

The

# Blueprint for Safety

## An Interagency Response to Domestic Violence Crimes

*Adapted from the Saint Paul Blueprint for Safety*

*Archbishop Desmond Tutu tells us that justice demands three things:*

that the truth be told, that to whatever extent possible the harm be repaired, and that the conditions that gave rise to the injustice be forever altered.

***The Blueprint is dedicated to all people whose bodies bear the marks of this injustice and to those who are committed to altering the conditions that give rise to this devastating form of violence.***

**For more information and to download materials:**

**Praxis International**

Email: [info@praxisinternational.org](mailto:info@praxisinternational.org)

**Saint Paul Police Department**

[www.stpaul.gov/police](http://www.stpaul.gov/police)

**Saint Paul Domestic Abuse Intervention Project**

[www.stpaulintervention.org](http://www.stpaulintervention.org)

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<p><b>The Saint Paul Domestic Abuse Intervention Project (SPIP)</b> was the primary advocacy advisor to the Blueprint, with contributions from Rebecca McLane and Melissa D’Cruz, in particular. SPIP conducted focus groups and individual interviews with women from diverse communities and backgrounds who generously shared their stories about the impact of criminal justice system practices on their lives.</p> <p>Advocates from the following agencies also attended focus groups conducted by SPIP or provided consultations to the Blueprint writers:</p> <ul style="list-style-type: none"> <li>• Alexandra House</li> <li>• Anna Marie’s Alliance</li> <li>• Asian Women United of Minnesota</li> <li>• Battered Women’s Justice Project</li> <li>• Battered Women’s Legal Advocacy Project</li> <li>• Breaking Free</li> <li>• Bridges to Safety</li> <li>• Casa de Esperanza</li> <li>• Cornerstone/Day One</li> <li>• Domestic Abuse Project</li> <li>• Hope Center</li> <li>• Houston County Women’s Resources</li> <li>• Violence Free Minnesota</li> <li>• Project Peace</li> <li>• Rape and Crisis Center</li> <li>• Shelter House</li> <li>• Sojourner Project</li> <li>• Someplace Safe</li> <li>• Tubman Family Alliance</li> <li>• Women of Nations</li> </ul>	

### **Research Consultants**

The researchers who advised the Blueprint are internationally known for their long history of producing groundbreaking research in domestic violence and for helping practitioners interpret the complex and often confusing data in this growing field of social inquiry. We are grateful for the many ways in which they informed our thinking and steered us away from potentially problematic ventures.

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<p>Each participating agency made its staff readily available to be observed, interviewed, and to engage in policy discussions and make recommendations. The openness of the agencies to an integrated response and to the information provided by over 100 victims of violence and community members who attended focus groups conducted by the Saint Paul Domestic Abuse Intervention Project made the Blueprint possible.</p>		

## **Participating Individuals**

The following individuals contributed their insight and expertise to the Blueprint:

- Rhonda Martinson, JD, Battered Women’s Justice Project
- Hon. Mary Lou Klas, Ret.
- Patricia Hunter, Bureau of Criminal Apprehension
- Mike McGrane, Wilder Foundation
- Christine Morris, Metro State University
- Liz Richards, Violence Free Minnesota

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- Stephanie Avalon, Julie Brunzell, & Denise Gamache, Battered Women’s Justice Project
- Maren Woods & Anne Marshall, Praxis International
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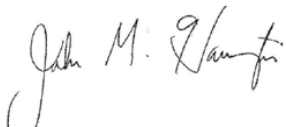
We are proud to convey to you the collective work of ten agencies that took up the challenge to write a blueprint for every Minnesota community struggling with the destruction caused by violence in our homes. Our work was made possible by the generous support of the Minnesota Legislature. The “Saint Paul Blueprint for Safety” is limited in that it addresses the roles and functions of criminal justice practitioners only. It is expansive in that it goes beyond what any community has yet been able to fully achieve.

When writing policies and protocols for so many agencies we often heard people say, “Well, this isn’t a policy it’s just what we do” or, “No need to write that down, everybody knows to do that.” Indeed, over ninety percent of what is in the Blueprint is done by at least some practitioners some of the time. The Blueprint is the only document like it in the country, however, for two reasons. First, it is written as one document, with a chapter for each agency and each chapter inextricably linked to the whole. It is not a collection of good policies, but a collective policy. Second, the Blueprint operates on three levels simultaneously: on the level of (1) what victims need to be safe, (2) what practitioners need from each other to do their jobs, and (3) what is required by each worker and agency to hold the offender accountable.

Crafting the Blueprint was no small feat; implementing it will require even more commitment on the part of the agencies, their leaders, and the countless practitioners that make up this massive entity called the criminal justice system. That commitment begins with a reading of the Blueprint that is motivated by a good faith attempt to make it come alive and realize its very ambitious goal: namely, to fulfill Saint Paul’s commitment to reducing homicide and making our homes places of refuge rather than incubators for more suffering, crime, and violence. The Blueprint envisions a response that holds that every victim is worth fighting for and every abuser must be held to account. We hope that the Blueprint inspires other Minnesota communities to make a similar commitment to its goals and process of review and change.

We are grateful for the opportunity to have created the Blueprint and humbled by the prospects of what now lies ahead to fully implement its promise.

Sincerely,



Chief John Harrington



Saint Paul City Attorney John Choi



## Becoming a Blueprint Community

The Minnesota legislature has made The Blueprint for Safety (Blueprint) available to all Minnesota communities. The Blueprint is just that--a set of plans. Most of them are based on practices already tried and tested in many Minnesota cities and towns. The Blueprint's contribution is its meticulous attention to the details of interagency case processing that often proves to be the place where fatal errors occur. Across the country, we have learned the hard way that when agencies do not coordinate their interventions on multiple levels of information gathering and sharing, nor use sound intervention approaches, tragedy occurs. Most deaths that appear to have been preventable are usually not the result of an individual mistake; rather, it is because we, as an entire system, were unable to connect the dots and act in a unified and strategically sound way.

**To be a Blueprint Community essentially requires two commitments:**

- 1. To recreate the Saint Paul experience of agency leaders, practitioners, and victim advocates collaborating to write each participating agency's policies and protocols.** This multi-agency writing process attends to all the details of moving a case from one processing step to the next, so that each person who touches the case is positioned to act in ways that protect victims from ongoing abuse and holds offenders accountable. This means that no community can simply cut and paste these policies into a local document. At the same time, no community is burdened with starting from a blank slate. Just as the contractor, who uses a generic blueprint, makes specific site adaptations to the configuration of the lot, soil conditions, homeowner's budget, and local building codes, so will local jurisdictions have slightly different versions of these basic policies and protocols. The time, research, and debate that went into this document (like the architect's blueprint) will greatly reduce the time and effort local communities will need to write their own policies and protocols addressing the very unique crime of domestic violence.
- 2. To adhere to the foundational principles described in the Blueprint.** The six principles discussed in Chapter 1 are the glue that philosophically holds together this approach to domestic violence cases. They are fundamental to the Blueprint concept. We do not mean to imply other approaches will not work; rather, that the term Blueprint Community



means something specific. To be a Blueprint Community means that the major criminal justice agencies have agreed that the six foundational principles should guide the intervention work at each step of case processing. Differences that arise about how to undertake cases or policy and procedural language, should be resolved in a way that is consistent with these six principles.

### **How should a community start the process?**

- 1.** The first step is to determine if there is sufficient political will among the criminal justice system agencies to take on such a project. Unless the leadership in law enforcement, prosecution, probation, and the bench are all committed to a cohesive approach to these cases, the Blueprint will never become a reality in that community. It is best to wait until all the core agency leaders are on board, than to foist a project onto one or more reluctant agencies. The latter approach may result in producing a form of resistance that a Blueprint Community agrees to put aside.
- 2.** The advocacy program and agency leaders need to agree on a central role for advocates to comment on and help shape policies and protocols, even though the Blueprint does not have a set of policies and procedures for advocates. Advocates should not be seen as a part of the system nor be expected to engage in a case management role. Please review the companion piece, *The Distinct and Vital Role of a Legal System Advocate*. For those communities who do not have an advocacy program, Violence Free Minnesota ([bsmith@vfmn.org](mailto:bsmith@vfmn.org)) can help them find this key resource.
- 3.** Next, determine who will coordinate the effort. There needs to be at least one agreed upon person or agency in the community who will act as the point person for organizing the project. In Minnesota, there are a number of organizations that can assist jurisdictions wanting to become a Blueprint Community.<sup>[1]</sup> Assistance can range from helping an inter-agency group get started, to helping a community through the entire process.
- 4.** Next, hold an exploratory readiness meeting between senior representatives of the major agencies and a spokesperson from another Blueprint Community to obtain a briefing on the scope, demands, and benefits of such a project.

5. If the decision is to go forward, then form a working committee to adapt and implement the Blueprint in your community. That committee, which needs representatives from each agency, will need to read the Blueprint, adapt the policies, protocols and supplemental material to their local community, and then ensure the Blueprint is implemented.<sup>[2]</sup> (See Chapter 1: Foundations of Effective Intervention – Adapting the Blueprint for Safety).
6. Be inclusive. Not only does the Blueprint approach call on agencies to work together to map out procedures and protocols, it also calls for the inclusion of people in the community that are most impacted by such public policies. If certain populations are overrepresented in the local criminal justice system, representatives of those communities should be meaningfully consulted during the planning process.
7. Build into the implementation plan a way to sustain the vision of the Blueprint reforms. Any successful effort to implement a Blueprint approach will require a long-term commitment. A person or organization should be authorized and adequately resourced to monitor and actively sustain an ongoing effort. Avoid policy drift; think sustainability.

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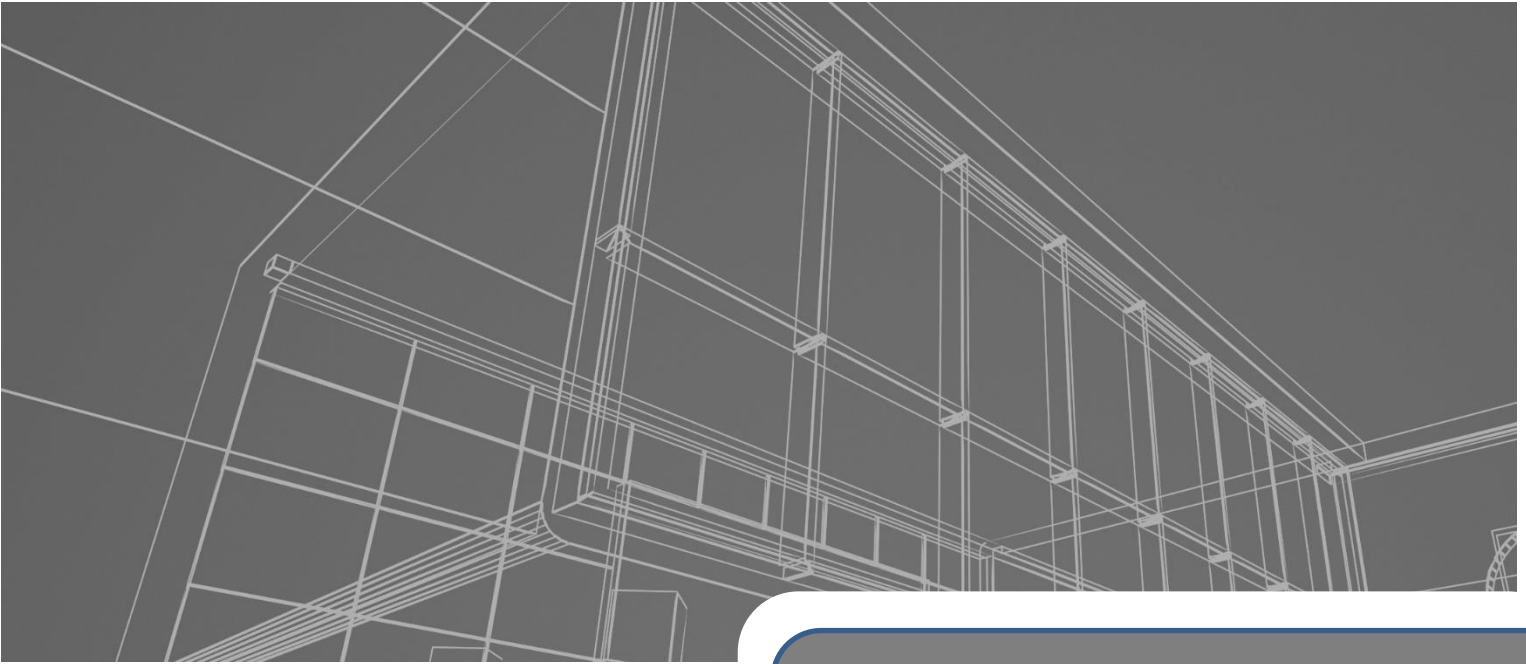
<sup>[1]</sup> Consulting organizations include Praxis International (email: [info@praxisinternational.org](mailto:info@praxisinternational.org)), Violence Free Minnesota (email: [bsmith@vfmn.org](mailto:bsmith@vfmn.org)) and The Battered Women's Justice Project (BWJP) (email: [technicalassistance@BWJP.org](mailto:technicalassistance@BWJP.org)).

<sup>[2]</sup> *A Guide to Becoming a Blueprint Community: An Interagency Response to Battering and Domestic Violence Crimes*, a detailed and comprehensive plan for adapting the Blueprint based on lessons learned from existing Blueprint communities, is available at [www.PraxisInternational.org](http://www.PraxisInternational.org).

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# Chapter 1

## Foundations of Effective Intervention



# FOUNDATIONS OF EFFECTIVE INTERVENTION

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*NOTE: Chapter 1 conveys the design, intent, and principles of the Blueprint for Safety as created in St. Paul, MN. Communities are asked to include this chapter in its entirety as an introduction to their local adaptation.*

In the 1970s, women across the country began organizing to call attention to and end the abuse of women by their husbands or male partners. They sought an end to this pervasive violence and its resulting death, injury, fear, and harm to women and their children and communities. As a result of this work, the first shelters opened and advocates across the country began to seek changes in the law that would protect victims of abuse, including expanded sanctions under criminal law and options for civil protection orders. In the 1980s, proponents of change began to emphasize the need for agencies in the criminal legal system to work together more effectively by sharing information and coordinating intervention. Duluth, Minnesota, became the first community to establish such a “coordinated community response” and mandate arrest for domestic assault. The Duluth Model, as it came to be known, has been replicated throughout the country and around the world. Tribal and non-tribal communities have used the model to establish their own coordinated, interagency response to domestic violence cases.

In 2007, Praxis International and the City of Saint Paul, Minnesota, took the next step of innovation when they developed the Blueprint for Safety (Blueprint), a first-of-its-kind comprehensive approach for addressing domestic violence in the criminal legal system.<sup>1</sup> The Blueprint integrates the knowledge gleaned from almost forty years of research, demonstration projects, and practice into a “blueprint” for city and county agencies responding to domestic violence-related crimes. The Blueprint for Safety is the result of conversations and consultation with victims and survivors, advocates, practitioners, defense attorneys, researchers, agency leaders, and experts in confronting this crime both locally and nationally. The united leadership of advocacy, core intervening agencies, and the

court creates a successful Blueprint community. Such leadership is the basis for any community's effort to confront this devastating form of violence.

St. Paul's experience has continued to shape the Blueprint. Another phase of innovation began in 2011 when the Department of Justice Office on Violence Against Women launched a demonstration initiative to test adaptation of the Blueprint in Duluth, Minnesota; New Orleans, Louisiana; and Shelby County/Memphis, Tennessee. The three communities tested the Blueprint under different local conditions, including Duluth and its decades of experience with coordinated community response. The experiences and lessons from these early adapters helped produce a detailed, step-by-step adaptation guide published by Praxis International in 2015: *A Guide to Becoming a Blueprint Community: An Interagency Response to Battering and Domestic Violence Crimes*.<sup>2</sup>

The Blueprint for Safety is a coordinated justice system response to domestic violence crimes that positions this complex system to respond more quickly and effectively and enhance its capacity to stop violence, reduce harm, and save lives. It is a coordinated community response (CCR), fully articulated. While the Blueprint is applicable to the broad range of domestic violence crimes, its primary focus is on the response to battering in intimate partner relationships.<sup>3</sup>

The Blueprint presents the first comprehensive, written interagency plan in the nation for the criminal legal system's response to domestic violence crimes, from 911 through sentencing and probation. It unites each step in the process around consistent identification and communication of risk. It is distinctive in its emphasis on self-examination and problem-solving, foundational principles, and a central role for community-based advocacy in its leadership and partnerships.

This framework for approaching domestic violence crimes requires a commitment to ongoing review and assessment of the Blueprint as new or emerging issues develop. As such, this version of the Blueprint includes specific guidance for practitioners about language access and firearms. Additions regarding language access should not be viewed as a Blueprint for language access generally, but rather as guidance for responses to domestic violence crimes when language access needs are also present. The policies and protocols now address key points



and considerations when responding to domestic violence crimes involving people who would require language access, but should not take the place of a comprehensive, robust language access plan for the agency overall. Nor are these additions a complete Blueprint for firearms retrieval in domestic violence cases; but guidance for responses to domestic violence crimes and their relationship to possession of firearms. The additions do articulate a consistent and coordinated approach to language access and firearms across criminal justice agencies.<sup>1</sup>

## FOUNDATIONAL PRINCIPLES

The Blueprint is anchored in six foundational principles we have identified as essential characteristics of intervention that maximize safety for victims of domestic violence and holds offenders accountable while offering them opportunities to change. These principles are:

1. Adhere to an **interagency approach and collective intervention goals**
2. Build attention to the **context and severity** of abuse into each intervention
3. Recognize that most domestic violence is a **patterned crime** requiring continuing engagement with victims and offenders
4. Ensure **sure and swift** consequences for continued abuse
5. Use the power of the criminal justice system to **send messages of help and accountability**
6. Act in ways that **reduce unintended consequences and the disparity of impact** on victims and offenders

Endnotes highlighting research findings, academic literature, and intervention models supportive of these foundational elements can be found at the end of each chapter, with a complete bibliography in Chapter 9.

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<sup>1</sup> Many thanks to the following organizations who worked with Praxis International to make these important enhancements: Asian Pacific Institute on Gender-Based Violence, VERA Institute of Justice - Center on Victimization and Safety, and The National Resource Center on Domestic Violence and Firearms.

## 1. INTERAGENCY APPROACH<sup>4</sup> AND COLLECTIVE GOALS

Processing a single domestic violence-related case involves five levels of government and over a dozen intervening agencies. Hundreds of practitioners might touch these cases every day. An effective response—meaning one that leads to an end to the violence—requires *solid coordination* across and among the many practitioners involved, as well as a strong *system of accountability*. The coordination detailed in the Blueprint addresses multiple aspects of response to domestic violence crimes: risk and danger, victim engagement, victim-defendants, language access, firearms, and information-sharing, to name a few. Further, while practitioners are committed to the mission, function, and goals of their respective agencies, in an interagency Blueprint approach they are also accountable to the victim on whose behalf they intervene, to the offender with whom they intervene, and to others intervening in the case. This interagency approach requires a *system of communication* in which each practitioner receives and relays information in ways that make it possible for everyone to act with the best knowledge of the case.

An effective interagency response requires a *commitment to excellence* by each intervening agency and practitioner, as well as *a commitment to challenge one another and actively engage in resolving disagreements*. When so many agencies are involved in case processing there will be differences, arguments, and unmet expectations. Disagreement in itself is not the problem. The problem arises when there is no ongoing structured way to resolve those conflicts. Interagency approaches succeed when everyone focuses on a shared goal that is centered on the needs of the victims and families harmed by the violence and brutality.

The criminal court process demands a high level of coordination to carry out the dozens of case processing steps involved in the response. The criminal codes, rules of evidence and procedure, case law, administrative forms and processes, translator and interpreter resources, calendars and schedules, databases, and information sharing protocols dictate how interagency collaboration is organized. The Blueprint provides additional structure by introducing coordinating elements designed specifically to enhance approaches to domestic violence related cases:

- In a criminal domestic violence case that involves over one hundred institutional steps, the Blueprint creates **written policies** for each core processing point. Beginning with the 911 operator and ending with the probation officer who discharges a case months or even years later, each policy is written with each practitioner's role in mind. The Blueprint's interlocking policies serve two purposes: (1) to standardize research-based practices and processes so that the public as well as system practitioners can count on a consistent, effective, and fair response<sup>5</sup>; and (2) to bring agencies with distinctive missions and goals together under a common set of collective goals centralizing victim safety and offender accountability. Shared, agreed-upon intervention goals help present clear messages, expectations, and actions to both victims and offenders.
- Each policy is accompanied by **administrative protocols or procedures** that coordinate workers' actions while simultaneously avoiding turning each practitioner into a robot, devoid of professional skills and judgment. Every form, matrix, set of guidelines, report writing format, and assessment tool has been designed to address the unique characteristics of this crime and the interagency nature of case management.
- Via a **system of documentation and information sharing**, each intervention step is woven together with the subsequent steps in case processing. The legal system is a text-based system, meaning that case files and related documents coordinate workers across agencies and disciplines and time and distance. What a law enforcement officer is trained and required to record about an incident, for example, has an impact on charging, trial decisions, sentencing, probation conditions, and rehabilitation programming. Risk scales, charging guidelines, sentencing matrices, criminal case histories and firearms registries are significant factors in how a complex institution processes thousands of cases. Consistent use of interpreters, when victims or defendants have LEP, are Deaf or Hard of Hearing or express a preference to communicate in a language other than English, promotes clear and accurate exchange of information between practitioners and the people whose cases are being processed. The Blueprint uses new and enhanced approaches to gathering, recording, and disseminating information on cases. This information sharing

system is linked to agreed-upon intervention goals in domestic violence cases and to efforts to coordinate interventions across agencies.

- Each policy also sets a foundation from which public agencies and practitioners can clearly delineate their respective **roles and functions**. A multiagency coordinated response requires connections between and across practitioners so that it is impossible to lose sight of the nature of the harm, the likely danger, and the opportunities for action and change in each case. The Blueprint calls on each practitioner in each intervening agency to be oriented toward collective goals, as well as toward those of their own agencies. Those collective goals are to (a) protect adult and child victims from ongoing abuse, (b) impose meaningful consequences for the harm, (c) help offenders who are willing to change, and (d) reduce the unintended negative consequences of state intervention for individuals and communities. Community-based advocacy has a distinctive role under the Blueprint in keeping the interagency response grounded in an understanding of the lives and needs of victims of battering. Community-based advocacy helps ensure that the process of adapting and implementing the Blueprint engages with a range of community members, from victims and survivors to populations overrepresented and/or underserved in the criminal legal system. The Blueprint sets an expectation that a fully accountable CCR recognizes that a core role of advocacy is to identify problems, to say when and how policy and practice are not meeting the needs of victims of battering in the community.

## **2. ATTENTION TO CONTEXT AND SEVERITY**

The term “domestic violence” has come to include many kinds of behaviors within relationships between family and other household members. It lumps together vastly different actions: from throwing a shoe at a partner who gambled away a thousand dollars to strangling a woman to unconsciousness because she wants out of the relationship; from slapping someone on the arm to head-butting. The term domestic violence focuses attention on specific acts of violence toward a family member and obscures the context of that violence, which often includes ongoing coercion, intimidation, and emotional harm.

What has been largely submerged under the broad category of domestic violence is **battering**, a term recognized, defined, and brought to public attention in the 1970s by advocates responding to the realities of sustained abuse in women's lives, primarily by their intimate partners. Battering came to describe an ongoing pattern of coercion, intimidation, and emotional abuse, reinforced by the use and threat of physical or sexual violence.<sup>6</sup> As laws were enacted to protect victims of battering and hold batterers accountable, the term "domestic violence" was adopted to be inclusive of most abuse occurring in the home among people in

## The Blueprint differentiates

**battering** (characterized by ongoing, patterned coercion, intimidation and violence) from **resistive** violence in response to battering and **non-battering** intimate partner violence. When the Blueprint refers to "domestic violence crimes," it is primarily concerned with those that occur in the context of battering, although its policies, protocols, and tools benefit the response to all forms of domestic violence.

intimate or familial relationships. *Domestic* violence emphasized the setting: the home. Apart from child abuse, violence involving intimate partners or other family members came under the same definition: i.e., it became domestic violence. Laws passed with battering in mind were applied to teenagers hitting their parents, to one brother hitting another, to a husband strangling his wife, and to that wife scratching her husband in response. Slogans like "zero tolerance for violence in the home" hindered critical reflection about the differences between these acts of violence.

Applying a single treatment to such a broad range of human interactions and behaviors, however, inhibits meaningful intervention for victims and for

perpetrators.<sup>7</sup> For example, grouping all acts of violence together, regardless of intent and context, leads to treating a battered woman or a teenage child who reacts to abuse with violence (whether in self-defense or illegally) the same as the person who dominates his partner through a pattern of fear, coercion and violence: i.e., all become “domestic violence perpetrators.” Placing all acts of relationship violence into a single category of “misdemeanor domestic violence” or “felony domestic violence” can distort understanding of who is doing what to whom, and who needs what level of protection from whom. In situations where a suspect is hearing and the victim is Deaf or Hard of Hearing (HOH), or where the suspect is fluent in English and the victim is not, practitioners must be prepared to communicate effectively with the victim, or the batterer can set the narrative and the wrong person can be arrested. For victims of battering, the failure to communicate effectively or to understand the context of the violence is not benign and can have fatal effects, as analysis of intimate partner homicide confirms.<sup>8</sup>

The challenge is to make visible all that can possibly be known about the full scope of abuse occurring in a relationship.<sup>9</sup> Interveners must be able to see the scope and severity of the offender’s violence, how often and under what circumstances it is occurring, and the pattern of the abuse. Is the violence escalating, deescalating, potentially lethal, or unpredictable? How does the abuser’s access to firearms impact the victim’s level of risk? In order to gain this nuanced perspective for people with Limited English Proficiency (LEP) or who are Deaf/HOH, it is particularly important to communicate in their first or preferred language.

In designing the Blueprint, we were tempted to build it around typologies of domestic violence offenders but decided that such an approach presented too many traps related to due process and safety. Instead, we built differentiation into each step of the process, supported by intense attention to gathering, documenting, disseminating, and building on new information over a period of time and by frequent, ongoing contact with offenders and victims<sup>10</sup>. This differentiation supports intervention tailored to the specifics of a case and the

unique aspects and different levels of violence and abuse that offenders use and to which victims are subjected.

This process of differentiation is not new to the Blueprint. Law enforcement experts and state legislatures have recognized the need for differentiation by passing laws that discourage dual arrests even when evidence exists to arrest both parties in a domestic abuse-related case. Instead, these laws encourage officers to arrest the predominant aggressor and permit prosecutors to respond to the specifics of a case in new ways.

To respond to domestic violence without inadvertently causing further harm requires differentiating who is doing what to whom, and with what impact. The Blueprint directs practitioners to gather information that illuminates both the pattern of abuse and the specific acts being committed. Policies and protocols then propose different interventions based on the circumstances, frequency, and severity of abuse. The Blueprint's expectation of ongoing leadership by and consultation with community-based advocates also helps maintain this focus on understanding and identifying the context of the abuse.

### **3. A PATTERNED CRIME REQUIRING CONTINUING ENGAGEMENT**

A domestic violence crime is rarely fully resolved with the first intervention.<sup>11</sup> For those offenders who have much to lose by criminal justice intervention, a single legal action may be enough to jolt them out of thinking that violence is an effective way of dealing with their relationship. For another group of offenders who batter, the violence will not stop or decrease significantly in severity until there are repeated interventions. There is a small but volatile group with long and violent criminal histories for whom sanctions have little or no impact. If the violence is caused by mental illness, brain trauma, or similar factors, multiple and very specific interventions may be necessary.

Because the criminal legal system is incident-focused, most domestic violence-related criminal interventions focus on a single event (stalking cases perhaps the exception, if they are pursued). But most practitioners charged with intervening understand that these single acts of violence are usually part of a patterned use of coercion, intimidation, and the use or threat of violence—namely, battering—and

related to repeated actions and threats committed over time and in countless situations. Interventions to process a single case of assault look different than interventions intended to stop the continued use of abuse and violence.<sup>12</sup> The Blueprint is designed to both process the “event” of a crime *and* do so in a manner that confronts and stops the pattern of abuse and violence.

This dual approach to intervention has important implications for an interagency approach. First, practitioners must be prepared to link seemingly isolated incidents into a more coherent picture of behavior and complexity of risk and safety for any one victim. Second, they must see their shared task and function as reaching beyond that single event to stopping future abuse. Without significant change on the part of the offender, the coercion and violence are likely to continue and may escalate in severity and frequency.

The patterned nature of battering means that the criminal legal system’s contact with a victim or offender will likely continue over a period of time. This extended contact provides the opportunity to build relationships that reinforce safety and accountability in more lasting ways. If a victim is reluctant or refuses to participate in a prosecution and court intervention at a given point, how system practitioners treat her or him will shape the possibilities for a future partnership.<sup>13</sup> As an investigator explained:

*If I treat her with respect and let her know I’m concerned the first time I meet her, when it happens again, she is more likely to take my call, or even call me. If I get frustrated and angry because I need her in order to get to him and I throw up my hands, saying ‘fine, you want to live that way go ahead,’ then I’m just one more person slapping her in the face.*

As two patrol officers noted:

*What I do and say the first time we go out on a case sets the tone for what the next officer faces. If she’s hostile and in my face and I treat her with respect and let her know we are here for her and her kids when they need us, the next officer (or maybe even the one after that) will be dealing with a different person...*

*Let’s just put it this way, I’m not the one getting bashed up and pushed around*



*and treated like an animal, so I'm in a better position to extend that hand. It might take two or three of us and different calls, but eventually most women get to a point where the police aren't the enemy and then they want to work together...*

This need is heightened when a victim is LEP or is Deaf/HOH. Communicating with a victim in her or his preferred language not only ensures that intervening practitioners will get more accurate information, but also demonstrates interest and concern for the victim's experience.

To produce a more meaningful and individualized response requires collaborating with victims in ways that acknowledge the nature of domestic violence as a patterned offense. This means:

- Communicate in the victim's preferred language and method of communication.
- Wherever possible, minimize the victim's need to confront the offender.
- Protect the victim from retaliation when using information that she or he has provided.
- Treat each interaction with the victim as an opportunity to build collaboration over multiple interventions (even when a victim starts out hostile to those interventions).
- Stay mindful of the complex and often dangerous implications of a victim's collaboration with interveners.<sup>14</sup>
- Be aware that the fundamental purpose of battering, which characterizes the majority of domestic violence criminal cases, is to control what the victim says, thinks, feels, and does.<sup>15</sup>
- Engage in a dialogue with the victim rather than treating her or him as a data point.
- Avoid unintentionally reinforcing the abuser's actions: offer a clear alternative to messages that the victim is crazy, at fault, unbelievable, and unable to make decisions, and that the abuser is unstoppable.<sup>16</sup>

The distinctive role of community-based advocacy in a Blueprint community is critical to establishing an environment and practice of continuing engagement with victims of battering.<sup>17</sup> Community-based advocacy provides a setting where

victims of battering can speak confidentially and openly—including those who are fearful of and try to avoid the criminal legal system or those whose experience with the system has left them feeling less safe. The interagency response turns to and relies on the advocacy organization(s) to serve as a bridge between victims and the system and to help identify whether and how victim engagement practices are working at each step of the criminal case process.<sup>18</sup>

The Blueprint promotes an advocacy-initiated response (AIR)<sup>19</sup> as a foundation for continuing engagement throughout the criminal legal system process. Utilizing this response, the arresting officer contacts the community-based advocacy program to let them know an arrest has been made and provide important details about the case and informs the victim that an advocate will be in contact. How that contact occurs varies according to how the AIR has been set up. It might be a phone call at the scene initiated by the responding officer, a follow-up phone call after the officer leaves, or, in some circumstances, an advocate coming to the scene. However the link with advocacy is made, AIR offers the victim confidential, individualized and accessible services related to her immediate safety needs, information about the court process, what she wants to have happen in court, and her wishes regarding contact with her partner.

#### **4. SURE AND SWIFT CONSEQUENCES**

Research into domestic violence suggests that sure and swift sanctions are more important than severe punishment in confronting this crime.<sup>20</sup> Evidence points to building sure and swift consequences into the infrastructure of case processing<sup>21</sup> as a path to reducing recidivism in some cases and the severity of ongoing abuse in others.<sup>22</sup>

The national data is encouraging,<sup>23</sup> although day-to-day work in the criminal justice system can leave many practitioners frustrated and skeptical that the changes made over the past several decades have actually reduced violence.<sup>24</sup>

Batterers tend to push against any boundary set for them.<sup>25</sup> The clearer the message about what behavior is and is not acceptable, the more likely the abuser is to live within those boundaries.<sup>26</sup> Each policy and administrative protocol in the Blueprint, from the initial law enforcement contact to case closure, is designed

with the goal of sure and swift consequences in mind, but also with the recognition that sometimes intervention goals can conflict. For example, if a probationer is arrested for assaulting his former partner, that new case may take months to resolve. The decision to pursue an immediate probation violation for committing a new offense is weighed against the possibility that the violation hearing might pose problems for the new case, which carries a more substantial and enhanced penalty. A prosecutor might prefer to wait for the new conviction to avoid such complications. Waiting, however, might result in the defendant having free license to harass the victim. One course of action—pursuing the probation violation—reinforces swift consequences. The other course of action—pursuing an enhanced charge—may reinforce more substantial consequences.<sup>27</sup> The Blueprint policies and protocols address these dilemmas, sometimes with a mandate requiring practitioners to take certain actions, sometimes with a set of guiding principles or procedures, and sometimes with a training memo suggesting how to weigh the different outcomes.

## The Blueprint

uses interagency policies, protocols, case processing procedures, and information sharing to (a) maximize the state's ability to gain a measure of control over a domestic violence offender; (b) use that control to intervene quickly when there are new acts of violence, intimidation or coercion; and (c) shift the burden of holding the offender accountable for violence or abuse from the *victim* to the *system*.

## 5. MESSAGES OF HELP AND ACCOUNTABILITY

The single greatest obstacle to the criminal justice system's effective intervention in battering cases is the degree of psychological and physical control the abuser has over the victim.<sup>28</sup> Batterers rely on this power to shield themselves from legal interventions. Therefore, engaging with a victim hinges on our success in conveying that (a) our intervention will counteract that power, (b) as practitioners we understand the reality of living with battering, (c) we have a genuinely collaborative approach, and (d) we are here to help, however long it takes.

The state, and by extension the practitioners who represent it, has a powerful influence over people. The messages given to victims, offenders, and children at each point of intervention can have a deterrent effect or, alternatively, can fail to deter and therefore act as an opening for more violence.<sup>29</sup>

Consider two linchpin characteristics of battering cases involving heterosexual men. First is the batterer's sense of entitlement to his actions.<sup>30</sup> His partner is the target of his violence not so much because of *what she did* as *who she is*.

Research has shown that a cognitive behavioral approach that challenges the abuser's belief systems about his rights and entitlements in intimate relationships is more effective than any other rehabilitation approach.<sup>31</sup> This approach can begin with the dispatcher and responding officer. If they and every subsequent practitioner are coherently and consistently "on-message" about the batterer's accountability for the harm he has caused, the expectations of the rehabilitation program will be set before he enters his first group<sup>32</sup>. This reinforcement cannot happen when each practitioner offers his or her distinct and often competing message about what lies at the root of the problem and what will fix it.

Effective interventions with an offender who is a batterer are respectful and fair, but also clear and consistent that there will be a consequence every time the offender violates a sanction or requirement.<sup>33</sup> This consequence will be sure and swift and it will be linked to what the person chose to do. Batterers need to know that the system is coordinated, the players speak to each other, and it will be futile to try and play one off against the other.<sup>34</sup> Most importantly, batterers have to see that the violence, coercion, and intimidation are the focus of the state's

intervention, not the victim's behavior. In this regard, there is no neutrality available to law enforcement officers, prosecutors, or judges: every message either challenges an abuser's sense of entitlement or reinforces it.

The second linchpin characteristic of battering is domination: not only physical, but often economic, social, emotional, psychological, and legal.<sup>35</sup> The practitioner who says to a victim, "look what happened: he hit you once, he'll hit you again," misses the complex nature of batterers' domination of their victims and its far-reaching implications in the lives of women and their children. The abuser's messages to his partner are often linked to her cultural, economic, religious, or spiritual identity.<sup>36</sup> "No one will believe you . . . they all know you're crazy . . . you're disgracing the clan (or family) . . . they'll take your kids . . . a good (Native, Black, Christian, Hmong, Jewish) woman doesn't shame her husband this way . . . you can't even speak English, so why would you think anyone would help you. . . I can get you deported. . . what about the things you've done: your drinking, your visits to the shrink . . . everyone knows you're bipolar . . . you need me to just get around because you can't communicate with the outside world. . . I'm a (cop, minister, lawyer, doctor, hero, trusted businessman in this town), no one will believe you over me . . . think of the family . . . the children need a father, you're taking that away . . ." To counter the power of such messages, system practitioners must be cognizant of the relentlessly destructive messages that victims hear and, on some level, may have come to believe.

System practitioners must also be cognizant of many other barriers victims face when asking for help—lack of access to childcare or transportation, worries about safety and well-being of children, impact on housing or employment to name a few. Victims with LEP or who are Deaf/HOH may experience additional barriers, including concerns that a qualified interpreter will not be available; whether the victim or suspect and the interpreter are known to one another; whether the impact that relationship will have a positive or negative impact on communication; the victim's concern that she might be required to pay for interpreter services; worries of ostracism from one's community and more. Every action taken and every statement made in processing a case can and should be aimed at an efficient, consistent, coherent, clear message that strips the batterer

of his most powerful weapon: namely, his insistence that “they can’t and won’t help you.”<sup>37</sup>

Two caveats require attention here. First, not all cases of domestic violence involve heterosexual men battering women. Some involve gay men battering their partners. People with significant mental health problems may assault partners outside of the context of battering. Similarly, a small percentage of drug addicted domestic violence offenders do stop abusing their partners when they stop using drugs. Victims of battering who fight back illegally do not fit the definition of battering either: i.e., resisting is not battering. There are also women who batter their partners—primarily in lesbian relationships, but sometimes, though rarely, in heterosexual relationships. While cases involving battering by men are the prevailing type in the criminal legal system, the Blueprint provides a framework for intervention that benefits all types of intimate partner relationships.

The second caveat is a reminder that in the courtroom, everyone charged with a crime is presumed innocent until proven guilty. Practitioners relay messages at every point of contact and most of those points of contact are pre-conviction. Practitioners must walk a fine line between presuming guilt and being helpful and clear with suspects and victims.

Practitioners have the opportunity to counteract the messages associated with a batterer’s defense of the violence and abuse.<sup>38</sup> A batterer (i.e., someone who engages in a continuous pattern of violence and abuse) has seven basic defenses, each with a supporting message. Those messages are: (a) I didn’t do it; someone else did, (b) the victim is lying, (c) it was an accident, (d) it was self-defense, (e) it can’t be proved, (f) yes, I did it, but you’d do it too in my situation, or (g) I did it, but the officer messed up; they can’t convict me of anything. Batterers do not even need to present these defenses when they can rely on their victims to be unavailable to counter or challenge the defenses. And if interpreters are not available to victims with LEP or who are Deaf/HOH, they will be unable to challenge these defenses and will be less likely to participate. Most abusers discourage the victim’s participation and reinforce the message that interveners

cannot or will not help. Sometimes they do this in blatantly illegal ways; other times they rely on their power over the victim. The criminal legal system's encouragement to a victim to participate in the prosecution and the protection it might offer is typically matched and often overpowered by the pressures a batterer can apply and the consequences he or she can impose for that cooperation. This is exacerbated when the defendant is able to use the victim's lack of language access to threaten or discourage her or him from participating.

The Blueprint is embedded with a set of messages that, if coordinated across practitioners and intervening agencies, can contribute to lower recidivism, increased engagement with victims, and less resistance from abusers to the state's role in confronting the abuse. The Blueprint extends messages of help to protect victims and to provide offenders with opportunities for change<sup>39</sup>. It also extends messages of accountability: individual accountability for the harm caused by battering; interagency accountability in building and sustaining an effective response; and intervention's accountability to ensuring protection for victims and fair, respectful treatment of offenders.

Community-based advocacy has a key role in the Blueprint in reinforcing accountability, particularly the accountability of the system overall to the strengthening safety and well-being for victims of battering. No one else in the community is positioned to hear so directly and candidly from a wide range of victims about their experiences with the criminal legal system response. Advocates are also positioned to see the full range of the response at all steps of case processing, from an initial call to 911 through the span of probation. Again, the advocacy organization(s) serves as a bridge between victims and the system and can help identify whether and how victim engagement practices are working at each step of the criminal case process. For this reason, the Blueprint sets an expectation that public agencies will involve community-based advocacy in implementing and monitoring the new policies and protocols. Advocacy contributions occur via such activities as participation in assessment of current practices, review of proposed policy and protocol revisions, interagency problem-solving and training, and membership on monitoring work groups.

## **6. REDUCING UNINTENDED CONSEQUENCES OF INTERVENTIONS AND THE DISPARITY OF IMPACT**

We do not all experience the world in the same way. People's social realities are constructed by differences in class, age, race and ethnicity, immigration status, sexual orientation, history, privilege, and many other aspects of culture and identity. As a result, we do not all experience battering in the same way, or the actions of interveners or the impact of policies in the same way.<sup>40</sup> An effective domestic violence intervention accounts for the realities of peoples' unique circumstances and social standing. For example, intervention strategies must address the relationship between violence, poverty, homelessness, immigration status, LEP, Deafness, disability, gender, and race. An effective interagency approach must reduce rather than emphasize the disparity between groups of people with different social realities. Reducing disparity requires us to find ways to sustain compassion for the people we encounter. Working in and around the criminal legal system in general—and responding to domestic violence in particular—is stressful, demanding work. We are constantly dealing with aspects of peoples' lives that are harmful, chaotic, and cruel. It is far too easy for a corrosive cynicism to set in that dismisses those before us as unworthy of help and attention and diminishes the kind of problem solving that fosters safety and accountability on both individual and systemic levels.

Almost every practitioner in the system can cite a case where everyone did his or her job and every policy was followed, but the outcome of the case was neither just nor protective of the victim. In these familiar cases, the poor outcome is as much due to failures in our intervention strategies as it is about specific abusers. Effective intervention cannot be a blanket, one-dimensional response. Truly implementing the concept of equal treatment under the law requires thoughtful legal interventions that produce just outcomes. Under what circumstances should we adjust for the impact of policy and practice on peoples' different social realities? Whenever possible, the Blueprint introduces ways in which practitioners can reduce the level of disparity produced by their interventions. The ongoing experience of the early Blueprint adaptation communities is helping to identify



strategies and tools to discover, talk about, and address the complex issues of disparity.<sup>41</sup>

## CONCLUSION

The Blueprint's design incorporates input from hundreds of experts, beginning with dozens of victims of battering who attended focus groups and pinpointed specific ways that interventions could better promote their safety. Practitioner experts included 911 call takers and dispatchers, warrant officers and jail staff, law enforcement officers, prosecutors, probation agents, and judges. Community-based advocates and prosecution-based advocates contributed critical perspectives on the experiences of victims in the criminal legal system. The Blueprint's designers consulted with a national team of researchers and deliberated nearly every line of the policy and protocol templates with supervisors from each participating agency.

In the past forty years, many communities have come a long way toward building working relationships, alliances, and collaboration among advocates, law enforcement, prosecutors, probation agents, and other interveners, both with one another and with victims of battering. These relationships have produced a far more intentional and effective approach to public intervention in what was once considered a private crime. This effort has significantly reduced intimate partner homicides overall and introduced options for victims of domestic violence that were unheard of in our parents' and grandparents' time. It has meant that women, who are most often the victims of domestic violence, live for far shorter periods of time in an abusive relationship, as do their children.

Nonetheless, the work is by no means complete. According to analysis by the Violence Policy Center, 1,615 females were murdered by male perpetrators in the United States in 2013 (in single victim/single offender incidents). Ninety-four percent of women killed nationwide knew their assailants, who were usually current or former husbands or boyfriends.<sup>42</sup> Among homicides overall, female victims are substantially more likely than male victims to have been killed by an intimate, a percentage that has unfortunately increased since 1980.<sup>43</sup> Women have been shot, stabbed, strangled, and/or beaten to death, often with great

brutality and often in the presence of or during an attack against their children as well. Similarly, with collateral homicides and assaults of the children, allies (e.g., family members, friends, attorneys), and new partners of victims of battering. Unreported are the countless “near homicides”—non-fatal often thanks to prompt medical attention—and the even greater unknown number of people who endure ongoing and daily coercion, intimidation, and violence with devastating impacts on their safety, health, and well-being. Many victims of battering are reluctant to call police for help, fearing that the police—and, by extension, the criminal legal system—would not believe them or do nothing to help them.<sup>44</sup>

The Blueprint for Safety is the next wave of change in addressing the persistent and pervasive form of violence against women that has come to be known as battering. The Blueprint is change grounded in decades of knowledge and experience. We have learned that each encounter between someone living with this violence and a practitioner in the criminal legal system is an opportunity to interrupt the actions and patterns that sustain battering. The Blueprint organizes us to present a cohesive set of messages to victims and perpetrators.

To adult victims:

- We’re here to help when you’re ready for that help.
- The violence is not your fault and you are not responsible for the perpetrator’s actions.
- We’re concerned for your safety—by working together we have the best chance of stopping the violence.

To children:

- You haven’t done anything wrong—it’s not your fault.
- We want everyone to be safe and we’re here to help you and your family.
- We won’t hurt your father or mother.

To perpetrators:

- The violence must stop—there is help for you to do that and there will be consequences if you don't.
- This arrest (or prosecution or probation) is a result of your actions and not the actions of others.
- This is an opportunity for you to change, to reject the violence and repair the harm you have caused, and we can help you do that.

In its structure and content, the Blueprint prepares agencies and practitioners across the criminal legal system to carry these messages with one voice.



## UNDERLYING ASSUMPTIONS IN THE BLUEPRINT

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In our grandparents' generation, women had few options for finding safety from battering. There were no organized shelters or religious or community support systems challenging the abuser (although informal confrontations occurred in many communities). Law enforcement was expected to calm the situation and leave. All but the most serious assaults were screened out of the criminal legal system and the few arrests that occurred were rarely prosecuted. That all changed, beginning with the opening of the first shelter for battered women and the first interagency intervention project. The last forty years have seen enormous changes in the state's response to intimate partner violence. For the first time in history, the state's obligation to protect its citizens was applied to "wives."<sup>45</sup>

In any society, widespread use of violence, aggression, and coercion in families is a cultural phenomenon. Such violence is rooted in unjust social structures which the criminal legal system alone cannot unravel. The criminal legal system plays two important roles in reducing violence in families, however, by (1) enforcing laws which challenge a once accepted cultural practice (similar to the legal system's impact on drinking and driving, child labor, sexual harassment in the workplace, and exposure to secondhand smoke); and by (2) stopping individual abusers from doing more harm. It is one of many public institutions that convey social norms and rein in unacceptable behavior. It strives to accomplish this by responding with sure and swift consequences to those whose battering makes the home a place of fear rather than a place of refuge.

For almost four decades, survivors and community-based advocates have raised the voice of concern that too little is being done to stop the violence. Researchers have sent mixed messages about what works and what does not work. Organized opposition to reform has grown. As one criminal court judge shared with a colleague:

*I've always thought that in domestic violence cases I could be the only person in the courtroom—no defendant, no victim, no attorneys; not a clerk or deputy in sight, not a motion to rule on or decision to make—and still I'd be absolutely sure I was doing something wrong.*

The judge's frustrations are shared by many in the criminal legal system. Intimate partner violence is a complex type of crime. The offender's control over the victim can make effective intervention incredibly difficult and time-consuming. The good news is that our overall strategy of using the legal system to stop the violence appears to be making a difference, particularly in homicide rates. Spousal homicides overall dropped by 46% between 1976 and 2004. The number of black males killed by their partners dropped an astounding 82%, black females by 56%, and white males by 55%.<sup>46</sup> Between 1994 and 2011, the rate of serious intimate partner violence against females declined by 72% for females and 64% for males.<sup>47</sup> Battered women and their children face a very different reality today than did our grandmothers.<sup>48</sup>

Few in the criminal legal system are comforted by such statistics when law enforcement calls and courtroom calendars are still overflowing with domestic violence-related cases. The Blueprint proposes the next level of change. It rests on years of experience in interagency coordination; research on arrests, sentencing, and treatment of batterers; statistical trends; a year-long process of interagency negotiation in Saint Paul; and the experience of the adaptation demonstration initiative. Blueprint policies and protocols are designed to guide every practitioner to do everything possible each time a person reaches out to this mammoth institution for help. Each assumption underlying the Blueprint is supported by research (see Chapter 9, Endnotes: Research, Literature, and Intervention Models). The Blueprint is an attempt to integrate what we have collectively come to understand as recommended practice in the criminal justice system response to domestic violence.

- When work is coordinated within and across agencies, the overall capacity to protect is increased.
- The action of one practitioner is strengthened by the cumulative effect of coordinated actions across the criminal justice system.

- When the system is organized to treat a case as part of an ongoing pattern of criminal activity rather than a singular event, outcomes improve.
- Interagency coordination is strengthened when information is organized around common risk markers that are uniformly collected and shared.
- Not all domestic violence is the same; interventions are different for violent acts that lack a context of coercion, intimidation and control (e.g. cases of mental illness, isolated events, victims of abuse reacting).
- Using a variety of strategies to engage with victims over time, including communicating in the victim's preferred language and method of communication, can strengthen collaboration and improve outcomes.
- Sending clear and consistent messages of offender accountability and victim safety can reduce the violence.
- Whenever possible the criminal legal system must shift the burden of confrontation from the victim to the intervening practitioner.
- Danger and repeat violence from the perpetrator can be anticipated when certain actions and behaviors are visible.
- It is important for every act of aggression by the offender to be met with sure and swift consequences.
- Intervention policies and protocols should be adapted to diminish unintended consequences that adversely affect marginalized populations.

Human rights leader Archbishop Desmond Tutu tells us that justice demands three things: (1) that the truth be told, (2) that the harm be repaired to whatever extent humanly possible, and (3) that the conditions that gave rise to the injustice be changed.<sup>49</sup> The Blueprint envisions and builds a path to all three elements of justice for those subjected to violence, aggression, and coercion in their intimate relationships and families.

## PRACTITIONERS' GUIDE TO RISK AND DANGER

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The following is an abbreviated list of factors related to risk and danger in domestic violence. Most of the research is based on violence toward women, which reflects the majority of cases coming into the criminal justice system. The presence of these indicators suggests that one of the following outcomes is likely without effective intervention: the violence will (1) continue, (2) escalate, and/or (3) become lethal.

Practitioners **should not assume** that the Guide to Risk and Danger lists every possible risk marker for continued violence or lethality. Instead, the guide uses key categories of risk to identify the indicators of severe violence or lethality. Each practitioner should be familiar with, look for, and document the key categories of risk and danger included in the guide. They can then weigh this information from the research with their own experience in domestic violence cases and the conditions highlighted in the guide as particularly associated with increased risk and lethality. When there is violence without these risk factors, practitioners should consider the probability that this is a case of either resistive violence or non-battering related domestic violence.<sup>50</sup>

While a victim's perception of danger can be a very powerful predictor of re-assault, 47% of victims of femicide failed to recognize the potential for lethal violence or attempted murder.<sup>51</sup> **At a minimum, an intervening practitioner should always seek to determine<sup>52</sup>:**

- How recent was the last violence?
- Is the violence increasing in frequency?
- What types of violence and threats is the victim experiencing?
- Does the victim think [the offender] will seriously injure or kill her or her children?

Under the Blueprint, assessing for risk and danger is built into each step in the response. From the 911 call-taker to the judge and the supervising probation



officer, everyone is positioned to understand, collect, and communicate information about the kind of violence that is occurring (context) and the level of harm that has occurred and is likely to occur in the future (dangerousness). The Blueprint seeks to provide practitioners at each point of intervention with the knowledge, authority, and capacity to adjust responses along a continuum of interventions, moving to an elevated and then maximum response depending upon the circumstances surrounding the case.<sup>53</sup>

## When a batterer

combines threats or force (coercion) with control, such as “micro-regulating” and “micro-surveillance,” the result is entrapment.

- E. Stark (2007)

The Blueprint approach differs from that of actuarial tools designed to measure specific acts or factors, such as prior assaults or employment status, and produce a score.<sup>54</sup> The Blueprint seeks to “connect the dots,” i.e., to paint a picture of the violence in context and make that picture visible throughout the criminal case process. In that sense, the Blueprint takes a qualitative approach to analyzing risk and danger, using a more narrative framework that adds to, but does not replace, any actuarial tools used to complete certain tasks, such as making pretrial release recommendations.

# Practitioners' Guide to Risk and Danger

## Using this risk guide

- ❑ Each Blueprint protocol includes specific instructions for documenting and responding to risk. Practitioners should also read *Appendix 1B: Training Memo—Risk and Dangerousness*.
- ❑ Elicit and document the risk factors contained in this guide. Whenever possible, talk with the victim; engage in a discussion about danger rather than just asking if these things have happened. Victim perceptions and interpretations are important.
- ❑ Communicate risk factors to other intervening practitioners in a timely manner.
- ❑ Be attentive to the factors in a given case; use experience, common sense, and training to make judgments about the level of danger that both the offender and the set of circumstances pose.
- ❑ Adjust the response to each case based on the level of risk and dangerousness.
- ❑ Protect the victim from retaliation when soliciting or using safety and risk information.
- ❑ Link victims with risk factors to an advocate.
- ❑ Stay alert; the level and type of risk will likely change over time and as circumstances change. Determining and managing risk is an ongoing process.
- ❑ A victim's attempt to terminate the relationship is a major change that poses increased risk.
- ❑ Victims' perceptions of high danger are typically accurate; their perceptions of low danger are often not.

## Acts or threats of violence associated with risk & lethality

Factors listed in italics are particularly associated with lethal violence

- *Stalking*
- *Strangulation; attempts to "choke"*
- *Threats to kill the victim*
- *Threats to kill that the victim believes or fears*
- *Threats to kill that are conveyed to others*
- *Threats of suicide*
- *Forced sex or pressuring for sex even when separated*
- *Serious injury to the victim*
- *Carries, has access to, uses, or threatens with a weapon*
- *Violence outside of the home*
- Aggression toward interveners
- Threats to family, coworkers, victim's new partner
- Animal abuse or killing pets
- Damages victim's property
- Violent during pregnancy or shortly after birth
- Hostage-taking; restraint
- Acts exhibiting extreme hostility toward the victim

## Coercion

**Violence with a pattern of coercion is a serious marker of high-risk violence.** Coercion may be displayed as control of children, finances, or activities; sexual aggression; intimidation; hurting pets; or isolating the victim from support systems.

**Risk is higher when the violence is accompanied by:**

- An increase in frequency, severity, or type of violence over recent months
- Almost daily impairment by alcohol or drugs
- The victim attempting a permanent break
- Estrangements, separations, and reunions
- Failure of prior interventions to affect the offender
- A victim who expresses fear of threats to kill
- A victim making no attempt to leave despite severe abuse
- Prior arrests, law enforcement calls, and/or protection order(s)
- Isolation of victim (physical or social)
- A victim seeking outside help in the past year
- A victim has a child who is not the offender's
- An abuser leaves before law enforcement arrive; eludes warrants
- An abuser's:
  - Lack of remorse
  - Mental health issues
  - Financial difficulty; unstable housing
  - Generalized aggression or violent acts
  - Ongoing efforts to take children from their mother
  - History of violence in multiple relationships
  - First act of violence is life-threatening or brutal
  - Obsessive control of victim's daily activities
  - Obsessive jealousy
  - Significant and harmful use of a child
  - Drawing others into the abuse (e.g., children, family, friends)
  - Non-compliance with probation or pre-trial release conditions

**Homicide-Suicide (for male offenders) accounts for 27-32% of the lethal domestic violence incidents**

Predominant risk markers include: *guns, patterns of estrangement and reunion and offender's poor mental health*. Additional risk markers are:

- |   |   |
|---|---|
| <ul style="list-style-type: none"> <li>• Obsession or jealousy</li> <li>• Alcohol impairment (23 to 38% of perpetrators)</li> <li>• History of domestic violence</li> </ul> | <ul style="list-style-type: none"> <li>• Suicide attempts or threats</li> <li>• Personality disorder</li> <li>• Depression of offender (46%)</li> </ul> |
|---|---|

**Women who kill male partners**

Predominant risk markers include: *severe, increasingly frequent, and recent violence by male partner against the defendant; a defendant who is isolated and has few social resources*. Additional risk markers are:

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>• Access to or prior use of weapons</li> <li>• More than 10 violent incidents in the last year at the hands of the person killed</li> <li>• Law enforcement intervention in one or more domestic violence calls in past year</li> </ul> | <ul style="list-style-type: none"> <li>• Prior strangulation by person killed</li> <li>• Traditional relationship (married, children, lengthy relationship)</li> <li>• Trapped and isolated in violent relationship</li> <li>• Defendant sought help</li> </ul> |
|--|---|

**Note: The absence of any of these factors such as “defendant sought help” should not lead to a conclusion that there is no risk. These are not absolute correlations.**

**J.C. Campbell**, D. Webster, et al., “Assessing Risk Factors for Intimate Partner Homicide,” *NIJ Journal No. 250* (2003): 15-19.

**P.R. Kropp**, *Intimate Partner Violence Risk Assessment and Management, Violence and Victims* 23(2), (2008): 202-220.

**J. Roehl**, C. O'Sullivan, et al., “Intimate Partner Violence Risk Assessment Validation Study, Final Report,” (2005).

**N. Websdale**, “Lethality Assessment Tools: A Critical Analysis,” (2000).

## ADAPTING THE BLUEPRINT FOR SAFETY

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The Blueprint is a distinct blend of approach, process, and document. As an **approach**, the Blueprint is a shared way of thinking about battering and domestic violence. It gets everyone on the same page under a common understanding of the intimidation and violence that characterize battering and how to intervene most successfully. The Blueprint is also a **process** for shared problem identification and problem solving based on regular monitoring and adjustments to practice. As a **document**, the Blueprint is a set of written policies, protocols, and training memos drawn from research and best-known practice. While each agency writes its own policy and protocols, the Blueprint framework and templates connect agencies in a unified, collective policy.

The Blueprint envisions a system in which each practitioner is tuned in to what others can and will likely do when intervening in domestic violence cases. We therefore recommend one reading of the published *Blueprint for Safety: An Interagency Response to Domestic Violence Crimes* from start to finish, rather than looking only at a single agency or role.

Chapters 2 – 8 of the Blueprint include policies and protocols that are anchored in the specific agency and practitioner roles in responding to domestic violence cases. Readers will find some repetition in content as the protocols further articulate and define the broad policy language and interagency response.

Chapter endnotes referenced throughout expand upon and buttress the Blueprint approach and process. The endnotes and references prepare those seeking to become a Blueprint community to be well-versed in the research, commentary, and national experience that supports the Blueprint. The endnotes integrate data from empirical studies, academic research, domestic violence and criminal justice literature, and national resources developed by and for practitioners. The concluding chapter includes a bibliography of cited research, academic literature, and intervention models.

Two questions are commonly asked regarding adaptation of the published document and its templates, training memos, and other supplemental material:

Can the *Blueprint for Safety: An Interagency Response to Domestic Violence Crimes* be copied?

Yes, absolutely. All chapters and related materials can be copied and adopted as-is, with the required citation. The front cover, title page, and back cover or page must include the following: *Adapted from the Blueprint for Safety as created by the City of Saint Paul, Minnesota, the St. Paul/Ramsey County Domestic Abuse Intervention Project, and Praxis International.*

Can the *Blueprint for Safety: An Interagency Response to Domestic Violence Crimes* be altered?

Yes, and no.<sup>55</sup> Any jurisdiction wishing to implement Blueprint policies and protocols is encouraged to use and adapt the language in Chapters 2-8 of the template. While most communities will have to alter the content based on state law and local conditions, some elements of the published document cannot be altered. This includes the foundational narrative and principles in Chapter 1, since they are essential to the meaning of the Blueprint as an approach to battering and domestic violence-related crimes. Chapter 1 must be included in its entirety, without alteration. In addition, the *Blueprint Guide* (see below) includes an overview of essential elements that must be included regardless of the specific policy format and language used by a particular agency or jurisdiction.<sup>56</sup> Finally, because of the need for precision and consistency, some of the supplemental training memos cannot be altered and are clearly marked as such.

As a result of the national demonstration initiative, communities now have a collection of tools available in the *Blueprint Guide*. *This Guide* supports communities throughout the core phases of a local adaptation. The phases include:

1. Explore community readiness and prepare an adaptation plan.
2. Assess current policy and practice and identify problems that the Blueprint will address.
3. Adapt agency policies to reflect the Blueprint's essential elements.
4. Implement and institutionalize the Blueprint as the new way of working together.
5. Monitor progress and revise the Blueprint as necessary to address gaps in practice and new problems that emerge.

For questions regarding adaptation and use of published Blueprint materials, please contact Praxis International at [info@praxisinternational.org](mailto:info@praxisinternational.org).

## A victim's decision

to use the criminal justice system in the future was connected to financial dependence on the perpetrator, safety from abuse during prior interventions, and previous support from practitioners.

– R.E. Fleury-Steiner, et al. (2006)

## CHAPTER 1 ENDNOTES

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1. Published as *The Blueprint for Safety: An Interagency Response to Domestic Violence Crimes* and available with related documents and resources at <http://praxisinternational.org/blueprint-home/blueprint-materials/>.
2. Available at <http://praxisinternational.org/blueprint-home/>. Referenced as *Blueprint Guide*.
3. The Blueprint differentiates **battering**, characterized by ongoing, patterned coercion, intimidation, and violence; **resistive** violence, used by victims of battering to resist or defend themselves or others; and **non-battering** violence resulting from such causes as a physical or mental health condition or traumatic brain injury. The legal system's category of "domestic violence" includes many types of abusive behavior and relationships. When the Blueprint refers to "domestic violence crimes," it is primarily concerned with those that occur in the context of battering, although the policies, protocols, and tools included benefit the response to all forms of domestic violence.
4. "The core tenet of most coordinated criminal justice responses [is] the belief that a criminal justice system that predictably and routinely entangles offenders in multiple ways improves the odds that any given offender will encounter a response that may alter his behavior." (Worden, 2003, p. 14)

Shepard (1999) offers a brief overview of the components of a coordinated community response (CCR) and how they work. Shepard and Pence (1999) provide more in-depth information on building a CCR.

A number of studies found that a coordinated intervention in domestic violence cases could have a positive, even cumulative, effect on the behavior of the offender. (Murphy, et al., 1998, pp. 278-279; Saunders, 2008, p. 165; Syers and Edleson, 1992, p. 484; Tolman and Weisz, 1995, p. 482; Worden, 2003, p. 13; 2001)

Sullivan (2006, p. 205) reports an increased responsiveness to victims and improved interagency interactions through a CCR.

Some studies found CCRs did not fully accomplish their goals or encountered unintended consequences for some victims. These studies are useful to those

crafting interagency responses as they help to understand and avoid the pitfalls of this work.

Bouffard and Muftie (2007) report that the effectiveness of a CCR was related to the quality of the batterer's treatment.

- Salazar et al. (2007) found unintended consequences of CCR efforts when an increase in domestic violence arrests led to a rise in victim arrests.
- An audit of five jurisdictions in CA concluded that batterer intervention programs were not working as intended. (California State Auditor, 2006)
- A study of ten CCRs funded by the Centers for Disease Control found great variation in CCR quality, but no significant impact on domestic violence rates overall. (Klevens et al., 2008)

The *Greenbook* reports on interagency coordination efforts around the intersection of domestic violence and child maltreatment in six demonstration communities across the U.S. (Edleson et al., 2004, pp. 62-63) While the CCRs were one of the successes of the project, they faced problems with differences in agency structures, philosophies, power, and trust. Participants reported obstacles to collaboration, including: length of the process, lack of time, and differences in organizational cultures.

In a study of interagency coordination, Gondolf (2009) found a number of problems related to personnel issues: new staff and leadership who were unfamiliar with the goals and history of the CCR, varying levels of involvement or resistance, and loss of trained personnel leaving gaps in institutional knowledge. While caseloads increased, there were also interagency barriers: differing intervention priorities, communication breakdowns, and financial stressors.

Worden (2003) mentions unintended consequences and resistance from key leadership as detriments to coordinated intervention. This author recommends caution in selecting outcome measures and definitions of success.

A study of 48 different domestic violence community collaborations (Nowell, 2009) suggests that the presence of stakeholders who are perceived to be out of sync by other stakeholders with regards to their understanding of domestic violence, but do not acknowledge this apparent disconnect, can negatively impact the effectiveness of the collaborative. In other words, a CCR-type entity



is more effective when members have a shared understanding of domestic violence.

The literature also demonstrates facets of CCRs that work well.

“One large scale study of women in the justice system found that the more battered women perceived different agencies as working together, the more highly they rated them in terms of helpfulness and effectiveness and the more satisfied they were both with the legal system in general and with their own individual case outcomes in particular.” (Goodman and Epstein, 2008, p. 85)

Russell and Light (2006) found that victims responded well to police when officers were proactive and part of an integrated team.

Zweig and Burt (2006) found that women’s perceptions of whether community agencies were working together to assist her and her case significantly and positively related to arrests in domestic violence and sexual assault cases and to convictions in domestic violence cases. Perceptions that agencies were working together also increased women’s beliefs that law enforcement and prosecution are effective agencies.

Sullivan (2006, p. 205) says “strong leadership, a shared mission, shared power, and a membership extending across more fields” are needed to accomplish goals.

Worden (2003) recommends building on current relationships and resources with a committed core group.

In a review of 41 coordinating councils, Allen (2006, p. 48) concludes that to create an effective CCR requires an inclusive environment, broad participation, and shared decision-making.

CCR-related qualities and activities were correlated with higher rates of victim contact with intimate partner violence services in CCR communities when compared to communities without this intervention. These qualities and activities included: developing goals based on community needs, selecting priorities based on the salience of the need in the community, efforts to coordinate services, and disseminating information on the frequency of intimate partner violence in the community. (Klevens, et al., 2008)

5. "Offenders should receive swift, clear, meaningful, predictable, and certain consequences for violating probation." (Henderson 2014)

Regarding consistency and fairness see R. Paternoster, R. Brame, R. Bachman, and L. W. Sherman, 1997, p. 164-204.

If offenders perceive the process to be fair, they are less likely to be arrested for domestic violence again. F. S. Taxman, D. Soule, and A. Gelb, 1999, p. 3.

6. While the law brackets physical violence as specific criminal acts, other professional fields use a definition of battering that includes a variety of physical, sexual, and emotional behaviors. For examples, see Asmus et al., 1991; Dutton and Goodman; Follingstad et al., 1990; Johnson and Ferraro; Ptacek, 1999; Russell, 1990; Sullivan, 2006; Stark, 2007; Shepard and Campbell, 1992; Stark and Flitcraft, 1996; Tjaden, 2005.
7. “A more discriminating understanding of the nature of specific IPV [intimate partner violence] crimes, including the element of coercion, would help secure more appropriate sentencing, as well as treatment for the perpetrators, and more effective safety planning for victims (Erskine, 1999),” (as cited in Dutton, et al., 2005, p. 2).

A major debate in the literature is the efficacy of mandated policies—for both practitioners and victims.

Victims face economic and extralegal household realities that may depend on an intact family unit. (Hotaling and Buzawa, 2003, p. 33) For some victims, the ability to drop charges may give them the power they need to negotiate for change in the relationship. (Ford, 1991) Other victims face retaliation and rage from offenders for the system’s intervention and expectations of accountability. (Ptacek, 1999)

Goodman and Epstein (2008, p. 93) note that, “survivors who are forced into ... inflexible models may well reject them altogether.” In Indianapolis, Ford and Breall (2000, p.8) found that when victims were given a choice of whether or not to drop the charges against the offender, and they chose not to drop the charges, they were less likely to experience re-abuse over the next 6 months.

While some victims are more satisfied with an intervention if they have some control over the system’s response to their case, O’Sullivan, et al. (2007) lay out the complex legal and ethical dilemmas for practitioners facing such requests for flexibility. Their work evaluates victim safety, empowerment, and recidivism for two prosecutorial approaches to filing domestic violence cases.

8. For example, see the following fatality reports:

- Minnesota Coalition for Battered Women  
[http://www.mcbw.org/files/u1/2008\\_Femicide\\_Report\\_FINAL\\_0.pdf](http://www.mcbw.org/files/u1/2008_Femicide_Report_FINAL_0.pdf)
- Washington State Coalition Against Domestic Violence  
<http://dvmfatalityreview.org/>
- Wisconsin Coalition Against Domestic Violence  
<http://www.endabusewi.org/ourwork/homicide-reports>
- Additional information and links to domestic violence homicide studies in other states are available from the National Domestic Violence Fatality Review Commission at [www.ndvfri.org](http://www.ndvfri.org)

9. Stark (2007) estimates that coercive control is involved in at least 60% of domestic violence cases and is probably higher in criminal justice system cases where women seek help.

Dutton, et al. (2005, p. 2) argue “that measurement of violent acts alone cannot adequately characterize violence in intimate partner relationships (DeKeseredy and Schwartz, 1998; Dutton, 1996; Edleson and Tolman, 1992; Smith, Smith, and Earp, 1999; Yoshihama, 2000). Rather it is necessary to understand the use of, and response to, IPV in the context of the relationship and the cultural, social, and institutional systems within which the perpetrator and victim live (Dutton, 1996; Edleson and Tolman, 1992).”

Johnson and Ferraro (2000) point out the importance of making distinctions in the motives of the batterer, types of violence that are used, and cultural or social positions of the victim and the perpetrator.

Belknap and Sullivan (2003) reported on non-physical behaviors perpetrated against women in the six months before their partner was arrested. Table 1.6 shows how victims ranked frequency of occurrence for such items as “Tried to control her activities,” “Discouraged her contact with family/ friends,” and “Forbid her from leaving her home.”

Dutton and Goodman (2005) report on the development of a measurement of coercion, demands, and surveillance. Examples of items on their Demand Subscale include “Wearing certain clothes,” “Using street drugs,” “Bathing or using the bathroom.” Coercion Subscale items include threatening harm to partner, self, or others. Surveillance Subscale items include “Kept track of

telephone/cell phone use,” “Checked or opened your mail,” or checked the odometer on the car.

10. Regarding risk as dynamic and changing at each point of intervention and risk assessment as a process where there is “use of dynamic factors of behavior and circumstances that vary over time.” (Gondolf 2012, p. 193)
11. Websdale (1999) reminds us that homicides are often preceded by multiple criminal justice interventions.

In the Quincy study, Buzawa et al. (1998, p. 189) found about half of the offenders had prior arrests for violent offenses and within two years of the last criminal justice intervention, 44% of the offenders were rearrested for domestic violence.

Hart notes that between the arrest and prosecution, 30% of offenders may re-assault (Goldsmith, 1991, p. 7) and as many as half of domestic violence victims may be threatened with retaliation for cooperation with prosecutors. (Davis, et al., 1990, p. 19)

Batterers can reoffend quickly. Goodman and Epstein (2008, p. 75) say that “20% to 30% of arrested offenders re-assault their partners before the court process has concluded or shortly afterward, often as retaliation for involving them in the court system (M.A. Finn, 2003; Ford & Regoli, 1992; Goodman, Bennett, & Dutton, 1999; Hart, 1996).”

According to Gondolf and White (2001, p. 361), 20% of offenders will re-assault regardless of the intervention.

In another study, 14% of the victims reported threats from the perpetrator since disposition of their case, 8% had property damaged, 9% experienced new violence, and 37% of perpetrators had been verbally abusive. (Smith, et al., 2001, p. 72)

Batterers can be very resistant to change despite arrest, intervention, or group treatment. (Goodkind, et al., 2004, p. 515)

Offenders with a ‘stake in conformity’ (employed, married, stable housing) are least likely to reoffend after interaction with the justice system. (Roehl, et al., 2005, p. 14)

However, the high-risk offender with a criminal history tends not to change their behavior with criminal justice intervention. “For high-risk offenders, even a ‘model’ court has not broken their pattern of intimidation and control and the interventions they have used to date are insufficient. Stopping chronic and/or serial batterers is apt to be a long, difficult process, not easily impacted by any one criminal justice intervention, especially one that is fundamentally compromised by long prosecutorial and judicial delays and restricted to misdemeanor type sentences.” (Hotaling and Buzawa, 2003, p. 26)

From their study of batterers in four cities, Heckert and Gondolf (2004, p. III-15-8) concluded that “men in the repeat re-assault category were slightly more likely to use a chain of tactics, or multiple tactics, in their violent incidents. That is, their violence was more likely to be excessive and unrelenting.”

Buzawa et al. (1998, pp. 205 and 198) found that courts are most likely to see entrenched batterers who have had prior involvement with the system and are less likely to see those batterers who use occasional violence and have no criminal record. They suggest that the level and conditions of an intervention could be linked to risk markers made visible for each offender.

12. Stark (2007, p. 94) points out that the harm in domestic violence is not only due to the number of violent events, but to an accumulation of multiple harms. It is the cumulative effect, rather than a set of isolated acts that impact the victim of battering.

Erskine (1999, pp. 1207-1232) discusses the importance of exploring ongoing patterns of intimidation and coercion to determine appropriate charges for a range of criminal or violent behaviors.

A critical part of accurate risk assessment is discussing with the victim her experiences over time and marking changes in frequency and severity. (Block, 2000, p. 290)

13. When victims are satisfied and work well with the prosecutor’s office, prosecution rates increase, there are a greater number of guilty verdicts, and victims are more likely to report continued abuse. (Buzawa and Buzawa, 2003; Belknap and Graham, 2003; O’Sullivan et al., 2007)

However, when a prosecutor and victim want or need different outcomes from intervention, a victim's "nonparticipation may be chosen in response to the prosecutor's noncooperation with her plan for securing herself from continuing violence." (Ford and Breall, 2000, p. 7)

80% of the women who called police wanted protection (Ford and Breall, 2000). But "a battered woman who has made prior attempts to seek prosecution of civil protection orders, only to have the perpetrator escalate his violence, may be unwilling to face the risk that prosecution will further endanger rather than protect her." (Roehl et al., 2005, p. 15)

Goodman and Epstein (2008, p. 92) explain that when a victim perceives that her needs do not fit what the system offers, "she is likely to feel disserved or even betrayed by the police. [Police] actions may expose her to a wide range of future harms, including retaliatory violence, poverty, homelessness, and loss of community. As a result, [she] may well decline to call the police if she ever again finds herself subjected to intimate partner violence. Her friends, hearing her story, may well do the same."

Goodman and Epstein (2008, p. 94) go on to explain that "one study ... found that participants who reported feeling in control of the process of working with service providers were far more likely to rate the services they received as helpful and to use them again. (Zweig, Burt, & Van Ness, 2003) Similarly, a study within the criminal justice system found that victims who chose not to report recidivist abuse to officials were those who felt they had 'no voice' in a previous prosecution." Also see Belknap and Sullivan (2003, p. 6).

14. In Indianapolis, Ford and Breall (2008, p. 92) found that any action by the prosecutor lowered the risk of re-abuse by 50% for 6 months.

A victim's cooperation is affected by delayed hearings, threats, and violence that continue during the process, and perceived lack of attention or support from prosecutors. (Tolman and Weisz, 1995, p. 482) Ultimately, a victim needs to determine whether the system can provide adequate protection against the offenders' violence.

Fleury-Steiner et al. (2006, pp. 339 and 338) interviewed 178 women whose partners had been through the court system. 19% of these women had been assaulted between the time of the arrest and the closure of the case. The re-abuse continued for 38% of these victims during the first six months after the case closed and 35% experienced continued abuse in the second six-month

period. These researchers concluded that if the system is not able to protect the victim while a case is pending, batterer and victim both receive clear messages about the lack of offender accountability and victim safety.

In making decisions about collaborating in a criminal justice case against the perpetrator, victims face “practical and relational obstacles” such as exposure to retaliation, escalating violence, forced separation, or the financial hardship of an arrest. (Goodman and Epstein, 2008, p. 97; Johnson, 2007, pp. 498-510; Dugan et al., 2003, pp. 20-25; Hart, 1996)

When the case proceeds, a victim may face an increase in controlling behaviors including stalking the loss of victim status, and fears of being arrested or losing custody of the children. (McFarlane, et al., 1999, p. 311; Belknap and Sullivan, 2003, p.10)

15. See Johnson and Ferraro (2000, p. 949); Stark (2007).
16. Worden (2003, p. 10) suggests that “the efficacy of many innovations [in intervention] may be contingent on the consistency of the messages that are exchanged among the victims, offenders, and practitioners.”

Interactions with the police create an important baseline for the victim’s level of trust in the rest of system. Belknap and Sullivan (2003) found that whether victims believed the state was a resource for their help seeking was based on positive interaction with an officer who listened without judgment and communicated empathy. Victims saw police as helpful when they provided legal information, advocacy support, attended to medical care, and paid attention to the needs of the children.

Goodman and Epstein (2008, p. 78) note, “Other research has shown that women who experience government officials as listening to their stories and responding to their individual needs are more likely to feel treated fairly and therefore to cooperate with the prosecutor’s requests than are women who feel forced into a mandatory model dismissive of their input (Erez & Belknap, 1998; Ford & Regoli, 1993).” A perpetrator may not stop battering the victim, but victims do not stop working toward non-violence. (Campbell et al., 1998, pp. 743-762)

Goodkind et al. (2004) studied the safety planning strategies victims with children used; in particular, see Table 1: Safety Planning Strategies Endorsed and Consequence of Using Strategy (p. 520).



Researchers at Texas Women's University (2003) designed a one-hour phone contact for use with the victim during the processing of a protection order. Their study demonstrated that "abused women offered a safety intervention at the time of applying for a protection order quickly adopt safety behaviors and continued to practice those safety behaviors for eighteen months." (p.8)

Practitioners can support a victim's safety planning by providing tactical information about the legal process, legal options, appropriate referrals, and specific communication about the risk of severe violence and lethality. (Johnson, 2007; Kropp, 2008, p. 213)

17. One of the first studies to examine community-based outreach in the context of an interdisciplinary community coordinated response to police-reported intimate partner violence found that community-based outreach by victim advocates results in decreased distress levels, greater readiness to leave abusive relationships, and greater perceived helpfulness of services relative to system-based referrals. (DePrince, et al., 2012a)

A randomized longitudinal study found that an outreach program was effective in increasing women's engagement with prosecution, as well as the likelihood of their participating in the prosecution of their abusers. Results were particularly robust among women marginalized by ethnicity and class, and those still living with their abusers after the target incident. (DePrince, et al., 2012b)

18. As part of its contribution to development of the Blueprint, the Saint Paul and Ramsey County Domestic Abuse Intervention Project published *The Distinct and Vital Role of a Legal and System Advocate*, available on its website: [www.stpaulblueprintspip.org](http://www.stpaulblueprintspip.org). This publication helps a community adapting the Blueprint to work with independent advocacy programs in an interagency approach to intervention.
19. See Make the Call, A Toolkit for Advocacy Programs to Implement Advocacy-Initiated Response to Domestic Violence Crimes, Rose Thelen and Praxis International, 2018
20. Domestic violence research on how to reduce recidivism and reabuse through criminal justice interventions has a long history, beginning with Sherman and Berk's 1984 study which concluded that arrest and [swift] incarceration, was a deterrent "regardless of how the courts treat such cases." (p. 270) The field of juvenile justice reports a history of success with deterrence models that



combine swift, certain, and graduated sanctions. The rich data in that field supports extensive, system wide, coordinated interventions and implementation of accountability-based sanctions focused on redirecting behaviors and reducing recidivism. (see *Effective Program Services and Models Associated with the Five Graduated Sanction and Intervention Levels for Juvenile Justice*. (2001). Available at [www.ncjfcj.org/our-work/juvenile-graduated-sanctions-e-tool](http://www.ncjfcj.org/our-work/juvenile-graduated-sanctions-e-tool))

21. Discussing the need for graduated sanctions to be delivered swiftly and with certainty, Taxman et. al (1999, p. 13) include concepts of swift, certainty of response, and proportional severity as key elements of accountable systems. Paternoster et al. (1997) focus on the importance of perceptions of fairness on domestic violence related cases.
22. Gondolf (2004) noted a reduction in no-shows and improved completion rates of batterer intervention programs when offenders moved through the system quickly. When intervention was swift and certain, the rate of offenders entering the groups increased from 70% to 95% and the completion rate rose to 70% (p. 619). Gondolf linked the effectiveness of batterer programs to a streamlined system where violations were treated with a 'swift and certain' response, offenders identified as high risk received increased sanctions, and risk markers were monitored throughout the intervention (see discussion on page 624).

Two additional studies by Gondolf (2000; 1999) verify the impact of swift and sure responses for domestic violence offenders. In 2012, Gondolf concluded that their study "left us with an appreciation of the behaviorist axiom that says a swift and certain response improves outcomes." (p. 211)

In domestic violence cases, the specific language of swift and sure is not commonly used, but several authors do recommend aggressive or prompt response to violations of court orders. (Buzawa et al., 2000; Hofford, 1991, pp. 12-17) One of the four lessons reported from the Judicial Oversight Demonstration project was the importance of "procedures to monitor or educate defendants and provide a quick court response to violations of no-contact orders and other bond conditions." (Visser et al., 2007, p. 9)

To review a theoretical frame for choice theory and negative sanctions see Pratt (2008) and Kurbrin, et al. (2009). A research study conducted by Weisburd, et al. (2008) demonstrated the impact of swift and certain responses to probation violators.

23. A number of federal agencies now promote swift, certain and graduated sanctions as effective interventions. For instance,
  - NIJ solicitation, Evaluation of a Multi-site Demonstration for Enhanced Judicial Oversight of Domestic Violence Cases, NIJ solicitation (May 1999): p. 2. <https://www.ncjrs.gov/pdffiles1/sl000357.pdf>
  - Crime and Justice Institute at Community Resources for Justice [http://b3cdn.net/crjustice/5364fc66efa31368e0\\_g6m6iyhv9.pdf](http://b3cdn.net/crjustice/5364fc66efa31368e0_g6m6iyhv9.pdf)
  - National Council on Juvenile and Family Court Judges <http://www.ncjfcj.org/our-work/juvenile-sanctions>
24. The experience of two communities where the criminal justice system instituted sure, swift, and escalating sanctions show promise. (Hamner, et al., 1999; Sumner, 2014) These programs emphasize interagency coordination, attention to context and severity, messages of help and accountability, victim advocacy, and community involvement in holding offenders responsible. A preliminary summary concludes "The measurable impact of this strategy so far includes a dramatic reduction in IPV-related homicides, lower recidivism rates for IPV offenders notified, reduction in IPV arrests, reduction in victim harm reported in IPV assaults, and fewer repeat calls for service." (Sumner, 2014)
25. In their seminal study of the criminal justice system in Quincy, MA, Buzawa et al. (2000, pp. 9, 10, 18, and 12) found that 84% of offenders had prior arrests, 54% had six or more prior charges, and 14% had at least 30 criminal charges. In the Quincy study, nearly three-quarters of the victims had made prior calls to the police about that perpetrator. "Less than half the victims were living with the offender at the time of incident, but three-fourths of victimizations occurred in their homes." Even as a model proactive court, in Quincy "the system does not appear to prevent recidivism among 'hard-core' re-offenders." The population of batterers in that study recidivated within one month after arrest.

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Bouffard and Muftie (2007, p. 364) reported that batterers who had been in the system with a prior domestic violence case were significantly more likely to be no-shows for batterer group intake than those without a domestic violence record.

26. "Swift, certain, and progressive responses to non-compliant behavior sends offenders a clear message that such behavior is not tolerated and that offenders are accountable for their own behavior." (Taxman, 1999, p. 3)  
"Offenders should receive swift, clear, meaningful, predictable, and certain consequences for violating probation." (Henderson 2014)
27. Klein, et al. (2014) found that prosecution and sentencing of domestic violence cases can significantly reduce re-abuse for the majority of more chronic abusers who also commit non-DV crimes. The research suggests that what matters is the comparative severity of the domestic violence sentencing compared to non-DV sentencing, not the severity of the sentence itself. The researchers recommend that prosecutors and judges sanction crimes against person appropriately, namely more severely than typical non-DV crimes abusers may be arrested for.
28. Dutton and Goodman (2005) describe a process of coercion and control created by both demands and threats: threats that the victim knows from past experience to be credible. In summary, a history of exposure to negative consequences from previous threats assures compliance with future demands. This dynamic of threats and consequences form a "cumulative pattern" of control that is not dependent on physical contact. To break that pattern, the victim assesses resources and options for safety that are as credible as the perpetrator's threats. For additional information about the process of coercion and control, see Dutton et al. (2005) and Stark (2007).
29. In his observation of courtroom interactions in domestic violence cases, Ptacek (1999, pp. 172-178) studied how the interaction between judges, victims, and offenders can support or deter the battering dynamic. He points out that the behaviors demonstrated in the courtroom can (intentionally or not) become another resource the perpetrator can use for intimidation or coercion in the future. To that extent, a victim's experience of the criminal justice intervention can reaffirm the perpetrator's messages. Ptacek created a graphic titled "Judicial Responses that Reinforce Women's Entrapment" to

describe some of the behaviors he observed. To demonstrate the potential parallels that victims may find in criminal justice interventions, he lays the judge's behaviors alongside behaviors used by perpetrators. Ptacek's graphic is available in a report by Stekeete, et al. (2000, p. Appendix I-2)

30. Descriptors of entitlement are found in the writings of practitioners with extensive experience facilitating batterer intervention programs. These practitioners are in agreement about entitlement as a foundational element of battering. Bancroft (2002, p. 54) describes entitlement as a belief (and attitude) that the batterer alone has the right to privilege and status in this relationship.

F. Mederos (2004, p. 15) adds that entitlement is the expectation that a partner will fulfill a specific (gendered) role in the relationship and that the perpetrator has the right to use violence, anger, or other forms of abuse for failure to meet those expectations.

Also see Pence and Paymar (1993).

31. 49% of batterer groups use a cognitive-behavioral approach. (Saunders, 2008. p.157)

From a longitudinal study of batterer programs, Gondolf (2004, p. 623) concluded that cognitive- behavioral programs for batterers were the most commonly used, effective for most offenders, and less costly to administer. Also see Gondolf (2012); Hamberger (1997); Pence and Paymar (1993); Sullivan (2006, p. 204); White and Gondolf (2000).

32. "Criminal justice agencies should communicate directly with offenders about the community's intent to act decisively to stop domestic violence, and specifically, that increased surveillance of their individual actions is now in effect." (Sumner 2015)

33. See Paternoster et al. (1997).

If offenders perceive the process to be fair, they are less likely to be arrested for domestic violence again. F. S. Taxman, D. Soule, and A. Gelb, 1999, p. 3.

34. Robinson and Tregidga (2007) found that taking a holistic multiagency approach to domestic violence can reduce recidivism, even among the population most at risk. The research was conducted with very high-risk victims of domestic violence to determine levels of victimization one year after

being referred to a Multi-Agency Risk Assessment Conference (MARAC) and their perceptions of this type of intervention. Nearly all victims acknowledged the importance of having multiagency support once they were ready to change their situations.

35. “Violence is simply a tool ... that the perpetrator uses to gain greater power in the relationships to deter or trigger specific behaviors, win arguments, or demonstrate dominance.” (Dutton, et al. 2005) In the development of a coercion scale, these same authors identified nine areas where offenders focused demands on victims: personal activities and appearance, support systems, household responsibilities, economic resources and work, health, physical intimacy, legal help seeking, immigration, and children or parenting (pp.1-3).

Stark (2007, pp. 228-278) argues that in large part the historic concept of domination has been replaced by coercive control: coercion as force or threats used to yield a desired response and control as both structural and tactical. Control could involve deprivation, manipulation, demanding compliance while controlling resources, behaviors, and support systems. Stark uses the terms microregulating and microsurveillance to emphasize the intrusion of coercive acts in the lives of victims. When combined, the product of coercion and control is entrapment.

36. Dutton and Goodman (2005, p. 747) point out that a victim’s cultural, religious, and economic realities give coercive tactics and threats their meaning.

For a listing of control tactics embedded in messages that are used by perpetrators before and after criminal justice intervention. See Table 1.6 in Belknap and Sullivan. (2003, n.p.)

37. Fleury-Steiner et al. (2006, p. 329) found that a victim’s decision to use the criminal justice system in the future was connected to their financial dependence on the perpetrator, safety from abuse during prior interventions, and support from practitioners.

One of the conclusions from the Judicial Oversight Demonstration Initiative was that judges can make a difference in victim safety and offender accountability. (Visser et al., 2007, p. 2)

From observations of restraining order hearings in Dorchester and Quincy, MA, Ptacek (1999) identified five types of authority judges present to victims and offenders. The messages carried by the court's demeanor can be of believability, support, seriousness of the charge, or a dismissive 'wink and a nod.' The court's response to a victim can counteract messages of the batterer but are particularly important information for the victim's strategic planning.

Victims fear that criminal justice practitioners will believe the offender, not make an arrest, or take no action. (Russell and Light, 2006, p. 389)

Prosecutors send clear messages by communicating to the victim how the criminal justice system works and just what it can and cannot do. (Hoteling and Buzawa, 2003, p. 38)

Messages of support are also sent through the types of institutional resources that are offered: advocacy, culturally sensitive programs and referrals, translation and TDDY services, etc.

38. Colia Ceisel (Public Defender Ramsey County, Retired), Presentation at Saint Paul Police Department Training, June 28, 2009. For more discussion on batterers' defenses of violence, see Bancroft (2002, pp. 296-301); Buzawa and Buzawa (2003, pp. 147-148); and Loue (2001, p. 119).
39. High Point, NC Offender Focused Domestic Violence Initiative matches graduated sanctions with escalation of services available to victims and opportunities for offenders to change (GED, fee waivers for BIP, and job training). (Sumner 2015)
40. Colia Ceisel (Public Defender Ramsey County, Retired), Presentation at Saint Paul Police Department Training, June 28, 2009. For more on batterers' defenses of violence, see Bancroft (2002, pp. 296-301); Buzawa and Buzawa (2003, pp. 147-148); and Loue (2001, p. 119).
41. See "Principles and Complex Realities," *Blueprint Guide*, at <http://praxisinternational.org/blueprint-home/>.
42. Violence Policy Center (2014, p. 6), analyzing Supplemental Homicide Report data submitted to the Federal Bureau of Investigation.
43. Cooper and Smith (2011).
44. National Domestic Violence Hotline (2015).

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45. Violence Policy Center (2014, p. 6).
  46. Stark 2007, p. 55. Referencing Durose, et al. (2005) and Fox and Zawitz (2004).
  47. Catalano (2013).
  48. For a discussion of national data sources and statistics, see Stark (2007 pp. 53-56).
  49. Archbishop Desmond Tutu received the Nobel Peace prize in 1984 for his contributions to ending apartheid in South Africa and to global human rights.
  50. For more information on using the Practitioners' Guide to Risk and Danger, see *Training Memo – Risk and Dangerousness: Managing Severe or Lethal Violence*, at <http://praxisinternational.org/wp-content/uploads/2016/02/BPTrainingMemoRiskandDangerousness1BOct2013.pdf>.
  51. Roehl, et al. (2005, p. 15). Also see Weitz, et al. (2000) and Heckert & Gondolf (2004).  
  
Regarding caution against relying too heavily on women's perceptions and need to combine with other methods. (Gondolf 2012, p. 260)
  52. Regarding risk assessment as a process that includes the "use of dynamic factors of behavior and circumstances that vary over time," and the perception of the victim. Ibid., p. 193.
  53. Gondolf emphasizes that a one-time, stand-alone assessment is not enough. He argues that risk is dynamic, it changes at each point of intervention and with each shift in a relationship. As a process of assessment then, the dynamic nature of risk needs to be *managed*. "The goal is to assess risk, identify needs, respond with services, reassess, and revise - all with supervision and accountability." This requires "a functioning system, with established procedures, policies, and linkages." The key to effectively addressing risk is clearly and strongly linked to a systems' adoption of best practices into which risk assessment(s) is integrated. "A coordinated response is needed to do risk assessment thoroughly, wisely, and effectively." Risk assessment "increases the communication, alertness, awareness, and attention to those working with batterers and their partners. All of these changes can help improve the response to high-risk men and reduce recidivism." Ibid., p. 193, 194, 197.
  54. Process of risk assessment is not a "mechanical routine." Ibid., p. 193.

“The sense that the research evidence somehow endorses one instrument over another, or a pat set of interpretations based on cutoff scores, is unfounded.” Ibid., p. 259.

55. All Blueprint publications, supplemental material, and the adaptation guide and tools can be found and downloaded at <http://praxisinternational.org/blueprint-home/>.

56. See “Essential Elements – Annotated,” *Blueprint Guide* (2015).