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RURAL ROUTES TO CHANGE WEBINAR DISCUSSION

Calling Victims Before They Call You
With Rose Thelen, Praxis Technical Assistance Partner, Stephanie Avalon, BWJP and Kathleen Marvin, Tillamook County Women's Resource Center
Wednesday, June 18, 2014

Praxis International – Rural Technical Assistance on Violence Against Women

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Praxis International Rural Routes to Change Webinar

CALLING VICTIMS BEFORE THEY CALL YOU

Rose Thelen, Praxis International TA Partner,
Stephanie Avalon, Battered Women's Justice Project,
Kathleen Marvin, Tillamook County Women's Resource Center
Wednesday, June 18, 2014

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Praxis International – Rural Technical Assistance on Violence Against Women

THE ADVOCATE INITIATED RESPONSE

- Departs from traditional shelter/advocacy program practice of waiting for victim to make the first contact

THE ADVOCATE-INITIATED RESPONSE: WHAT IS IT?

- Law enforcement contacts advocacy program asap after a domestic violence related call
 - Victim is informed that an advocate will be making contact
- Advocate contacts victim of domestic violence asap
 - Advocate, not victim, initiates contact

THE ADVOCATE-INITIATED RESPONSE

- Historically, an integral part of the Coordinated Community Response (CCR)

CURRENT CCR'S

Common law enforcement-advocacy practice:

- Victims provided information about the advocacy program
- Officer judgment determines whether advocacy program is contacted
- Victims advised to contact programs
- Victims are asked if they would like to have an advocate contact them

RESULT

- Very few victims receive post-arrest advocacy
 - Can't rely on law enforcement to provide info
 - Most victims decline
 - when asked by law enforcement or
 - do not make contact themselves

CHAT IT IN

Victims usually say, "no" when asked if they want an advocate to contact them.

WHY??

RENEWED FOCUS ON ADVOCATE-INITIATED RESPONSE

- Victims need of information, resources and support after a law enforcement intervention
- Ongoing feedback and assessment with victims that the advocate-initiated response was the most valuable part of their post -arrest experience

2012 STUDY CONFIRMS AIR

- "The Impact of Victim-Focused Outreach on Criminal Legal System Outcomes Following Police-Reported Intimate Partner Abuse"
- **Denver's Triage Project Demonstrates Value of Advocate-Initiated Response**

CHAT IT IN

Why might programs be hesitant to use this intervention?

ADVOCACY PROGRAM CONCERNS

- Belief that it violates victim autonomy, self-determination and/or her privacy needs
- Inconsistent with advocacy program philosophy and practices
- Concern for victim safety if contacted
- Negative response from victims, i.e. "most don't want us to contact them"
- Lack of resources
- Do not realize heightened risk to victim from batterer and system
- Fear resistance from law enforcement agencies

PHILOSOPHY AND RATIONALE

- High risk to victim as a consequence of the law enforcement intervention
- Victim needs information about court process and resources
- Helps victim understands rights and role in the criminal justice process
- Engages victim in the process
- Helps evaluate risk, enhance safety for victim and accountability for offender

PHILOSOPHY AND RATIONALE

- No longer a private matter, law enforcement intervention makes it a public matter
- Advocate provides confidential resource/ someone to talk to
- Helps to reduce intervention risk for her
- Helps define/ assess overall CCR goals
 - Reduce risks for all victims by addressing gaps
 - Once gaps are addressed through policy/ practice change, then assess/ evaluate implementation

REGARDING RISKS

- Before victim sought help, or it was thrust upon her, primary risk may have been from the batterer
- Awareness of other risks keeps victims from seeking help
- Other risks include:
 - aspects of culture
 - Immediate circumstances
 - Institutional responses / intervention risks.

INTERVENTION RISKS

- What are the intervention risks for victims as the result of a law enforcement response?
- Chat it in...

INTERVENTION RISKS

- Treated badly by officer
- Feels loss of control, doesn't know what is next
- Trauma of the event
- Turned in on a warrant
- Turned into child protection
- Custody issues
- Deportation
- Victim erroneously arrested
- Automatic "no contact" order results in greater risk from batterer, other risks (loss of job, income, home, other repercussions)
- Risks increased for marginalized groups

GOALS OF INTERVENTION

- Victim Safety
- Offender Accountability
- System Accountability
- Changing the Climate of Tolerance to Violence in the Community

**DECIDING TO PROVIDE
ADVOCATE-INITIATED RESPONSE**

- Examine your mission and philosophy
 - Mission statements:
 - to get at the underlying conditions which support battering
 - change the culture
 - Accountability: to mission, to victims, to the community

**ADVOCACY PROGRAM
FIRST STEPS - INTERNAL AGENCY**

Specialized role for hotline, on-call, and legal advocates

- Advocacy program allocates resources
- Administrative policy, procedures, forms and training

HOTLINE OR ON-CALL

- Takes initial call from law enforcement
- Makes initial phone contact victim
- Provides information
- Assesses immediate safety needs
 - arranges for immediate services or
 - passes information to legal advocate to contact victim before first court appearance

LEGAL ADVOCATE

- Contacts victim next morning before court appearance
- Gets victim's version of story
- Compares to police report
- Finds out and communicates to court victim's wishes re: court process
- Maintains contact with case and victim through court process
- Tracks and compiles case outcomes

EFFECTIVE ADVOCATE-INITIATED RESPONSE

- Know the system
 - Steps in case processing
 - What happens to victims at each step
 - What victims need at each step
 - What currently organizes the worker at each step
 - Practices that would improve outcomes at each step

HOW TO KNOW THE SYSTEM

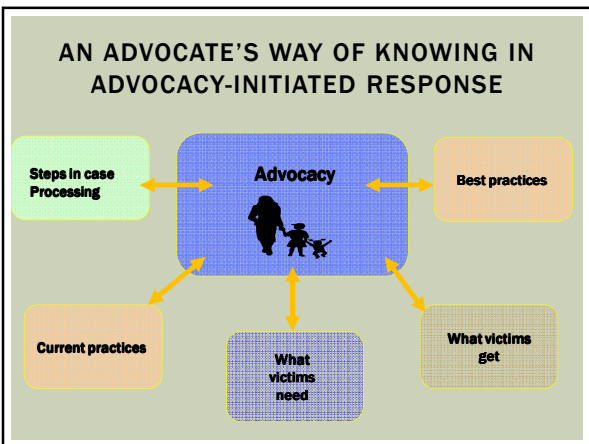
- Ride-alongs
- Court observations
- Interview practitioners
- National resources
- Gather and review administrative texts
 - That guide practitioner responses
 - That result from practitioner responses
- Identify best practices
- Track and Monitor

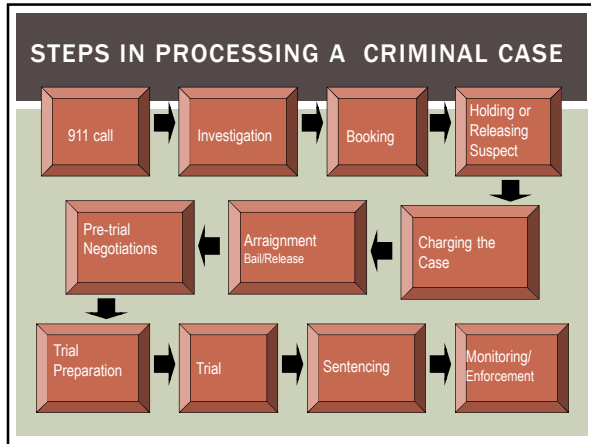
KNOW THE SYSTEM

What happens to victims?

Talk to women and document their experience

- Surveys/ questionnaires
- Informal/ Focus groups





- ### EFFECTIVE ADVOCATE-INITIATED RESPONSE
- Link with law enforcement
 - Design advocacy interventions to meet victims' needs
 - Identify response concerns (gaps between what she needs and gets)
 - Intervene with the system on behalf of individual victims
 - Identify "best" practices that would produce better outcomes for all victims
 - Work with the system to implement enhanced practices
 - Monitor implementation

- ### LINK WITH LAW ENFORCEMENT
- How many programs have a formal link with law enforcement to provide Advocacy-initiated Response?
- Chat it in...

PROTOCOL BETWEEN ADVOCACY PROGRAM AND LAW ENFORCEMENT

- Law enforcement contacts advocacy program:
 - Who calls?
 - When is call made?
 - What information will they provide? Summary of what happened and/or police report
- Advocacy program:
 - Provides 24-hour response
 - Makes immediate contact
- Both:
 - Facilitate exchange of information
 - Appoint liaisons to respond to concerns
 - Evaluate and assess

SAMPLE DRAFT
WORKING AGREEMENT BETWEEN DOMESTIC VIOLENCE ADVOCACY PROGRAM AND LAW ENFORCEMENT AGENCY

I. Law Enforcement Agency agrees to:

- A. The (designate law enforcement personnel) will contact the advocacy program within (designate time) of all arrests (or domestic violence-related crimes, including incidents where officers determine there is probable cause to arrest but the alleged perpetrator cannot be immediately located. (specify responsible party, i.e. dispatch, arresting officer, jailer, other).
- B. Share arrest and non-arrest reports on all domestic violence-related calls. Domestic violence-related calls would be those wherein the parties involved have a relationship as defined in (Chapter reference). These calls include, but are not limited to, assault, disorderly conduct and civil protection order violations. (Specify procedure, ex: reports will be faxed within 24 hours of the incident except those calls occurring during the weekend. Reports generated by calls received during the weekend will be faxed Monday morning).
- C. Hold suspects in custody until first appearance or as allowed by statute (ie. 36-48-72 hours).
- D. Keep statistics on all domestic calls, both arrests and non-arrests. Maintain computerized data when possible.
- E. Review, revise, and update law enforcement policy with Advocacy Program annually.
- F. Provide and/or participate in annual training on domestic assault, as needed.
- G. Identify a liaison to the Advocacy Program for purposes of implementing this Working Agreement (designate responsible party).
- H. Participate in meetings with Advocacy Program and other criminal justice agency representatives as part of the coordinated community response.

II. Advocacy Program agrees to:

- A. Maintain a 24-hour telephone service that will provide information to callers regarding services and options available to victims of domestic assault.
- B. Make immediate contact with the victim (within one hour of notification by law enforcement in order to: a) provide information concerning the court process and available services; b) elicit victim's input into the court process; c) ascertain the victim's wishes regarding conditions of release; and d) offer accompaniment throughout the court process.

- C. Provide support and assistance for victims throughout the civil or criminal court process by accompanying them to court, advocating on their behalf when appropriate, and providing transportation and child care when possible.
- D. Provide weekly support/educational groups for battered women.
- E. Facilitate the exchange of information relevant to the case as desired by the victim.
- F. Work with law enforcement and affected criminal justice agencies to ensure appropriate court outcomes by advocating on individual cases and by coordinating domestic assault intervention policy and procedure development with criminal justice and other community agencies.
- G. In cases where arrests are not made, staff will attempt to contact persons identified as victims on the non-arrest report and provide them with information and support.
- H. Provide training to local law enforcement and other criminal justice agencies on the issue of domestic assault.
- I. Track the criminal justice response from the initial call through final disposition.
- J. Meet with individual agency liaisons to discuss deviations from policy or changes in protocol.
- K. Provide quarterly reports to intervention agencies regarding the disposition of cases in which they were involved.
- L. Meet with representatives of all involved agencies to discuss the effectiveness of the policies and practices of the coordinated community response.
- M. Identify a liaison to the Law Enforcement Agency for purposes of implementing this Working Agreement (specify responsible party).

III. Law Enforcement/Advocacy Program Domestic Abuse Complaint Procedure

Whenever the Advocacy Program or the Law Enforcement Agency identifies or receives a complaint regarding the response of one or more of the employees of the other's agency, the Advocacy Program Liaison and the Law Enforcement Agency Liaison agree to contact each other for the purpose of investigating and rectifying the complaint.

This agreement is entered into for the purpose of standardizing the collaborative domestic assault response between the Law Enforcement Agency and the Advocacy Program. It will be reviewed annually to assess its effectiveness and to make revisions where needed.

This agreement is entered into on _____ (date)

Law Enforcement Agency _____ Advocacy Program _____

LAW ENFORCEMENT PRACTICES AT THE SCENE

- Inform victim out of earshot of perpetrator that an advocate will be contacting them (within short period of time)
 - Don't ask but inform
 - Let victim know she can let advocate know if she is not interested in talking
- Get phone numbers where victim can be reached now and later
- Make contact or arrange for contact with advocacy program

ADVOCACY PROGRAM PROCEDURES/FORMS

- For hotline/ on-call advocate
- For legal advocate
- For institutional advocate/ CCR Coordinator
- For supervisor

HOTLINE/ON-CALL DUTIES

- Record info from law enforcement
- Phone victim
- Determine immediate safety needs
- Get her version of events, history, risks
- Provide information about court proceedings and advocacy services
- Determine her wishes re court outcomes, including DANCO
- Arrange for next day contact by legal advocate
- Pass information to legal advocate

ADVOCACY PROGRAM PROCEDURES, CONT.

- Follow-up (next day) contact:
 - Review information, what wasn't covered in immediate contact
 - Maintain contact through court process, inform victim of court outcomes
 - Compare police report to victim's narrative about the event
 - Contact liaison when concerns arise *
 - Track and monitor outcomes
 - Other

ASSESSING FOR ERRONEOUS ARREST

- Northwest Network of Bisexual, Trans and Lesbian Survivors of Abuse
 - Context, intent, effect of violence
 - Entitlement, blame, guilt
 - Coercion and intimidation
 - Who controls money, choices, time and mobility of other
 - Who is afraid and who dreads next incident
 - Manipulation and coercion in sex

GETTING BUY-IN FROM LAW ENFORCEMENT

- Provides victims with immediate assistance, rather than wait for them to call
- Reduces risk, recidivism
- Provides systems check, improves system response
- Improves law enforcement response
- Improves morale
 - They know someone will follow-up with victim
 - Someone will have their eye on the case throughout
 - Reduces risk to officers
- Other: media, allies, other law enforcement experts

QUESTIONS/COMMENTS?

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