

Community-based and System-based Advocacy: Collaborating for Victim Safety and Offender Accountability,

Olga Trujillo and Maren Woods, Praxis International

with Rose Thelen, Praxis CCR Technical Assistance Partner, Gender Violence Institute, Barbara Billstine, District Attorney's Victim Assistance Coordinator, Tillamook County, OR, Kathleen Marvin, Tillamook County Women's Resource Center (TCWRC)

October 21, 2015

- **[Rose]** People are on the line which is good. But then also asking if how many of you have written agreements outlining how you cooperate amongst yourselves or between yourselves. And I know some places have advocates in law enforcement they have victim witness professionals in the D.A's office and then the community based advocacy programs as well. So, wondering if any of you have written agreements because we're always looking for those at the level of Praxis and wanting to disseminate those to others. But primarily I think that Tillamook may be the first that has a written agreement. Which just high-lights again how valuable it is to have you on the line here today.

- **[Maren]** So Rose, people are chatting in and it does look like there's several victim witness advocates who are on and also community based advocates. CCR coordinators. Looks like there's a written agreement in Cook County among several agencies. And others are developing agreements.

And did you clarify that you're talking about a written agreement specifically between a victim witness advocate or the victim advocacy program and the community based advocacy program.

- **[Rose]** Right, kind of a collaborative working agreement. And/or between the community based advocacy program and the law enforcement advocates let's say. Anyway, it will add to our efforts going forward to be able to get the highest quality of advocacy up. Coming from all quarters. Whether community based or court based so anyway we'll just let that keep rolling Maren and I think it's looking like it is. There are a few victim witness programs and a lot of community based advocacy programs right? Some coalitions et cetera.

- **[Maren]** Exactly.

- **[Rose]** So let's get into the meat of this. Today I wanted to say that we're going to go over the written agreement itself specifically but we wanted to also lay some ground-work about who is Tillamook County and what are some of the CCR specifics that go on out there. Now Maren, you mentioned the on-site technical assistance and training that Praxis has been doing there over the last year. And in addition to doing this this written agreement between the victim witness personnel and the D.A's office and the community based advocacy program The Women's Resource Center they also developed an advocacy initiated response with law enforcement primarily with the Tillamook County Sheriff's Office and then a couple of other police departments.

They've also developed a domestic violence supplement too that is, an addition to what they had in terms of guiding their report writing and that sort of thing. And then they're also working on a few other

things which is tracking and monitoring and a couple other things that we'll talk as we go into this. As we go forward here. But let's talk. Barbara, can you tell us a little bit about Tillamook County itself?

- **[Barbara]** Well Tillamook is, you know the second greatest cheese capital of the world next to Wisconsin.

(laughing)

We're primarily a coastal community on the Oregon coast. The county has a population of about, people. A lot of tourists come down here for vacations. We have a large farming community of course. The Tillamook Creamery is here. Pretty big Spanish population, farm workers and, I don't know. I don't know what else to say what do you think Kathleen?

- **[Kathleen]** Oh I think that that captures it. There's a lot of longtime residents and like Barbara said, part time residents. So our community is smaller in the winter and huge in the summer.

- **[Rose]** Kathleen, I mean Barbara do you prosecute for the whole all the law enforcement agencies in the county or are there city prosecutors as well?

- **[Barbara]** No. The entire county, any crime is prosecuted through the District Attorney's Office so we have several different law enforcement agencies Sheriff, Oregon State Police and then the smaller communities have smaller law enforcement agencies. But all the crimes come through the District Attorney's Office and so that's why we work with all the crime victims here in the county.

- **[Voiceover]** Right, so when you develop a working agreement with a community based advocacy program there's no other entity providing advocacy or victim witness services in your area?

- **[Voiceover]** Correct. It's us and them.

- **[Voiceover]** Yeah, very good. So Kathleen, tell us something about the CCR and what you've been up to and kind of historical stuff on that.

- **[Kathleen]** Okay! Okay, I'd love to. I think historical is helpful. You know, as we received our first federal grant through the office on Violence Against Women in and during that time we actually did a safety and accountability audit. Which planted some of the seeds for this work which we took forward some of the pieces but most recently, we have really come together as a community in looking at implementing best practices. Barbara and I were having a conversation the other day and I think we both recognize that when our community ... We were talking about a lot of these things and end-gaps. But when our community came together to develop what became a mandatory state sexual assault response team protocol we had the opportunity to sit together in the room and really get to know each other. And recognize the different lens and expertise and value that each player or each partner brought to the work and that seemed to really change the course of our work. And then working with Rose on looking at best practices and doing some assessment of what we thought would be best to take on initially and then look forward to the future.

Our community decided that the AIR program and really looking at trying to implement risk assessment questions from the law enforcement response. Hopefully it's from the 911 call. Through the entire court process is kind of our goal. So that we can be focused on victim safety. So we have a leadership team that serviced liaisons that included the District Attorney's Office Tillamook County Sheriff The Women's Resource Center and The Victim's Assistance Program at the District Attorney's office.

- **[Voiceover]** I think that's important to note because when you talk about your CCR you're not talking about sitting down with a representative from every agency in the community. You've got a core group that's specifically dedicated to well primarily at this point the front end of the criminal justice process right?

You've done training with people who are at the other end meaning like, probation et cetera. But you're really looking at tightening up this you know, arrests through charging right?

- **[Voiceover]** I think we have both actually. We do have a domestic violence council that meets and updates each other on their work and we look at all of the pieces but we also have the leadership team that are really working on this specific best practices that we have decided to work on in or community.

- **[Voiceover]** Okay, that's a good clarification. So getting the best practices into place is kind of the bailiwick of the leadership committee and then the larger group gets together and does the more generalized stuff huh?

- **[Voiceover]** Yes, I think. And then there's also brought up to speed on what's happening and it helps inform the process so that the whole community can be engaged.

- **[Voiceover]** Right, right. And you mentioned AIR and just for people who are online who may not be familiar with the acronym that stands for Advocate Initiated Response. Well it's up there on the screen I guess but this was I think one of the first things you worked on was to get it into place so that advocates would be contacted from your advocates from Women's Resource Center would be contacted after very arrest by law enforcement. Specifically Tillamook County Sheriff's office and then you would contact the victim with your crisis line and then follow up with the legal advocacy personnel calling the next day. And that was a shift for you because before that happened that wasn't something that was taking place right Kathleen?

- **[Kathleen]** Absolutely. We never called. We never reached out to survivors, to victims. We were here for people who chose to come to us and the way that we designed the program is that law enforcement let's victims know that it is their practice to have an advocate call yet there is the person of course has the right to say that they would not like that to happen. But most people either immediately want that call or decide that they do when they realize the questions they have and it's opened up a really great opportunity to begin to let people know what to expect next. We all know people may call just wanting what's happening that night to end and then don't recognize that that call may initiate a whole range of different people becoming involved in their lives and wondering what that's going to mean for them.

Our advocates do call unless we've been told that that's really not wanted. And just check in on people answer questions people may have let individuals know what kind of services we can provide and provide access to those services if they're requested and wanted at that time.

We do follow-up calls next day and then continue. Often we are finding a surprisingly high numbers of individuals that we connect with are engaging in services and getting a lot of support and information

We found it to be extraordinarily beneficial for our community.

- **[Voiceover]** Good. And now just to clarify the law enforcement informs the victim that you will be contacting them. They don't ask. They just tell them that they will be contacting them and then they can refuse to talk to you when you call? But if the woman kicks up a fuss at that kicks up a fuss, you know if the woman says, "No, I don't want a call" then they don't push it, is that how it works?

- **[Voiceover]** Well the way that we've designed it is that law enforcement are encouraged to say "It is our practice to have an advocate call you." And there is a little box that can be checked on the DV supplemental. If people say that's not something I want then they ... We actually have some officers who call us and give us a heads up that that happened that someone might be calling for information because they do give our number. But most people are wanting that call.

- **[Voiceover]** Okay, great. The whole concept of doing a written agreement around this advocacy initiated response has been something that's been around for a while and we have a sample agreement that perhaps people on the call are familiar with. It's on the Praxis website and it's an agreement, a sample agreement between law enforcement and the advocacy program that lays out a bunch of stuff. And so doing these on-sites when I went to Tillamook County I met Barbara and met Kathleen I figured, wow.

This would be a, we should do one between the advocacy program, Women's Resource Center and the victim witness person because this is a connection that can have some problems too. I mean, oftentimes between the arrest let's say and first appearance there's this gap and the victim witness person may have trouble having a phone number that works or the victim themselves doesn't know who is calling and actually in Tillamook there's kind of delay between release from jail and that first appearance. We thought maybe it would be a good link for The Women's Resource Center to be saying to the woman they were talking to that the victim witness person will be contacting them as well and is this a number that is good for you and here's what they can help you with. We'll get into those specifics as well but that's kind of the ideology.

- **[Voiceover]** Hey Rose. Before you move onto the next piece we do have a question in the chat about more about advocacy initiated response. And I'll kind of set up the question but also say give a caveat to keep the answer brief because we've got a lot of resources on the philosophical underpinnings about an advocacy initiated response versus waiting for the victim to contact you. And I'll put those resources in the chat but wondering if you can just take a moment to talk about the issue about safety and contacting the victim and considerations around whether it is safe to reach out to the victim.

- **[Barbara]** Okay. Kathleen do you want to take that? I mean you've grappled with that.

- **[Voiceover]** We have. Safety for victims and survivors are our number one guiding principal so we struggled with that question quite a bit as we were looking at this. Law enforcement makes that call to us upon arrest and provides us the information and we call within the hour. And people don't, people are advised that our calls will show up as a blocked call. Feel free to not answer it if you don't want to talk to someone. So we're really calling within that window when we believe we would not be endangering anyone.

And they can pick up our call or not. We had a strong philosophy of not calling and were very concerned about making sure that we're never endangering. But we have had so many people so grateful that they've gotten those calls because they didn't know where to call. So yes, we did grapple with that but we tried to make that a really quick time-frame so if someone has been arrested there is that window of time when that offer of information and support can be made. And we have seen just astounding results from doing so.

- **[Voiceover]** Barbara, do you have anything to add to that?

- **[Voiceover]** Well, I guess I'd like to say that years ago, am I still on?

- **[Voiceover]** Yes.

- **[Voiceover]** Okay, years ago we did go out. Law enforcement did call us out to the scene on DV cases but probably nine times out of ten the things we had to offer a victim were not what they immediately needed. So, shelter, safety planning, things like that. We're talking court processes and what's going to happen after this person is arrested and their release and things like that. So I think, in my opinion it's just a better fit to have The Women's Resource Center people contacting victims and talking to them about their safety. So for us, it makes more sense to have them making that initial contact.

- **[Voiceover]** Right, right. Yeah, good. And I think the chatter in the chat person there have always been some philosophical tensions I guess between reaching out to somebody and having them, or waiting for them to reach out to us but in reality, this is one place that we carve out as an exception because she's now in this public sphere and like Kathleen said all kinds of things may happen and most victims in doing focus groups were really grateful for that call because a whole series of things can start to happen. They really rely on the resources and the assistance that they can get and generally when women were asked at the scene whether they wanted contact they weren't really informed about what that looked like.

What was an advocate? A lot of people thought that meant do I or don't I want to go to the shelter? But Maren did put some resources now on the chat about some information we have online about that and if you have further questions about it you can contact either, you can contact me and we can talk some more. Really if you're doing a CCR at all you should have, and this is a should you should make sure you have advocacy initiated response in place because it's gonna assist on a variety of levels. So let's get into some of the meat of this. And take a look at first of all why work together Kathleen and Barbara?

I mean, you've got a lot to say on this. Tell us about it. From your perspective, you mentioned you started out a bit on this Barbara when you mentioned it's not really within your bailiwick or the range of what you can offer to be doing safety planning or providing shelter that sort of thing.

Do you want to go from there? Say some more about that and whatever else you have to say on the question of why work together?

- **[Voiceover]** Sure. And to just clarify too. We all care about victim safety and we all care about survivors and having compassion on what victims of domestic violence and sexual assault are going through.

But like I said, it was a better it seems to be in our county, it was a better fit and it works better to have The Women's Resource Center make that initial response. It doesn't mean that we're not going to call that victim when we see a police report and make contact with them but it just kind of smooths things over. We have different goals.

- **[Voiceover]** Right, right.

- **[Voiceover]** The prosecutor is prosecuting crimes and we are trying to protect the public and the victim from further harm. Which of course I know that there can be further harm when a person is prosecuted but working together for us you know, there's often times that we an advocate from my office and an advocate from The Women's Resource Center are both in court supporting a victim together.

I think victims appreciate that. I think they appreciate seeing that we're there for them. We're both offering different services but we're there to help them through this process.

- **[Voiceover]** Right. We'll say some more about the different services but I think that's one of the places that we see some confusion. Is that sometimes people think that you do the same thing. I think it can be confusing for the victim as well as for the community and even law enforcement. Like, "well aren't you all the same thing?" And I mean, partly I think a lot of victim witness professionals call themselves advocates so that can lead to the confusion as well. But in a sense you do advocate for the victim right?

- **[Voiceover]** We do advocate for the victim but it's different. We're trying to help the victim get through the criminal justice process. Through the system help them understand what's going to happen next in the court process. Victim rights, every state I believe now has constitutional victim rights and victims have a lot of say in what happens in their case. They can't decide everything as far as a plea offer goes but they do have rights to talk to the D.A about the offers for their safety. They have rights if they're concerned for their safety if the defendant's getting out of custody they can make a statement at a release hearing.

Talking about victim impact statements at a sentencing hearing. Making sure they're notified of what's happening. Supporting them with restitution crime victims comp. We do different things. We're helping the victims through the criminal justice system. We refer them oftentimes to The Women's Resource Center for other services that we don't provide or to other agencies for services. So we're different.

We actually are referred to as Victim Specialists. Not necessarily a victims advocate although people call us advocates all the time. In fact, when I started doing my job and I worked with the District Attorney when I would tell somebody that I was a Victim Assistance Coordinator every single time "Oh, you work for The Women's Resource Center? "You work for domestic violence victims?" That's what people just naturally think when they hear that you're a victim service provider.

- **[Voiceover]** That you're helping the victim huh?

- **[Voiceover]** And it's always the DV victim you know? Like nope, there's lots of crime victims. So all sorts of crimes. If you're in a motor vehicle accident and you're injured, you're a crime victim.

If you get ripped off, you're a crime victim so we don't just work with sexual assault domestic violence. It's you know, child abuse. We get every type of crime. When there is a victim involved we are working with that person.

- **[Voiceover]** Now, Barbara you've been doing this how long?

- **[Barbara]** Since .

- **[Voiceover]** Okay, when you started was there some confusion about the different roles? You mentioned going out there to the scene or that sort of thing or not?

- **[Barbara]** I don't think there was confusion. Before I started I actually started volunteering with the District Attorney's office. There were a lot of volunteers and I don't think that The Women's Resource Center, Kathleen you can answer this because I wasn't around but things were getting going and I know that the victim assistance program had a lot of volunteers. A lot of people were going out. A lot of volunteers were going out on domestic violence calls. I know there were a few issues with safety for the advocates themselves going out. If there was somebody that was drunk or the victim and the defendant or suspect were both drinking. We have these women going out in the middle of the night to the scene.

So there just became some issues surrounding that. I think at a certain point there was some duplication that we were both providing or trying to provide the same services to victims and I think there actually, well I know there was there was a tug-of-war. Who's gonna do what and we're doing it better than you and you know, just that kind of stuff. That doesn't work.

- **[Voiceover]** No, I mean that doesn't that definitely doesn't advance either of your roles very well right?

- **[Voiceover]** No.

- **[Voiceover]** Right.

- **[Voiceover]** Kathleen, what do you have to say on this topic? On the importance of working together and some of the other things that Barbara brought up?

- **[Kathleen]** Well I certainly agree with everything that Barbara had to say. I think one of the really critical differences in our roles and of course Barbara serves a broader population of crime victims than

we do but I think another unique distinction is that our services are guaranteed to be confidential and by making that call we can really help begin to talk about that. People are grappling with which direction to go and we're able to say you know, we're here as people you can come in and talk to or talk to on the phone and look at all the options and the eventualities and get all the information you need to make a choice that's right for you. Whereas of course, Victims Assistance Specialists do not have that confidentiality. As of October 1st in the state of Oregon community based advocates now have a privilege which I know a lot of states have had but we just were granted that October 1st so that even strengthens our confidentiality. I think that one of things they are most appreciative of and I think it's also one of the biggest barriers is that we're beginning to understand as a community that that is an important role.

That is a really critical thing for victims to have that place to go. To get all of the information, support and talk about all of their barriers and concerns. Not having to worry about immediate repercussions but getting the support and information that they need to move forward safely. So, yes I think that when I came to the office years ago there were some, certainly were some tensions and I experienced the community coming into this and no person was ... It was really challenging to talk about things you didn't agree on.

And I think that that's become a safer thing to do through all of the time that we've spent together. Plus we found we agree on more than we thought we did. We remained survivor focused and recognize each of us have a different role to play. And respect and honor that role and are looking for ways to work together to achieve that outcome of providing safety and having accountability for people who are choosing violence and hopefully change social norms. We can do that together better than we can ...

- **[Voiceover]** And I was thinking too when I was out there that well not just when I was out there but you know, to do a CCR it's a nice that, it's very valuable that there is a victim professional on the inside. A Victim Specialist who is working with that victim preparing them for court but at the same time is sensitive to her safety needs and that sort of thing. Because it saves advocacy program that function. I know when I was doing CCR in the s there was no such thing as a Victim Witness Specialist and so it became our job to do all sorts of things that Barbara does and Victim Specialists do throughout the court process. Then it just becomes simply a matter of you communicating about what happened, when. I know that you also go to court with victims and with the victim witness person or specialist Kathleen but it's not something that you have to do because there's nobody to do it right?

- **[Voiceover]** Right. And we are in very different roles.

- **[Voiceover]** Yes.

- **[Voiceover]** And that's clear I think for the victim and for each of the advocates. So ours is more of a support role an emotional support role or even just having another person. It just works really well. When we are able to both be there and oftentimes it's not necessary.

- **[Voiceover]** Right, right. And just on a personal note too and I was out in Tillamook and meeting with members of your whole group your whole CCR doing a training. I was impressed that Barbara had the

kind of ongoing day-to-day relationship with the D.A. She could say stuff that was pretty straight-forward and I was like going, "Oh, that's really valuable" because she was pointing out Barbara you were pointing you some gaps in the system and you could say it in a way that I think because you had this relationship with your D.A it was received well. It wasn't like "Oh well, who are you to tell us what to do?" Right?

- **[Barbara]** Well, I honestly I am very thankful for my District Attorney the D.D.A Deputy District Attorney that does our domestic violence cases was the one that you met, Paul Benford. But our D.A, he's very easy to talk to. He's open, he's ... We have come a long way from you know, before Kathleen was in her position. She's brought a lot to the community. She's very easy to talk to and she's open and she has a sweet personality so she's not a hard person to work with. But we've had issues in the past.

I feel like if I have a good relationship with all of our attorneys. I pretty much say what's on my mind. I try to use my nice words usually but if I think something's not right then I'm not just gonna let it go and I usually can work an angle to get my point across and it's usually pretty well received.

- **[Voiceover]** So that's an asset that I think it's really worth cultivating and capitalizing on it let's say. Anything else about working together? Obviously you, I don't know that you had areas of tension but I think that, let's say you had some advice in that regard if there was tension do you have any advice for the people online where they see that there is this kind of you know ...

- **[Voiceover]** You know sorry to cut you off. I'm thinking because this just kinda popped into my head it seems like, and I know we've talked about this before but with The Women's Resource Center and because of the confidentiality rules that they have to follow that oftentimes, I've seen it that law enforcement, the D.A government agencies we're trying to find a victim for a trial or something like that and we're pretty sure that The Women's Resource Center has had contact with that person knows exactly where they're at. And guess what, they won't tell us. Nobody likes that. We're trying to prosecute a case and they will not share the information. I think that there's been and I'm pretty sure this is all over people resent that. People that are in power resent when somebody won't do what you want them to do so you can do your job. And to me, having an understanding and appreciation for the fact that they are following the rules that they have to follow to protect their victims and their funding is you know, they have to do that.

That's part of their thing. So we have to respect that. We need to do our job too and we just have to appreciate and respect that. I would say that's a big place of tension but in meeting with Rose I think that was a big part of a shift although I think it's been coming for several years before that but with our CRR team and all the different agencies in the county having to come together and work together to form a team and just getting to know each other personally and not copping attitudes about anything but I think that's helped. So that's an area of tension that I think it's not as strong as it used to be.

- **[Voiceover]** Would you say that well you pretty much had your relationship pretty worked out but would you say that coming together for the purposes of clarifying and maybe putting it in writing what you do might be able to identify and resolve at least a message or eliminate some of this tension? The tension that arises or?

- **[Voiceover]** Yeah, I think so. And actually Rose, sorry to cut you off Kathleen. You coming to Tilmook with the Praxis I think you really helped. I think that you, just the way you are and the way that you demonstrated the whole idea behind what we were doing I think that really helped everybody just put everything on a level playing field. So I give you kudos for that too.

- **[Voiceover]** Oh, well thank you. Alright. Well okay, so let's look at this now. So we've got this flow-chart here as you might call it. Very abbreviated but we got law enforcement and I can just say a few words about that and then I'll hand it off to Kathleen to talk about what you do and you've already mentioned some of it but then into the Victim Specialist bailiwick. Okay, so advocacy after arrest. We got the advocacy initiate response agreement. The programs that have signed on for this contact your crisis line which is as I understand Kathleen at The Women's Resource Center you don't have volunteers who are on call it's your staff takes the line. And then tell us what you do from there.

- **[Voiceover]** Well that's not 100% fair. We do have volunteers on our help-line but when an AIR call comes in we have AIR advocates who are always on. So they are, both would start responses and AIR response is our back-up. So they specifically trained advocates are called in those instances. And some of our volunteers are beginning to become trained for that as well. So as I was saying, just to go back over that really quick we hope to get that call. I believe our protocol with law enforcement says within an hour, or as soon as possible. So that we can take advantage of that window of safety and then we call within an hour of receiving the information. We live in a rural community sometimes you can be you need to get to where there's better service to make sure you're getting a good call.

And we just begin to do advocacy work and also to gather information about you know ... One thing that was really profound to me is when one of our Sheriff's department employees talked about how difficult it was for them to arrest someone and take them away and leave the victim just standing there and how great it is for them to know that someone is calling. To give information, to answer questions and to offer services. We're also beginning to look as a community at those questions we want to ask and see what the impact of some of our practices are having on victim safety. Things such as an automatic no-contact just to get more information and see how we might look at that. But basically we are making a call we're making sure it's a safe time for people to talk asking if they have a few minutes they want to spend with us and then sharing information and answering questions. Sometimes providing immediate emergency services.

- **[Voiceover]** What do you do if what do you do in terms of facilitating that link with Barbara informing the woman about the services of the victim assistance program?

- **[Voiceover]** We have worked with for one we did most commonly ask questions that we have experienced over the years of being victim advocates so we prepared a packet for AIR advocates to use and then talked to victims assistance and to the Sheriff's office and different people to insure we were giving the information those departments wanted us to about what would happen next. But we do let people know about the process that Barbara is a part of and how long it might take for her to be able to call and let them know that they want to make that call sooner rather than waiting to hear when Barbara gets the information to the make the call. We give that contact information and information

about the services that office can offer to them and make that referral and let them know that they can call the next day.

So we do answer questions about the Victims Assistance Program and let people know they can make that call. Additionally, we also talk with people about if there's something that wasn't asked or you forgot to share during the reporting process there and how they can call to add that information to the police report. So those things, that information is given to us by our partners. Because we want to make sure we're giving good information that is consistent with what our partners ...

- **[Voiceover]** And you also let them know that you can speak generally about what might happen when the release will occur generally a window when that first appearance may occur generally about what she's required of at the first appearance and those kinds of things but that the victim specialist will be able to give them specifics right?

- **[Voiceover]** Yes, absolutely.

- **[Voiceover]** A play-by-play step. I think that's pretty important and I think it, well for one thing I think it really promotes the idea that your inside baseball person is Barbara. On the outside is your program who can kind of pay attention to the overview the big picture of what all is happening and how these various things are impacting her right?

- **[Voiceover]** Right. That's correct.

- **[Voiceover]** Right. So Barbara, you take it from there right? I mean you contact her but not necessarily the next day in your system because of some, there's this gap currently right? Between release and first appearance?

- **[Barbara]** Yeah, there can be a gap but just to throw this out there too is that law enforcement does provide the victim with a victims rights card that does have our contact information on it. So they do get our information whether they call us immediately or not is another matter. So in our county, if a person remains in custody they're arraigned on the next business day and we would get the police report probably on a Monday or the next day depending on when the crime happened. And at that point we would be making contact with the victim. If the defendant bails out of jail however they are 30 arraigned days after they bail out on a Monday and so it can literally be up to days before the D.A files charges.

There could be an ongoing criminal investigation and I may not see that file for a week. I may not see a police report for a week to two weeks. At times three weeks. And so that's a huge gap in our county. So if The Women's Resource Center has been able to make contact with that victim then they can have them call us and find out, "hey what's going on" and that kind of stuff. It's a little bit different here then it is in other areas so we seem to ... Working out some of those little glitches that we have.

- **[Voiceover]** Right, and actually just for the callers on the line I was out there a couple of weeks ago and that's one of the places you're gonna work on closing that particular gap between release and first appearance right?

- **[Voiceover]** Right. Yup.

- **[Voiceover]** And you Barbara, I think were really a strong promoter of the need to do that. So I think that's to your credit. Sound like you scratch mine, I'll scratch yours right? But anyways, that was very useful for you to identify oh no, this is a gap for a lot of people and I would say most particularly the victims in these cases too where there's this big time frame between the arrest and then the first appearance. If the guy was bailed out right?

- **[Voiceover]** Correct, yup.

- **[Voiceover]** Alright. So I think we covered the idea too that I think you both provide information on confidentiality and who has it and the limits of it and that sort of thing. And namely that as court personnel you don't have to turn everything over but it is a risk right? That some of what the victim tells you will be shared with the prosecutor and maybe discoverable by the Defense Attorney and hence the defendant right?

- **[Voiceover]** Exactly. If a victim tells me something that is going to impact the case or if the victim tells me they said something to the police that wasn't true or well this really is what happened or something like that I need to disclose that to the prosecutor who will disclose it to the defense attorney.

- **[Voiceover]** Right, right. And you know the one thing we didn't discuss is in the working agreement which you all I believe were provided a copy of but there's also this provision that says that Women's Resource Center is able to provide advocacy for victim defendants which is a departure from what you can provide Barbara you have to provide the assistance to the identified defendant or I should say the identified offender but in some cases that may be the batterer in the ongoing relationship right?

- **[Voiceover]** Yes. We cannot have any communication with the defendant.

- **[Voiceover]** Yeah. So Barbara do you want to, I mean Kathleen do you want to say something about that piece? Providing advocacy for the victim defendants?

- **[Voiceover]** I don't know that I have a whole lot to say other than that we do make our own assessments and when we recognize or have worked with people before and believe that the person who's been arrested is indeed the victim of ongoing battering then we do provide services. And we have been talking I'm pretty excited about what all of this these new partnerships are bringing about. You know, we're beginning to talk with our community corrections about doing more work with folks at jail. So it's exciting to be able to do that.

- **[Voiceover]** And it's a work in progress as well right? I mean there's a--

- **[Voiceover]** Absolutely.

- **[Voiceover]** It's in your advocacy initiated response agreement with law enforcement as well because I think that's an important piece because sometimes people go "Oh well, you know, sure it's okay if she does it "but why aren't you gonna be providing advocacy here "for this guy?" And it's a way of saying look, there's different kinds of force you know? Sometimes the force that's used is to establish power and control and own somebody body and soul let's say and then sometimes the victim of that kind of relationship will use it in self-defense or retaliatory and sometimes the force they use is legal and it points to maybe a problem with the law enforcement response because they should have done a better self-defense investigation but sometimes that force is illegal but that victim still needs some the victim in the ongoing relationship probably, most definitely needs advocacy to negotiate what's about to happen in terms of that court case and beyond. I look forward too to that as you work through because maybe there will be a written agreement at some point about how you'll work to provide defense advocacy for somebody who's a defendant, a victim defendant.

Just for everybody on the lines, point of information is the national clearinghouse for the defense of battered women is a real important resource in that regard because we see across the country that we're seeing more and more victims of ongoing battering being arrested and again sometimes they're being arrested wrongfully there should have been a self-defense determination done and sometimes they're being arrested rightly. There was illegal use of force. But at any rate and this is something I think that all advocacy programs and CCRs should be attending to because it's a big problem.

So again, working through I think these relationships and who does what in this way of here's how we do it here's how we think about it here's how we agree on particular aspects and depart on others or here's what we do distinctly and here's what we do collaboratively is very important. And we've discussed confidentiality throughout this but I think this is, Barbara you mentioned this can be a source of tension but of course it's also a source of I think safety which you recognize that it's also something that makes a difference in the lives of victims to be able to feel that they have a place they can say whatever they need to and it's not gonna be something that he's gonna find out at a certain point about right?

- **[Voiceover]** Exactly. In fact, even a victim impact statement a victim may make a statement in that to tell the court what they think would be an appropriate punishment for the defendant and what the impact of the crime had on them. That's one of the things that we assist them with but the defendant of course is going to see exactly what they say and so sometimes that can be a safety concern in itself for a victim.

- **[Voiceover]** And you let her know then?

- **[Voiceover]** Oh yes, of course.

- **[Voiceover]** So this is real important too I think that everybody's being very clear throughout about what does confidentiality look like and what might end up in the hands of the batterer? I think one of the things that came up out there and subsequently we've been hearing about it too is the whole idea of body cameras may be a problem for victims in domestic violence situations because if she's video-taped and her interview is video-taped and that's something the defense attorney can have well that means he

batterer can have it too so that's I think something we're all gonna be working on in terms of how to use those appropriately to protect victims. Not that that's a topic for this particular call but just for people to think about that around the country as they go. And you've got body cameras in use there right?

- **[Voiceover]** We do that law enforcement does use the cameras. And of course law enforcement needs to gather information and it's probably one of the most efficient and effective ways of getting that information. That's a whole other webinar in itself.

- **[Voiceover]** And I mean the good news I think that we heard from Tillamook was that nobody's using those audio + video recording in lieu of a police report. But there has to be great care taken about how that's gonna be used in the prosecution of the case and how might that endanger the victim.

- **[Voiceover]** Hey Rose? I'm wondering if I can circle back to this point of tension that Tillamook was fortunate enough not to have to overcome huge areas of tension but somebody chatted in an example where at a CCR meeting recently it was raised by the community based advocacy that women are not getting the clear message about who does have confidentiality and who doesn't. And in particular in relation to victim witness advocate not making that clear to survivors when they're responding. And then there's sort of the dialog or the temperature of the room when that was raised as an issue at least with all the system players that said it wasn't that big of an issue. So some advice, some notes that you can make to that moment for the advocates but then also sort of proactively addressing that in her community.

- **[Voiceover]** Right, right. Barbara or Kathleen do you have anything? Are you there?

- **[Voiceover]** I think in the same way that my family was kind of confused about who I worked for people just naturally think that you're working for a crisis center if it's a DV case. They don't always differentiate and it is our responsibility to say you know, for me to say and my staff to say "I work for the District Attorney "anything you say to me is not confidential." However, it's amazing what people tell you once they start talking, they just don't quit So I may need to continually remind them and I do sometimes say "lalalala" you know, don't keep talking, I don't want to hear this. Or you probably shouldn't tell me that. I've said things like that to people before It's a good thing to keep reminding people that we have to share information. Not everything. But we do have to share things that could influence the case.

- **[Voiceover]** You know I have a written statement that's for victim witness people that says we are the victim witness person we work for the courts, we are not confidential and that I think is something that came from ECOTOSH which is the prosecution, it's a national resource center for prosecutors' offices, D.A's, et cetera. And in that, they have these guidelines and it is a best practice so anybody who's got that difficulty for one thing I think it's good to access that resource that makes it pretty clear that it's a best practice for the victim witness person like Barbara is saying to inform the victim of that. And I think that if it came up in a big meeting I probably would do as much as I could to not address it there but maybe follow up with the meeting and just kind of talk about that. Bring in somebody to talk about that and why that's important.

It's one of those places where you can say no, this is where we're distinct and this is a difference between us and it's where it gets murky when it's not clear okay we're not the same in this regard and both have valuable roles right? So, I wouldn't address it in a big meeting. I think if you don't, anybody out there if it's a potential for conflict I guess I call them up and see if we couldn't meet to talk about that in advance and establish the relationships that I suppose might hit it off at the pass or maybe you'll say "geeze we listened to this great webinar "and would you be interested in coming and listening to it?" It's recorded and it's this prosecutor from Tillamook "and director from this advocacy program "and they talk about and they did this written protocol "and maybe we should take a look "at doing something like this in our community." You don't have to do it verbatim of course but maybe let's go through it point-by-point and maybe we listen to this webinar or maybe we call up the people who were on the webinar and get further information where we disagree.

Because there are gonna be areas of disagreement and the people who themselves are disagreeing aren't necessarily always going to be the best people to resolve it. Sometimes it helps to bring somebody in like for example, if it's a victim witness professional bring in a victim witness person like Barbara to talk about it. You know, that whole routine. Somebody from their own discipline might be better able to say the whys and wherefores. There was a great webinar on Battered Women's Justice Project too from the Sterns County domestic violence partnership where the prosecutor was on and she was just clear out saying "no, I want to overwhelm them with advocacy. "I don't want to overwhelm them with the same advocacy "I know that my advocates can't provide confidentiality "and I know it's so important for victims to have that. "So I make sure that this link is swift and sure "and there's fail-safes all along the way "to make sure they're getting it." But anyway, I guess that would be my response. Yeah?

- **[Voiceover]** Rose, this is Kathleen and I would just like to talk a little about my experiences as community based program director and confidentiality.

- **[Voiceover]** Yes please do.

- **[Voiceover]** The constant ongoing conversation it's in my experience there has been a lot of misunderstanding about why and I do take advantage of that question in group situations to talk about why both the federal and state legislature have felt it's necessary to support confidentiality how that provides for safety and Barb, you could respond to this but I think it has helped people begin to understand that if you practice, it's been helpful to me to practice talking about those reasons. We've done trainings on it here at our office invited community partners to come in and have those conversations. But I have that conversation at least a couple times a month if not more and even with some of our best partners it's sometimes confusing. It's I think really difficult for people to grasp that we're working with families and yet we won't, we can't report child abuse. Suspected child abuse.

Or the different ways we will support families and giving help around.

- **[Voiceover]** No, I agree with that. That everybody should know. But I think one of the things I was talking about was some victim witness people say well we've got confidentiality too and it's not a big

deal. That would be the point of tension I'd want to resolve maybe outside of the room because I see a lot of that happening where they think they do have confidentiality it's kind of interesting.

- **[Voiceover]** Yeah I think that they don't understand people don't understand exactly what You know we, my victim assistance program has to share information with law enforcement the District Attorney, Parole and Probation because we're government based but I'm not going to be sharing information actually I'm not gonna be sharing information with Kathleen without a release agreement from the victim to talk about something like that. So if it has to do with the prosecution of course we're sharing information but we have to have releases as well to share other information. It goes both ways.

- **[Voiceover]** Thanks for clarifying that though Kathleen I wasn't suggesting that we avoid the topic as community based advocacy programs about confidentiality.

- **[Voiceover]** Okay, I missed the (mumbles)

- **[Voiceover]** No I probably was a little confusing there. Okay, well let's go on to the next slide then and I think we're getting close to the end here and we just wanted to talk some about the other elements within the written protocol. We have the section that's about what The Women's Resource Center will do. We have the section about what The Victim Assistance Program will do. And then we also have this joint responsibility section that talks about various aspects such as developing and implementing the agreement. But let's talk about some of the other things that are up here on the screen because this gets to some of the, your joint role in relationship to each other and to the CCR in general. Anything you want to address here Kathleen or Barbara?

- **[Voiceover]** I think one of the most helpful things about our agreements is that we've identified liaisons and have a written understanding that we will regularly meet and bring concerns or successes to one another. And continue to build.

- **[Voiceover]** Right, right. And a liaison is enough there. I mean, that's a way of addressing the response problems. The first bullet. That there is a section that says I believe it's you and Barbara are the liaisons in your individual agencies so that you will talk to each other if there are issues right?

- **[Voiceover]** Right, yes.

- **[Voiceover]** Okay. What about this identify trends? Do you both, I know Kathleen within your agency we've discussed and your implementing processes whereby you identify gaps that you hear about from the victim who says okay well here's something that happened and you want to move it forward with her or include her in your efforts to address that particular gap. Is that something you do within your agency as well Kathleen? If a woman comes to you and identifies that there was a real problem that she experienced at some point in the intervention with the law enforcement or courts is that something that you identify and some way address with the CCR that kind of thing?

- **[Voiceover]** Yes and I'd say that's beginning to happen more as we're developing our tracking and monitoring. And now that we have the liaison agreement they're really established for those purposes as well. So we do our collecting aggregate information about potentially a practice that we have that

many individuals are saying is causing harm in some way so that we can at the CCR begin to address those and work together.

- **[Voiceover]** Okay. How about you Barbara? Do you note and bring those forward? I'm assuming that you bring these forward with law enforcement you've got an ongoing relationship with them which I think is a value as well and the prosecutor's office. So on individual cases you bring these forward too right? To the individuals involved?

- **[Voiceover]** Always. But like I said, I have a pretty good relationship with our law enforcement and our prosecutor so I don't know that I actually write things down I think I just call people up and say "Hey guess what, this isn't a good idea" or "this isn't working" or "can we do something about this?" But I think as we go on with the program that we're gonna have bigger eyes and I think hearing back from victims about what is working or "What, that didn't help me at all when this happened." Hearing back from victims I think is really helpful in evaluating how we're doing.

- **[Voiceover]** When we talked about and I was out there too about doing something getting victims feedback about what was problematic about certain judicial responses so I think that will be a value too. And then finally I'll just bring us to the closing here. I think this whole written agreement process and your being involved and looking at that CCR and getting on board with doing some actual written protocols, that kind of thing. Integrating best practices is all about collaborating on solutions. And I think finally this written agreement in addition to outlining this relationship at a point in time is something that is going to be like the sheet music that will guide both of you as you go through this. And it's something that can always be added to or subtracted from and so let's call it a living document and so going forward I really look forward to it's development and evolution and I think this about takes us to the closing and I wanted to give you both a time to say anything you have in closing. So Kathleen, any closing words you'd like to say? I got your information up here if people want to contact you they can at this particular, at your email address.

- **[Voiceover]** Thank you Rose. I would just say that this I think entering into these agreements has really ... You know, we're developing good relationships and one of the things I'm excited about is this will institutionalize some of the things that we're building to hopefully carry into the future if individuals leave. Relationships are so important yet to have the written agreement I think will insure the sustainability of some of the things that we're building.

- **[Voiceover]** Very good, thank you Kathleen. Barbara, any closing comments?

- **[Voiceover]** I guess I would just encourage everybody to be open and work together. We are all working for the same goals. But just being open to and appreciate what other people's jobs are and we have a lot of really good people that work here in Tillamook and our law enforcement, parole and probation Women's Resource Center, our District Attorney's office all came together and decided to do this and so when everybody's working toward the same goal it's really helpful. And being respectful of each other. I really appreciate Kathleen too.

- **[Voiceover]** And I you.

- **[Voiceover]** Great. Hey, well listen. I think it's great. It's good to do a shout-out to the Tillamook County Sheriff's office too because they were so instrumental and in particular the Chief Deputy is that Jenna?

- **[Voiceover]** Under Sheriff.

- **[Voiceover]** The Under Sheriff.

- **[Voiceover]** Under Sheriff, Under Sheriff was really so helpful in moving this forward. So I think they really deserve some public credit too so hopefully one day we'll have them on a webinar as well. Okay, so thank you both of you. I know I'm not gonna be coming out there anymore as a part of this on-site project but I'm gonna stay in touch and it's been a pleasure to have you on the call on the webinar and thank you so much. And all of you out there I hope you take this as a sign that it can be workable and it can be valuable and it really will enhance all our efforts. So thank you, thank you Praxis. Thank you Maren. Anything in closing on your end Maren?

- **[Maren]** No, thanks to all of you and Rose in particular to you for advancing this work across rural America. Honestly, you've been really diving deep and kudos of course to the local people who are doing the work on the ground but it's just such an important issue and obviously by the participation today we see that it's happening across the country. That this is an important issue to get cleared up so. Thanks to our participants today, our listeners and please contact us directly if you have questions about this or other issues that are bubbling up in your community. You see the contact information there for our speakers today and then you can also reach me Maren@praxisinternational.org Happy to take your comments, questions thoughts, meanderings, challenges. So have a great day everybody and we'll talk to you soon.

- **[Voiceover]** Thank you.

- **[Voiceover]** Buh-bye!

- **[Voiceover]** Bye.

This project is supported by Grant #2011-TA-AX-K103 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions and recommendations expressed during this webinar are those of the author/presenter(s) and do not necessarily reflect the views of the U.S. Department of Justice.