If the local newspaper could file a freedom of information act request and publish it in the paper, why wouldn't I want to allow for this project to look at our records. The things we go through along the way helps to improve our federal accountability and we learn things through each thing we go through. I think elected officials like myself to be open to self-assessment so we can do better service for our community.

>> That's great, thank you everybody

>> I'm not going to take a lot of time to talk about the slide on text analysis with your team, in the interest of time, the materials that we have included with the webinar include a set of key questions that teams can ask as they are doing text analysis. We have a lot of other resources on exact the how to conduct the analysis so folks can contact us at practice for more information about that. I would like to move on to this example on the prosecution file and ask Amalfi to pick it up from there.

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>> Continuing with this theme as Denis said of using text in a prosecutor's office, Matt and Rhonda will talk us through what we can expect to see in a prosecution case and what are the types of things that we would best be able to learn from a prosecution case file. Typically, prosecution case files act as a repository of a lot of other text produced by other practitioners. Or advocates, so, a prosecution case file will contain a lot of things like police reports, patrol or investigations, maybe investigations done by their own office, 911 record recordings, Gill calls, photos -- photographs, other physical evidence collected by police, evaluations, case tracking sheets, and typically documentation of a communication being done by victims. I'm hoping, Matt Scott you can give us a sense of what are some prosecutors producing that we might see in a case file?

>> You should be seeing examples of trying to bring in history of violence as the perpetrator has a history. You will also see at least in my files, a recent updated medical release form that had to go to the hospital attorney and myself to get vetted so we can probably get medical evidence of injuries and things of that nature. With the history Most two states have another evidence rule we can bring in other acts of domestic violence and many states have now passed laws that allow for a history of domestic violence to be brought in and they have also passed laws that address whether you can use hearsay or not or if the victim is produced for trial, in some circumstances, bad evidence -- that evidence can be used also. You can see the effect of documents being developed by prosecutors and in one particular case recently, the case was on a docket for months and months and months and we had a situation where the fifth dump -- victim was not -- on board but hesitant and in a bit of fear but the person would not enter a plea and we started digging into the history of what he done in the past and we were allowed to bring in historical stuff and that ultimately led to him deciding to not fight this anymore and she did not want to go to trial, he pled to a strangulation charge and received 3 to 10 years in prison. This is an example we

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were able to take the documents we produce, the type of text that should be in a prosecutors file.

>> That is a very powerful example. I appreciate, Matt, that you can give us the perspective of how your own office manages its files and what your jurisdiction looks like for prosecution. Rhonda, I think it's helpful, too that you can kind of give us examples about whether or not what Matt just described is pretty common and what you see nationally or if you have seen anything else included in prosecution files that we might not have mentioned yet.

>> I think that you and Matt have exemplified many things that one could expect to see in a file. Think sometimes and projects that I have done, there is less to be found in misdemeanor files than there are felony files, so let's say you are focusing on felonies, and I think Matt has already alluded to this, but you might find a variety of documents related to motion practice. If you are filing some sort of return motion to keep something out that his presidential about the victim or filing a motion to admit prior bad acts by the defendant that it might show absence of mistake or a motive for the current time, those are things that should be in the prosecution file. If you cannot find those things and you would like to build a better picture, you might be able to find things that you know exist or suspect to exist but are not appearing in the prosecutors files, you might be able to go to the course file and find things like motion practice, filing for motion, and if you cannot, it's not ideal but a fairly good fill-in, I've also done focus groups with defense attorneys about the local practice generally. I have done focus groups with victims allowing this, that was interesting. I've spoken to somebody recently who is interested in maybe doing narrowly focused projects to look at files as it relates to motions in domestic violence cases. This person was talking about what it would be like to look specifically at the use of expert witnesses for victim

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behavior. I think the -- these are always fifth build the picture if they are not in the file.

>> I would like to ask both of you to describe a little bit for us about how text analysis -- looking at tax tonight police reports another case records, so 911 reports, they'll evaluations etc., what do these offer us about risk and danger and why is it important that we understand how that is captured in text and understand how the response is working. Rhonda I will start with you and Matt you can give us what you are thinking about that, also.

>> In addition to the very good examples listed on the slide which are all things that I have found in looking at prosecution files in various projects that it showed a chronology of delays and the subsequent impact on the terms. There were a couple of projects that I can think of and you could actually see DeLay played out in looking at the notes in the prosecution files, continuance, how victims became discouraged and reported incidents that were unsafe to them, another saying I can think of issuing a chronology of repeat offending and the subsequent lack of offender accountability produced by that. Again for the prosecution file was helpful in looking at the repeat instance that the offender was involved in and the impact or lack thereof in accountability. Then last but not least, looking at the quality of communication that the prosecutor's office had entrusted the system and so on.

>> Matt Scott if you can speak a little bit, particularly about how information on risk and danger will impact negotiation and sentencing, and what are you really looking for on risk and danger when you are looking at other case records.

>> Well, with risk and danger, incorporating the blueprint questions with blueprint questions and the victims experience, have been harmed or threatened tried to seek help, do they have a secondary safe number, do you think they will

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seriously injure your your children, how frequently are you intimidated Describe a time when you are most screened -- frightened, getting that information is eye-opening to see the extent and the devastation of the domestic violence relationship on a woman going through that. So, getting the information in the file is huge and also having police stay attuned to strangulation issues and having a strangulation checklist that they go through and a protocol, this has identified a number of regulation cases that were not previously identified. One that goes to the court, it affects the bond and the bail and affects the pretrial release, conditions, if and when we get to a sentencing situation, probation, recognizing the danger there with higher lethality. The judge recognizes that. At a recent meeting with my court administrator we talked about the lethality assessment form that we used to have for bond evaluation that somehow was stopped and we decided we needed to be incorporate that type of the practice again so that the information stays front and center from police to prosecutor to the court to probation -- [Inaudible-Static].

>> How this can actually fit within this, remember when we talked about we had forms of church and checklist and things like that, I actually heard both of you mention, here, these examples previously. So, Rhonda that you were mentioning how you can look at, when you are looking for information on risk and danger and how that is captured, looking at the documentation in prosecution case files and some other text around victim engagement, this could be looking at the initial letter that is sent out by a prosecutor's office to the victim in the case and if there are actual logs of notes taken by either the prosecutor or the victim witness in the office for some offices have the dumb witness advocates that might document the notes on the communication with victims. Documentation about victim's wishes and there may be a victim impact statement form that you can look at and see how the form guiding and directing victims to share their own information. Matt, you also shared that case tracking, kind of looking at old school case

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tracking or what we see a lot now our databases and computer programs for the information can be maintained and even sitting down with someone and having them walk you through what is on a computer screen in terms of her how a case tracking spreadsheet that exists can still be considered text analysis and you can look at text that might be on someone's computer so the example you gave us about the case I will check quickly and see, if there is any follow-up and how that played a role for you with the case you previously mentioned.

>> I talked a little earlier about that and I was wondering about time, but had I not had the access to the data that which was taken from a number of areas, it was taken from our own records, our court records, terminal -- our computer record system which allowed me to find records and adjoining jurisdictions that I would not have had access to the but that is how it helped us to put the case together for one of the things that you want to do and make sure his present is that the history is brought out so that at least it can be identified and then you will have to go and find out where the information is at. So, somehow to make sure we address a history of graphic violence, that we know there is information out there to be found and then actually drilling into the information on current cases to find out where we may have missed something I think it's important that if you just want to talk about a review of a case file and I think and I know that the blueprint folks are on the line, they have found plenty of stuff by looking at files where we have gaps that need addressed. This is vis-à-vis the feedback from focus groups that is done with victims also.

>> So, Denise and I am going to have you move this forward on talking about policy development and Liz if you can advance us to slide number 25, I apologize for some technical difficulties on my and. Denise Kelly can lead us into looking at, once we utilize text analysis to gather this really important information on how

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the system responds, what are some of the applications of the information that we can gain from text analysis, particularly with policy development?

>> We are already there, apologies everyone, we are having Internet problems, so we are tag teaming. So, we don't do this text analysis to its interesting work that we do to help our response.'s all of the text analysis including case file review, looking at rules and regulations, help us to understand and uncover where the gaps are in our response. We use this to improve our institutional response to domestic violence.

>> I want to talk a little bit, text shows us what is working well and where the gaps are so examples of potential gaps you can see, keeping up with the prosecution of file example, you might see the there are witnesses at the scene but that officers did not get a statement from them or contact information. You might see that someone had an injury that could have become more obvious as time goes on so you could send an officer or someone else a follow-up photograph. You can see how long it takes to process the case. You can see how communication with victims happened, is it prompt and frequent and done in a way that is inviting and understandable for victims or is there a lot of terminal legal system jargon that might be offputting to certain people. If you look at all of these things then you understand what the problem is, what the gap is, you can see where it might be located at whether it's a problem of administrative practices, giving people enough information about what steps they need to take and what information is needed, is it a problem of training, is it a problem of resources, is it a problem of how people think about these cases, for example in cases where people abuse violence, we have a concept that we talk about called predominate regressive self-defense, is that a potential problem. What do we need to do in order to build in a response to our policies and response to tighten that up.

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>> The next slide, but I also cannot advance, this is an actual expert -- excerpt from a policy I found online and includes key points that I think most of us will agree are important in domestic violence cases, such as not having a blanket up roach to insisting the case go forward, recognizing that investigations feel safe because of conflict, addressing prosecution to crimes other than assault that can occur in relationships. I want to say something about prosecution policies, I know Matt's office in particular has a prosecution policy that is existing that we strengthened through blue suit -- blueprint response. Prosecutor sometimes do not really have a lot of written policy, there is a tendency in many offices do not really want to get to directive about what we say to prosecutors and we don't want to give them a lot of professional discretion. So if you're looking at response in your community, don't be surprised if you don't see that. It does not mean it cannot be created. So car going back to this sample policy we have here, Rhonda, could you talk a little bit about what you could uncover a text analysis that could help enhance this policy statement.

>> Okay. Several things, that I am thinking of, first of all, you can inform guidance for whatever prosecutors are considering when they decide to go ahead with the case as opposed to leaving it just to the discretion of individual lawyers. So, if you are doing text analysis and files in sitting down with a small group of people looking at files together, thinking and expect to find either consistency or inconsistency of decision-making amongst individual lawyers that would speak to the need for guidance. For example, in other projects I have been involved in, it's clear that attorneys do not discuss cases that they don't feel that they have guidance to go by as far as evaluating evidence, for example. Domestic violence is very different than evaluating evidence in a traffic crime or a burglary, car theft, things of that nature, so, one of the things that you would be looking at is the consistency of how evidence is evaluated, how victim presents her cooperation or whatever you wish to call it, is evaluated and so on and whether there is guidance

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for doing that were consistency in that. A couple of other things, I think you can expect to find what you should have in the policy, as you said, Denise, many offices feel that making it too specific, in other words like the giant the end 65 ring notebook that is not something that will work for many. I have seen prosecutor policies like that, mind you, that there are many prosecutors that feel that that level of specificity could have unintended consequences for victims that don't give you the case-by-case discretion to evaluate and disclose cases differently and causes a compromise.

>> Third thing I think you will find in text analysis is being able to know when safety is being compromised and one of the things that I can think of an actual -- actually found in several, once files were analyzed and a gap identified, recommend there be a connection to advocacy, perhaps even in making difficult decisions in cases moving forward. Last but not least, just specific things that you might look at to help articulate guidance where prosecutor, looking at the narrative of a police report, you will see a police report articulating risk and danger, others are simply well-trained and provided in the narrative, so being able to look for the thing in different ways. It may be that you simply need to read the narrative in the document to see if the same quality of information is there with or without a checklist.

>> Matt Scott can you talk a little about the last point on the slide, why is it important to include a directive to prosecutors to be looking for evidence of crimes other than assault in a policy?

>> What it does, Denise, is it gives us something to consider and it sends a message to all of the prosecutors in the office, if we have these other charges and other crimes that can be cut and I think an individual offices if they do communicate that we are often will share because we have access to the same files, we will often pass them back and forth and we can login and read and

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comment on what would be the best approach and I think that helps create consistency which I want running the office and one thing about compromising victim safety and how to prosecutors no one victim safety is compromised, if you're not working with your community-based advocacy program and letting them in the door and looking at files and being open and transparent, you will never know when you are compromising victim safety. They are the ones who will notify you of these things. No contact on bonds and things like that are things prosecutors do not understand and know, but advocates to because they work its victims every day -- with victims every day.

>> I will move us on to blueprint policy. This is a short excerpt from the blueprint policy on charging domestic violence cases. Those of you on the phone, along with the materials that you were provided with cut you should have an entire section on the blueprint policy, this is a short excerpt with more detail than the other policy sample you just saw. So, Rhonda can you talk about the whole notion of the detail in the policy, is it important and why and how is it helpful?

>> Okay. If you accept the premise that we talked about earlier that many prosecutors offices prefer broad but good quality guidance as a point to -- opposed to point by point control, look at a couple important things in each sentence in a particular policy. If you look at the first one, it does not just say file charges reflect all crimes that that would be typical of a prosecution policy, this policy adds except where considerations of victim safety, including the safety of a victim defendant, would warrant otherwise. This is helpful and does not give an overly simplistic urging to prosecutors to file charges that reflect all crimes, but it raises the alert that again, in your duties in providing justice, it's not about getting convictions, it's about protecting the innocent also I'm doing justice in the right way and not going about it in ways that that are oppressive. Soak of the alert to look at victim safety is a really important guide in that regard. The second

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sentence also provide something where it's not just saying file charges reflect all crimes, it suggesting that if I can oversimplify the terms, that it is a value to properly label the defendant otherwise, your next court in the criminal justice system, probation, one not be able to properly supervise or carry out rehabilitation for that person.

>> If, for example you overemphasize alcohol in your charge, that is what the person who next has to work with the defendant, again, the probation officer, has to work with but if the policy is suggesting that you have a defendant engaging in a pattern of intimidation, coercion and violence in the charge reflects that you give the court and the probation officer and the jail many more tools in the two about to work with to control the person's behavior and hold them highly accountable.

>> Matt do you have any comments about this policy language and the detail it includes?

>> I pretty much concur with what Rhonda had to say. The number one emphasis is that we have to have considerations on the them safety and incorporate practices in our policies that ensure victim safety it was mentioned earlier and I can't stress it enough, that letting victims be heard in making sure that we have contact with victims regularly, response to them and on domestic violence cases whether they are misdemeanors are felonies, it should be read where the prosecutors talk to the victims on the cases. Other words dollars -- otherwise you will not be effective in holding the offenders accountable.

>> Thank you, Matt.

>> I want to close by talking about monitoring copper before I go there I want to point out that we have also done a tiny abbreviated analysis of two policy statements. So as we have discussed, there are a lot of different text in a

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prosecutors case file and also in policy related documents. But for the other way that week use text in blueprint is to monitor what it is that we have accomplished in our community response, whether blueprint or other response. So, what we want to do is once the blueprint is implemented once the community has implemented a response car you can periodically checking to see if the changes have been implemented, whether you have done what you intended to do, whether it's having the desired effect and what needs to be adjusted. What can happen is you can pull a variety of case records and administrative data and other records in order to check on your progress and whether it has been sustained. We will cover this in more depth in a future webinar because our blueprint sites are not there yet they are in the practice assessment and policy adaptation phase. We can move on from here, Ms. -- Liz. we have time for a couple questions if anybody has any

>> Any final comments from any of our presenters?

>> Those of you on the phone should know that you will be routed to an evaluation when you disconnect from the webinar. Please fill out the evaluation, we really do use this information to help us improve upon future events that we do. I again want to thank our presenters, Matt Weise and Rhoda Martinson for your incredible expertise in this area. Everyone have a good day. Goodbye

>> Goodbye everyone.

>> Thank you, everyone.

>> [event concluded]