# BLUEPRINT FOR SAFETY: POLICY AND PRACTICE ASSESSMENT GUIDE

ADAPTED FROM COPYRIGHTED MATERIAL – PRAXIS INTERNATIONAL

This assessment guide is a supplement to the Blueprint guide, *Becoming a Blueprint Community: A New Response to Battering and Domestic Violence Crimes*. Related tools referenced here will be found in the Appendix to the Blueprint guide.

The material included here is based on the Institutional Analysis (IA) method developed by Praxis International. The approach will be familiar to any community that has conducted a Praxis Safety and Accountability Audit or used other applications of IA or to those who have completed the Advocacy Learning Center.[1] For those new to this method of analyzing policy and practice, the Blueprint version included here provides the basics and positions a Blueprint coordinator and team to answer:

1. How does the current criminal legal system response meet the Blueprint's essential elements for recommended practice in battering and domestic violence related crimes?

2. What are the range of victims' needs and experiences with the current response?

3. What are the experiences of victims from communities that are over-represented and/or underserved in the criminal legal system?

4. What policy and practice changes should be made to address gaps in recommended practice and better meet victims' needs within the framework of the Blueprint for Safety?

**What are the benefits of a policy and practice assessment in adapting the Blueprint?**

- Compare the current response to recommended practice and identify strengths and gaps (see Blueprint Essential Elements - Annotated, Appendix 10 in Becoming a Blueprint Community).

- Paint a clear picture of what is actually happening versus what agencies assume is happening.

- Introduce new ways of working together via emphasis on advocate-practitioner work groups and an approach to ongoing monitoring of cases against a set of recommended practices.

- Uncover ways in which policy and practice might be contributing to unintended consequences and disparity of impact for different communities.

- Introduce and strengthen skills that support the Blueprint as an ongoing process of finding and fixing problems in the criminal legal system response.

---

[1] See Institutional Analysis/Community Assessment and Advocacy Learning Center at www.praxisinternational.org.

**Who conducts the policy and practice assessment?**

The Blueprint adaptation team and/or designated work groups conduct the assessment, with facilitation and organization provided by the Blueprint coordinator and representation from the Blueprint advocate and community-based advocacy organizations. See **Blueprint Policy Adaptation Phases and Work Groups, Appendix 17** in *Becoming a Blueprint Community*.

**What contributes to a successful policy and practice assessment?**

- Work groups of manageable size (typically, four to eight members) that include a mix of people with expertise in the day-to-day work

Generally, agency heads do not participate in the assessment work groups, although in small communities or agencies they might be included.

- Setting a tone of respect and curiosity

A message of "how can we work together to strengthen our work" versus "so-and-so screwed up" contributes to success. The assessment is not about individual worker or agency performance, but about how the response is organized and compares to the Blueprint essential elements.

- Skilled facilitation that helps keep the focus, tone, and message on track

Facilitating the policy and practice assessment is among the Blueprint coordinator's key roles.

- Using the case mapping step to anchor the process

As the Blueprint adaptation team develops a detailed picture of how cases move through the criminal legal system they build new working relationships and begin to see where and how the response may not be meeting victims' needs.

- Ready access to agency case records

Access to agency records is included in the Memorandum of Understanding, Appendix 12, in Becoming a Blueprint Community) because the case review is fundamental to a thorough assessment.

**Where do we start . . . and how much policy and practice assessment is enough?**

Policy and practice assessment occurs for each key step in the criminal legal system process. This involves a combination of community consultation, basic data collection, policy comparison, mapping, and case review. Interviews and observations add depth to the assessment whenever possible or when something is unclear or there is a need to learn more about a particular step.

Possible places to begin the policy and practice assessment include:

1.  Begin with community consultations to identify areas of most concern to victims. Focus the practice assessment on those areas and the agencies involved. Map the process and conduct case reviews for those steps that raise the most concern. Include a system-wide policy comparison.

2.  Complete the policy comparison step and focus the practice assessment on areas where there seem to be the biggest gaps between the essential elements and current practice. Include community consultations to check the policy and practice assessment discoveries against victim/survivors' experiences.

3.  Focus the practice assessment on the front end of the criminal legal system, from the 911 response through charging. If many essential elements are missing at these critical early points, such gaps will impact the response at later stages of the criminal case process. Use community consultations, basic data collection, policy review, mapping, and case reviews to construct a clear picture of where and how problems are occurring or have been avoided.

4.  Start at the front end of the criminal legal system, at the 911 response, and go through to post-sentencing. Utilize all assessment steps and methods (i.e., community consultations, basic data collection, mapping, policy review, case file analysis, interviews, and observations). This approach is a full system-wide Safety and Accountability Audit. If your community is positioned to do so, this option will provide the most complete picture of current practice and any gaps. It is where St. Paul started and the results led to the Blueprint for Safety.

**The Bottom Line**

Conduct some level of practice assessment at each key step in the criminal case process. Be as thorough as possible and use the most complete array of assessment tools at primary decision points: arrest, pretrial release, charging, and sentencing. At other points—such as jail booking, warrant service, courtroom security, and victim/witness services—complete the policy comparison and mapping, at a minimum, and include case reviews in as many places as possible.

Case review at all points in the criminal case process is highly encouraged; it is a rich source of information about what is actually happening. The case review does not necessarily require a large number of calls, cases, reports, or documents from each agency. Because the focus of the case review—and the practice assessment overall—is on how the local criminal legal system response compares to recommended practice, the case review does not need the kinds of broad representative samples and numbers that a research study might require. The case review requires enough examples to be confident that what is found reflects how the agency's response is organized and not isolated or

individual practice. The number of any one type of case or document varies, depending upon the focal point of the policy and practice assessment. The number is typically higher for single, uncomplicated types of forms and files, such as a 911 emergency call recordings or bail screening forms. A 911 or bail screening case review might include thirty calls or screening forms. With more complex case documents that include many reports and forms from different sources, such as prosecution case files or presentence investigation files, a half-dozen might be sufficient. More detailed guidance is included in the case review section of Steps and Tools.

**To learn more about Institutional Analysis**

The Blueprint tools introduced in Phase 2 of the Blueprint guide, Assess Practice and Identify Problems, provide the basics on how to organize and conduct the policy and practice assessment. The Phase 2 steps and tools are intended to be self-guided without requiring additional training or preparation. For Blueprint coordinators and others who seek additional support or information about the approach, however, Praxis International offers a variety of supplemental material, in addition to a schedule of webinars and an annual in-person training institute. The listed resources can be found at www.praxisinternational.org under Institutional Analysis/Community Assessment.

The following items provide how-to discussions related to policy and practice assessment:

- **Essential Skills in Coordinating Your Community Response to Battering: An E-Learning Course for CCR Coordinators**: a self-paced course that can help a Blueprint coordinator prepare to facilitate interagency work groups in a current-practice assessment or in other facets of Blueprint adaptation.

- **Videos: (1) Overview of Best Practice Assessment Tools and (2) Building a Team to Conduct a Best Practice Assessment**. The steps and tools in this Blueprint guide have been adapted from the process described in the videos.

- Archived webinars and other presentations cover a variety of topics related to institutional analysis and practice assessment.

The following publications provide more in-depth guidance related to Institutional Analysis:

- **Safety and Accountability Audit Toolkit**: the Blueprint policy and practice assessment is similar to a Safety and Accountability Audit. The Audit Toolkit includes instructions on how to develop a case processing map, conduct focus groups, interview practitioners, observe practitioners on the job, and analyze case records.

- **Safety and Accountability Audit Logistics Guide**: on-line tools that supplement the Audit Toolkit with additional planning and organizational support.

- **Text Analysis as a Tool for Coordinated Community Response: Keeping Safety for Battered Women and Their Children at the Center** presents the foundation, logistics, and applied

examples of studying case files and other documents as a way to examine current practice and identify problems.

## STEPS AND TOOLS

Tools referenced in the steps are included with the Policy and Practice Assessment Guide, unless otherwise noted.

1. **Mapping Domestic Violence Case Processing**

2. **Source Book Contents**

3. **Data-Gathering Template**

4. **Community Consultation**

5. **Policy Comparison Worksheets**

6. **Analyzing Case Records**

7. **Practice Assessment Case Review Worksheet**

8. **Practitioner Interviews and Observations**

9. **Analysis and Reporting**

10. **Notes and Documentation**

This list of key steps assumes that the necessary agency-specific work groups are in place. Some of the steps may be underway simultaneously in different agencies or phases of the criminal legal system response.

**Step 1**

Produce a current case processing map of steps involved in processing a domestic violence case in the criminal legal system. Begin with 911 and carry through to probation monitoring.

☞ See tool **Mapping Domestic Violence Case Processing**

**Step 2**

Create a source book of local policies, administrative forms and protocols for current case processing of criminal cases, from 911 through probation monitoring.

☞ See tool **Source Book Contents**

**Step 3**

Compile basic statistical information on domestic violence-related cases: e.g., 911 calls, arrests, crimes charged, disposition, sentencing, demographics.

☞ See tool **Data-Gathering Template**

**Step 4**

Conduct community consultations with victims/survivors about their experiences with the criminal legal system.

☞ See tool **Community Consultation**

**Step 5**

Complete a policy comparison that analyzes local policies alongside the recommended response defined in the Blueprint Essential Elements.

☞ See tool **Policy Comparison Worksheets**

**Step 6**

Analyze case records (e.g., 911 calls, patrol reports, prosecution files, probation records, etc.) to compare current practice with the recommended practice in the Blueprint Essential Elements.

☞ See tool **Analyzing Case Records**

**Step 7**

Interview agency directors, supervisors, and practitioners about current practice.

☞ See tool **Practitioner Interviews and Observations**

**Step 8**

Observe current practices via patrol ride-alongs, 911 "sit-alongs," court observations, and other practitioner observations.

☞ See tool **Practitioner Interviews and Observations**

**Step 9**

Coordinate and facilitate meetings to review, interpret, and analyze assessment data throughout the process.

☞ See tool **Analysis and Reporting**

**Step 10**

Maintain a written record of all discussions, conclusions, and recommendations related to the current-practice assessment.

☞ See tool **Policy and Practice Assessment Notes and Documentation**

## BLUEPRINT ESSENTIAL ELEMENTS

The Blueprint Essential Elements provide a foundation for the policy and practice assessment. The essential practice elements are used in different formats for different purposes, with the core information for each agency staying the same. Blueprint Essential Elements Annotated (Appendix 10, in Becoming a Blueprint Community) provides the rationale for each element and why it has been included. The policy and practice assessment guide includes three versions of the essential elements that can be used as follows:

5. Policy Comparison Worksheets: use to compare local policies to the essential elements.

6. Case Review Worksheets: use to analyze case records (e.g., forms, reports, checklists, case files, etc.) alongside the essential elements

7. Policy and Practice Assessment Notes and Documentation Tool: essential elements organized to provide the Blueprint coordinator with an option for tracking the results of policy comparison, case review, and other aspects of the policy and practice assessment.

## [1] MAPPING DOMESTIC VIOLENCE CASE PROCESSING

Mapping is a core tool of Institutional Analysis. Praxis has developed and utilized this process in many Community Assessments, such as Safety and Accountability Audits, and in its Best-Practice Assessment guides.

A community coordinated response (CCR) team or work group can also use mapping as a stand-alone activity to develop a picture of whether and how attention is paid to the following aspects of intervention:

- Recognizing and understanding battering

- Establishing the context and severity of the violence (i.e., who is most at risk from whom and in what ways)

- Communicating knowledge about the case and the context and severity of the violence across the criminal justice system

- Identifying and matching services to individual circumstances and needs

1. Advance preparation

    a. Select a facilitator who will guide the exercise and be well-versed in the instructions.

    b. Read any applicable policies and protocols for the point(s) of intervention being mapped.

2. Select a format to record the mapping that can be brought to subsequent meetings for reference and revision. For example:

    a. Flip chart paper that can be taped together as needed

    b. A long, wide sheet of paper taped to a chalk board or wall

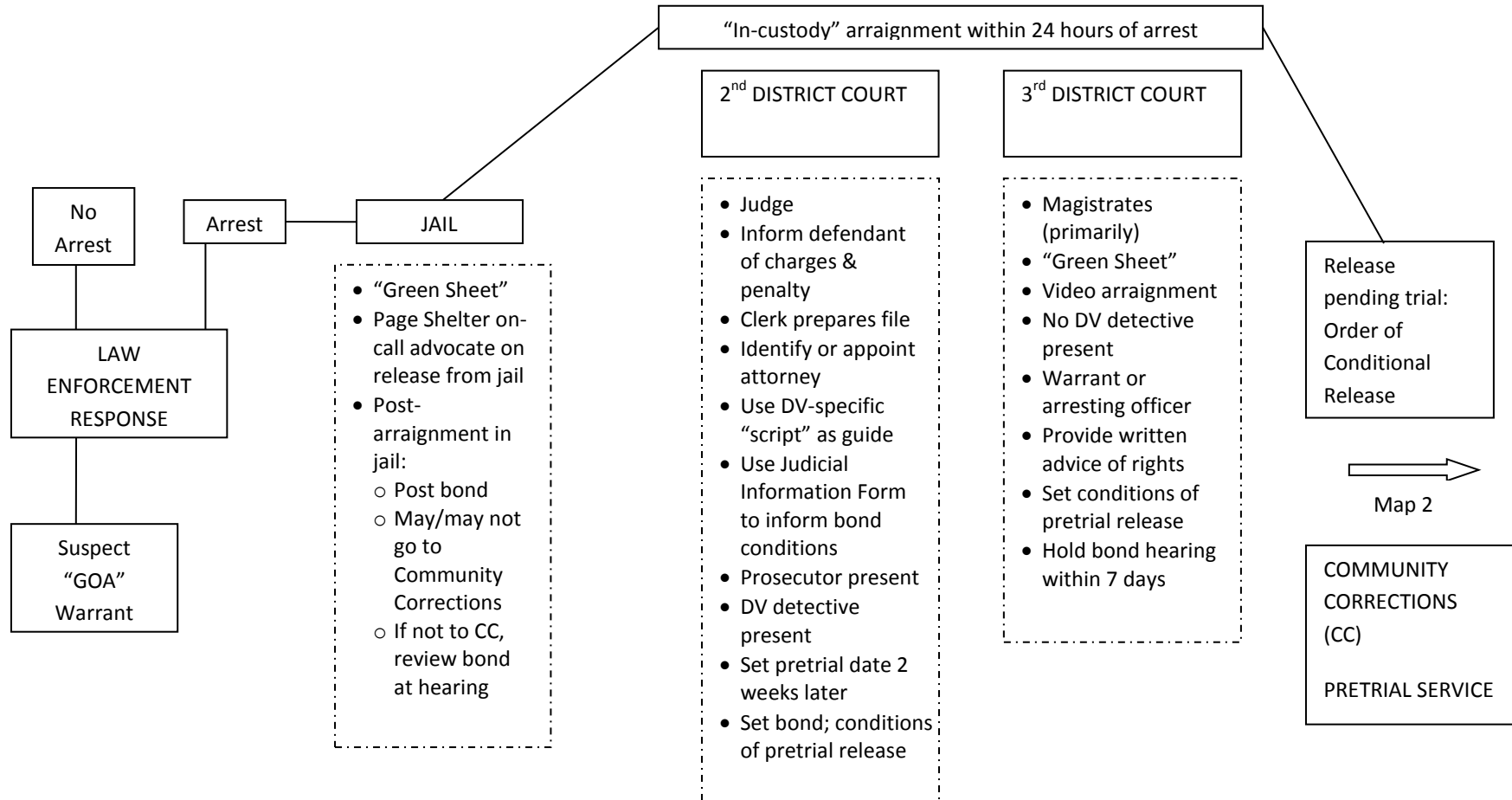    c. Electronic copy board that captures and prints the map

NOTE: Attachments 1 through 3 illustrate different case processing maps. Your map does not need to be printed, however, and most likely you will not have the time to take that extra step. The map will be just as useful to the team, and perhaps most useful, if it is a kind of poster that can be carried to and displayed at each meeting.
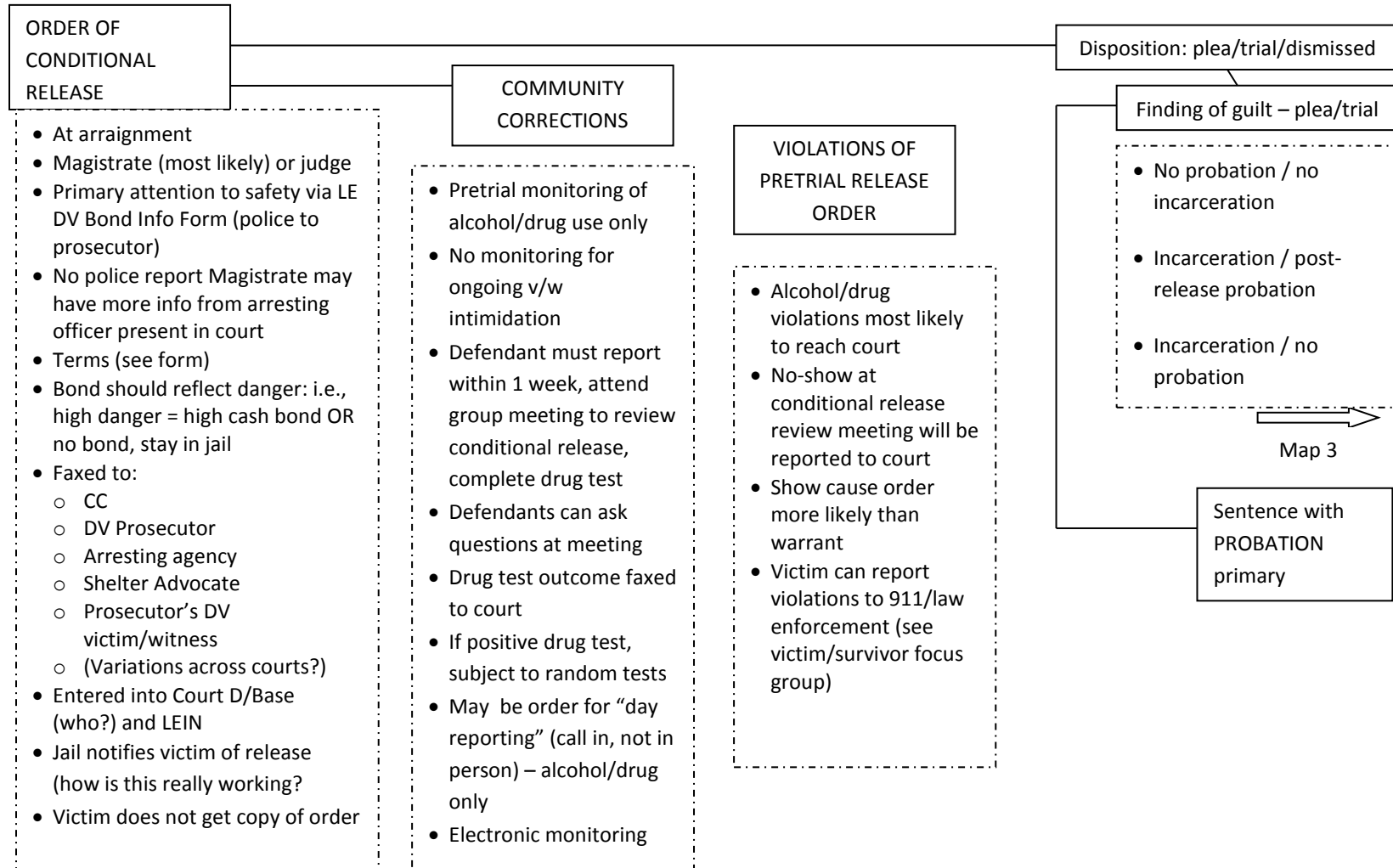
3. Begin by directing questions to the team members who are most involved as practitioners at the point of intervention under review. For example, if the assessment concerns 911, direct questions to the call receivers/dispatchers.

NOTE: Depending upon the points of intervention being mapped, it might be necessary to invite others to participate. Prepare them in advance about what to expect. Emphasize that the mapping exercise is not a grilling or critique, but a process of learning about how things work.

4. Start with this question: How and when do you first get involved in a domestic violence case? Diagram the initial point of contact and first step in case processing.

5. Ask: then what happens; what's the next step? For each step, ask the following kinds of questions to develop specific details about case processing:

    a. What happens at this point?

    b. Who is involved and how?

    c. What kinds of policies or protocols govern this step?

    d. What kinds of forms or reports are involved?

    e. Where do those forms and reports go; who gets copies, and how?

    f. What kind of inquiry into the type and severity of violence occurs? Where does that information go?

    g. How are victims connected with advocacy at this point?

    h. What kind of messages regarding help for victims and offender accountability get relayed?

    i. Where and how do victims appear and have a voice in the process?

    j. How do defendants understand what is required of them?

6. Encourage questions. Mapping benefits from the team members' participation, experiences, and perceptions.

7. Identify key themes and questions that need to be answered.

    a. Prioritize questions and identify who to contact for more information.

    b. Assign each team member one or more questions to address and report back on at the next meeting.

8. Bring the map to each team meeting. Use it as a point of reference when discussing case files and make additions or changes as new information becomes available.
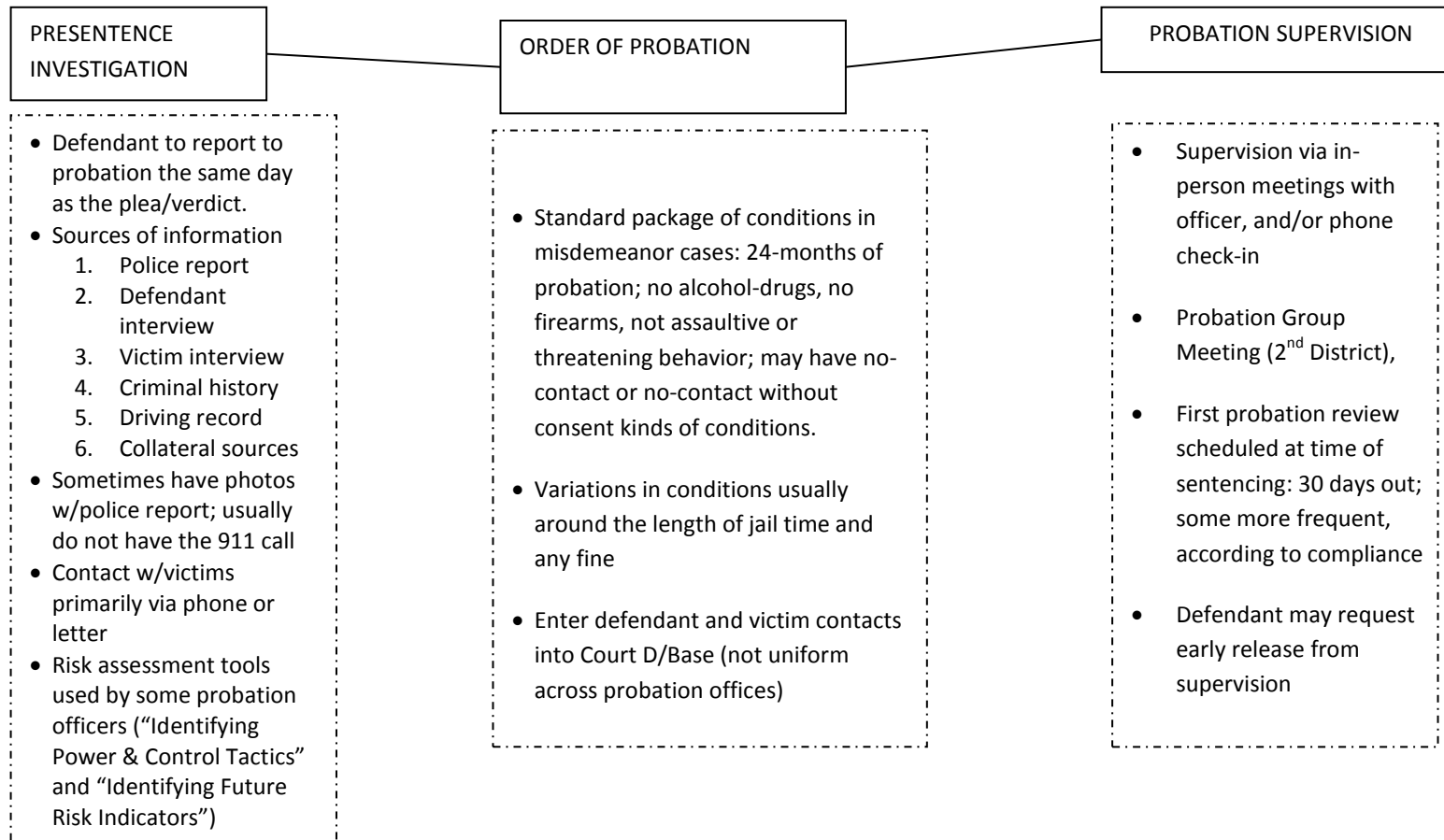
**Misdemeanor Case Processing Map 1: ARRAIGNMENT**

"In-custody" arraignment within 24 hours of arrest

| No Arrest | Arrest | JAIL |

**2nd DISTRICT COURT**

**3rd DISTRICT COURT**

LAW ENFORCEMENT RESPONSE

Suspect "GOA" Warrant

**JAIL**
- "Green Sheet"
- Page Shelter on-call advocate on release from jail
- Post-arraignment in jail:
  o Post bond
  o May/may not go to Community Corrections
  o If not to CC, review bond at hearing

**2nd DISTRICT COURT**
- Judge
- Inform defendant of charges & penalty
- Clerk prepares file
- Identify or appoint attorney
- Use DV-specific "script" as guide
- Use Judicial Information Form to inform bond conditions
- Prosecutor present
- DV detective present
- Set pretrial date 2 weeks later
- Set bond; conditions of pretrial release

**3rd DISTRICT COURT**
- Magistrates (primarily)
- "Green Sheet"
- Video arraignment
- No DV detective present
- Warrant or arresting officer
- Provide written advice of rights
- Set conditions of pretrial release
- Hold bond hearing within 7 days

Release pending trial: Order of Conditional Release

Map 2

COMMUNITY CORRECTIONS (CC)

PRETRIAL SERVICE

**Misdemeanor Case Processing Map 2: PRETRIAL RELEASE ("DV BOND")**

*Purpose (1)* SAFETY: *Public / victim*          *Purpose (2) APPEAR at subsequent proceedings*

**ORDER OF CONDITIONAL RELEASE**

- At arraignment
- Magistrate (most likely) or judge
- Primary attention to safety via LE DV Bond Info Form (police to prosecutor)
- No police report Magistrate may have more info from arresting officer present in court
- Terms (see form)
- Bond should reflect danger: i.e., high danger = high cash bond OR no bond, stay in jail
- Faxed to:
  o CC
  o DV Prosecutor
  o Arresting agency
  o Shelter Advocate
  o Prosecutor's DV victim/witness
  o (Variations across courts?)
- Entered into Court D/Base (who?) and LEIN
- Jail notifies victim of release (how is this really working?
- Victim does not get copy of order

**COMMUNITY CORRECTIONS**

- Pretrial monitoring of alcohol/drug use only
- No monitoring for ongoing v/w intimidation
- Defendant must report within 1 week, attend group meeting to review conditional release, complete drug test
- Defendants can ask questions at meeting
- Drug test outcome faxed to court
- If positive drug test, subject to random tests
- May be order for "day reporting" (call in, not in person) – alcohol/drug only
- Electronic monitoring

**VIOLATIONS OF PRETRIAL RELEASE ORDER**

- Alcohol/drug violations most likely to reach court
- No-show at conditional release review meeting will be reported to court
- Show cause order more likely than warrant
- Victim can report violations to 911/law enforcement (see victim/survivor focus group)

**Disposition: plea/trial/dismissed**

**Finding of guilt – plea/trial**

- No probation / no incarceration
- Incarceration / post-release probation
- Incarceration / no probation

Map 3

**Sentence with PROBATION primary**

⇨⇨⇨*Time from assault to sentencing: 4 to 10 to 24 months (per case file review)* = opportunities *for victim/witness intimidation* ⇨⇨⇨

**Misdemeanor Case Processing Map 3: PROBATION**

Specialized Enforcement Officer (1ˢᵗ): Involved throughout: primary responsibility in making link between victim and probation; contacts prior to PSI and ongoing probation reviews.

| PRESENTENCE INVESTIGATION | ORDER OF PROBATION | PROBATION SUPERVISION |
|---|---|---|

**PRESENTENCE INVESTIGATION**

- Defendant to report to probation the same day as the plea/verdict.
- Sources of information
  1. Police report
  2. Defendant interview
  3. Victim interview
  4. Criminal history
  5. Driving record
  6. Collateral sources
- Sometimes have photos w/police report; usually do not have the 911 call
- Contact w/victims primarily via phone or letter
- Risk assessment tools used by some probation officers ("Identifying Power & Control Tactics" and "Identifying Future Risk Indicators")

**ORDER OF PROBATION**

- Standard package of conditions in misdemeanor cases: 24-months of probation; no alcohol-drugs, no firearms, not assaultive or threatening behavior; may have no-contact or no-contact without consent kinds of conditions.
- Variations in conditions usually around the length of jail time and any fine
- Enter defendant and victim contacts into Court D/Base (not uniform across probation offices)

**PROBATION SUPERVISION**

- Supervision via in-person meetings with officer, and/or phone check-in
- Probation Group Meeting (2ⁿᵈ District),
- First probation review scheduled at time of sentencing: 30 days out; some more frequent, according to compliance
- Defendant may request early release from supervision

# [2] SOURCEBOOK CONTENTS

The sourcebook gathers agency policies together in one place. It also includes administrative forms and protocols and other material related to criminal case processing. The sourcebook provides a reference for the Blueprint coordinator, primarily, and for the adaptation team and work groups.

1.  Blueprint for Safety brochure and/or overview

2.  Contact information for Blueprint coordinator, advocate, and adaptation team and work group members

3.  Map of the criminal legal system's response to domestic violence-related cases (as developed under Step One)

4.  Criminal laws related to domestic violence case processing

5.  Policies and related administrative documents (e.g., protocols, forms, checklists, assessment tools, computer screen capture) for each key agency and step of criminal case processing:

    a.  911 Emergency Communications

    b.  Law enforcement (all agencies within the jurisdiction)

    c.  Sheriff's Office (or other administrator of jail, courtroom security, and warrant service)

    d.  Prosecutor

    e.  Victim/Witness

    f.  Pretrial release/bail screening and monitoring

    g.  Probation

    h.  Criminal court

6.  Informational material provided to victims in domestic violence-related cases, such as brochures, victims' rights and compensation forms, advocacy resources

7.  Any available statistical data for each key agency

# [3] DATA-GATHERING TEMPLATE

---
## Scope and Scale of Battering & Domestic Violence in Our Community
Adapted from copyrighted material – Rural Technical Assistance on Violence Against Women – Praxis International
---

**A Note on "Data"**

We commonly think of "data" as equaling numbers. Counting things related to the criminal legal system response is important, such as the number of calls to 911 or misdemeanor arrests or cases charged or convictions. In understanding and articulating what is happening in a Blueprint community, however, we want more than numbers. Other sources of data—other ways of knowing—are also essential to drawing a full picture of what is happening. These other sources include: survivors' accounts of how community systems have responded to their needs, mapping the steps in case processing, talking with practitioners and observing them at work, and analysis of the extent to which policies and protocols reflect recommended practice.

**Strategies and Sources**

Statistical Data

Statistical data includes counts gathered from a variety of sources to:

- Develop a picture of "how many _____"

- Raise questions about possible problems to be further investigated (e.g., 500 domestic violence-related arrests but 100 cases resulting in charges; 50% of those arrested on domestic assault charges are women)

- Compare types of case dispositions

- See who overrepresented and/or underserved in the criminal legal system

Sources of statistical information:

- Community-based advocates

- Tribal law enforcement agencies

- Tribal justice system offices

- Police

- Prosecutor

- Victim/Witness

- Specialized domestic violence response team (e.g., "DVRT" or high risk offender team)

- Fatality Review Board

- Family Justice Center

- Other community-based organizations working with victims/survivors

- Organizations representing marginalized

- Jail

- Sheriff's Office

- Pretrial Supervision

- Courts

- Probation

communities

- Batterer intervention programs

- Other

**Institutional Analysis**

The Blueprint Policy and Practice Assessment Guide utilizes Praxis Institutional Analysis (IA) methods and tools. IA can be used in whole or in part to discover information about:

- Victims/survivors' actual lived experience and how intervention is/is not meeting their needs

- The organization and function of current practice

- Contrasts between the stated official process and the actual process

- Problems to be addressed via Blueprint policies and protocols

- Whether policies and protocols have been implemented as intended

- Where harmful unintended consequences and disparity of impact might exist

- The impact of Blueprint changes and implementation over time

IA methods are used throughout Phase 2 (Assess Practice and Identify Problems) in building a Blueprint for Safety and from implementation onward to monitor and evaluate the Blueprint as a "living," sustainable response to battering-related crimes. The methods and corresponding tools in this assessment guide include:

- Talking with victims/survivors of battering (Community Consultation, Appendix 22-4)

    o   Focus groups / listening circles

    o   Individual interviews

- Talking with community-based advocates & other organizations that work with women/survivors (Community Consultation, Appendix 22-4)

    o   Battered women's programs / domestic abuse programs

    o   Other women's advocacy organizations

    o   Culturally-specific organizations

- Comparing policy and practice to Blueprint Essential Elements (Policy Comparison Worksheets, Appendix 22-5)

- Mapping the steps in criminal case processing, with specific attention to how victims are connected to advocacy and how information about risk and danger is collected and communicated (Mapping Domestic Violence Case Processing, Appendix 22-1)

- Analyzing case records, such as calls, recordings, electronic screens, reports, case files, forms (Analyzing Case Records, Appendix 22-6)

- Observing actual practice, such as sit along with 911 call-takers, ride with patrol officers, sit in on arraignment and sentencing hearings in court, observe probation intake (Practitioner Interviews and Observations, Appendix 22-8)

- Interviewing workers (Practitioner Interviews and Observations, Appendix 22-8). For example:

    o 911 call-takers

    o Patrol officers

    o Investigators

    o Specialized high risk teams

    o Prosecutors

    o Victim/witness specialist

    o Judges & court staff

    o Probation agents

    o Tribal attorney

    o Tribal court judge & staff

    o Batterer intervention group facilitators

**Establishing a baseline and ongoing data collection**

The template worksheets include data elements that contribute to a comprehensive picture of the scope and scale of battering and other forms of domestic violence. At the front end of building a Blueprint for Safety, this information sets a baseline from which the impact of new policies and procedures can be tracked. While presented here in a worksheet format that can be used as-is, the fields can be adapted to construct or modify a customized database.

Few communities are likely to be able to compile all of the data listed here, particularly in the early stages of adapting the Blueprint. The comprehensive set of elements illustrates the kinds of information

that can be built over time to develop as complete a picture as possible of the scope and scale of the violence. The worksheets are a goal to work toward. In the meantime, seek out the following key statistical data on domestic violence-related crimes as a baseline:

- 911-Emergency calls

- Arrests on domestic violence-related charges

- Prosecution referrals and dispositions (by type of charge and outcome)

    o Charged

    o Declined or dismissed cases

    o Plea

    o Trial

- Data related to arrest and prosecution of victims of battering

    o Dual arrests

    o Break down by female and male suspect/defendant

- Orders for protection

    o Petitions filed

    o Temporary and permanent orders issued

- Requests for advocacy services

    o Crisis line/help line calls

    o Requests for emergency shelter

In addition to compiling baseline statistical data, the policy and practice assessment introduces methods of community consultation (Appendix 22-4) to help keep victim/survivors' needs and experiences at the center of the Blueprint and to discover what is occurring in communities that have been traditionally overrepresented and underserved in the criminal legal system.

For communities operating under grants from the Department of Justice Office on Violence Against Women, many of the data elements included in the template are similar those in the required semi-annual progress reports submitted to the Muskie School of Public Service, such as data related to 911-

emergency calls, arrests, and prosecution.[2] The template includes other information that the "Muskie report" does not ask about, such as arrest data related to victims of battering charged with crimes and victim/survivor lived experience in relation to battering and the community response.

Blueprint communities are encouraged to explore partnerships with university-based researchers who may be able to assist in establishing baseline data and methods of tracking ongoing data and evaluating the Blueprint's impact on local practice (see Phase Five, Monitor and Revise). Researcher partnerships can also help a Blueprint community gather and analyze data related to disparity.

**Using data to identify disparity and unintended consequences**

Preventing and addressing disparity and unintended consequences of criminal legal system intervention in battering and other domestic violence crimes begins with data.

- Who is being affected and in what ways?

- What is the experience of victims/survivors from marginalized communities that have been overrepresented and/or underserved in the criminal legal system?

- Are victims of battering being arrested and charged as if they were batterers?

- What is the experience of immigrant women who are being battered?

- What kinds of language access are in place or absent—and with what impact?

The baseline data noted above and in the following worksheets is helpful in drawing one kind of picture—the volume and type of violence—but not very useful in relation to questions of disparity and unintended consequences. Answering such questions begins in part by "disaggregating" or breaking apart general statistical data to learn more about who is in the criminal legal system, and in what ways. The more specific data is then compared to a people's representation in the larger population. Is a people or a community overrepresented or underrepresented in the total, and in what ways and with what meaning?

Many agencies in the criminal legal system disaggregate some of the statistical data they collect. For example, most law enforcement agencies voluntarily submit crime data via either UCR (Uniform Crime Report) or NIBRS (National Incident Based Reporting System) and can break down general arrest data according to race, ethnicity, sex, and age, for victims and offenders.[3] Unless there is some feature in the

---

[2] For information on the reporting requirements, go to http://muskie.usm.maine.edu/vawamei/.

[3] NIBRS and UCR are both regulated by the FBI. NIBRS goes into greater detail about types of offenses than UCR. NIBRS differentiates between completed and attempted crimes, unlike UCR. NIBRS data can be submitted electronically; UCR written documents have to be hand entered into a computer system for analysis. See http://blog.spotcrime.com/2012/03/difference-between-ucr-and-nibrs.html.

local data-gathering process that flags domestic violence-related cases, figuring out the nature and demographics of domestic violence-related arrests, however, requires searching. While there may be a state-level crime of "domestic battery," for example, no such category exists in UCR or NIBRS; agencies have to determine whether to classify an arrest for domestic battery under aggravated assault or other assaults (UCR) or aggravated assault or simple assault or intimidation (NIBRS). "Stalking" might go under the category of other assault or under intimidation. A wide range of crime categories can include acts related to battering and domestic violence: arson, assault, burglary/breaking and entering, destruction/damage to property, homicide, kidnapping/abduction, rape and other sex offenses, and disorderly conduct. Sorting out the full scope of domestic violence-related crimes is one step. The domestic violence crimes then need to be broken down according to race, ethnicity, sex, and age—at a minimum—to provide a basic picture of who is being drawn into the criminal legal system via what types of domestic violence-related crimes.

Figuring out how data related to domestic violence-crimes can be further taken apart to examine disparity and unintended consequences requires attention and planning by the Blueprint coordinator and adaptation team. The following first steps help set a foundation from which to develop and pursue ways of establishing the scope and scale of violence in relation to disparity and unintended consequences in the context of the Blueprint.

1. Learn who is in the community.

What are the demographics of the larger community? Who are the distinct communities within the larger community? What is the history of each community and its experience with the criminal legal system?

2. Build relationships with those in the community who can guide and inform the data collection and analysis.

Who are the advocates working in each distinct community, both specific to issues of battering and in general? Who are the researchers and scholars in the community who have knowledge about the criminal legal system and/or data collection and analysis?

3. Find out how data in the criminal legal system is obtained, stored, shared, and changed—and find out early on in the planning and assessment stages.

What do we know about the data? What kind of data is collected and used at each key decision point in the criminal legal system process? Where is the data located? Who has access to it? What is the process for obtaining the data? Can data be retrieved and compared across years. Does the data track or flag all domestic violence-related crimes? Can data be sorted and queried by relationship, gender, race, ethnicity, immigration status, tribal enrollment, or factors related to specific communities? What is the process for adding data fields or features?

4. Request basic data about domestic violence cases and demographics from each agency in the criminal legal system process.

How many domestic violence-related cases (calls, arrests, cases charged, presentence investigations, pleas, convictions, etc.)? How does the overall case data break down according to UCR/NIBRS race, ethnicity, sex, age, and victim to offender relationship data values? What, if any, other demographic or identity features are recorded and available (e.g., gender identity, preferred language, income)?

UCR/NIBRS categories[4]

| *Race* | *Ethnicity* | *Sex* |
| --- | --- | --- |
| White | Hispanic or Latino | Female |
| Black or African American | Not Hispanic or Latino | Male |
| American Indian or Alaska Native | Unknown | Unknown |
| Asian | | |
| Native Hawaiian or Other Pacific Islander | | |
| Unknown | | |

*Relationship of Victim to Offender (examples most relevant to domestic violence)*

| | | |
| --- | --- | --- |
| Spouse | In-law | Boyfriend/Girlfriend |
| Common-Law Spouse | Stepparent | Child of Boyfriend/Girlfriend |
| Parent | Stepchild | |
| Sibling | Stepsibling | |
| Child | Ex-Spouse | |
| Grandchild | Homosexual Relationship | |

---

[4] See the data values in section 4.4, Clarification of Specific Data Elements & Data Values, in National Incident-Based Reporting System (NIBRS) User Manual, January 17, 2013; access at http://www.fbi.gov/about-us/cjis/ucr/nibrs/nibrs-user-manual.

5. Take the data-gathering and analysis deeper into common issues related to disparity of impact and unintended consequences.

What issues have different communities of victims/survivors identified? What does the data say about victims of battering charged with crimes? About language access? About the response to immigrant women? About the impact of blanket, mandatory no-contact orders?

## BATTERING AND DOMESTIC VIOLENCE IN OUR COMMUNITY: SECTION 1

| Data elements | A. Baseline Year Totals | B. If unknown, how might the information be obtained? Is it available? |
|---|---|---|
| **Law enforcement** | | |
| **DV homicides (intimate partner or collateral)** | | |
| **DV homicides (non-intimate partner: e.g., family violence)** | | |
| **911 calls (following or similar types of coding):**<br><br>• **Domestic violence/abuse**<br><br>• **Stalking**<br><br>• **Sexual assault**<br><br>• **Bail violations (DV-related charge)**<br><br>• **Order for protection violations**<br><br>• **Domestic abuse – "verbal only"** | | |
| **Patrol response: no arrest – report written** | | |
| **Patrol response: no arrest – no report** | | |
| **Patrol response: suspect gone-on-arrival** | | |
| **Patrol response: arrest**<br><br>o **Misdemeanor**<br><br>o **Felony** | | |
| **Cases referred to investigator for follow-up** | | |
| **Referred to prosecutor**<br><br>o **Misdemeanor**<br><br>o **Felony** | | |
| **Arrests of female offenders (intimate partner** | | |

## BATTERING AND DOMESTIC VIOLENCE IN OUR COMMUNITY: SECTION 1

| Data elements | A. Baseline Year Totals | B. If unknown, how might the information be obtained? Is it available? |
| --- | --- | --- |
| **Law enforcement** | | |
| **relationship)** | | |
|    o  **Male victim** | | |
|    o  **Female victim** | | |
| **Arrests of male offenders (intimate partner relationship)** | | |
|    o  **Female victim** | | |
|    o  **Male victim** | | |
| **To what extent can the above data, if available, be reported according to race, ethnicity, gender, age, and relationship of those involved? Other characteristics and aspects of identity?** | | |

## BATTERING AND DOMESTIC VIOLENCE IN OUR COMMUNITY: SECTION 2

| Data elements | A. Baseline Year | B. If unknown, how might the information be obtained? Is it available? |
| --- | --- | --- |
| **Prosecution** | | |
| **Charged by prosecution: # of cases charged as:** | | |
|    o  **Misdemeanor** | | |
|    o  **Felony** | | |
| **Declined by prosecution** | | |
|    o  **Misdemeanor arrest charge** | | |
|    o  **Felony arrest charge** | | |

## BATTERING AND DOMESTIC VIOLENCE IN OUR COMMUNITY: SECTION 2

| Data elements | A. Baseline Year | B. If unknown, how might the information be obtained? Is it available? |
|---|---|---|
| **Prosecution** | | |
| **Dismissed after charging – victim's request** | | |
|    ○  **Misdemeanor** | | |
|    ○  **Felony** | | |
| **Dismissed after charging – other reasons** | | |
|    ○  **Misdemeanor** | | |
|    ○  **Felony** | | |
| **Guilty plea as charged** | | |
|    ○  **Misdemeanor** | | |
|    ○  **Felony** | | |
| **Guilty plea to lesser charge** | | |
|    ○  **Misdemeanor** | | |
|    ○  **Felony** | | |
| **Trial & guilty verdict** | | |
|    ○  **Misdemeanor** | | |
|    ○  **Felony** | | |
| **Trial & acquittal – not guilty verdict** | | |
|    ○  **Misdemeanor** | | |
|    ○  **Felony** | | |
| **Diversion / deferred prosecution agreement** | | |
| **Cases prosecuted with female offender** | | |

## BATTERING AND DOMESTIC VIOLENCE IN OUR COMMUNITY: SECTION 2

| Data elements | A. Baseline Year | B. If unknown, how might the information be obtained? Is it available? |
|---|---|---|
| **Prosecution** | | |
| **(intimate partner relationship)** | | |
|    o   **Male victim** | | |
|    o   **Female victim** | | |
| **Cases prosecuted with male offender (intimate partner relationship)** | | |
|    o   **Female victim** | | |
|    o   **Male victim** | | |
| **To what extent can the above data, if available, be reported according to race, ethnicity, gender, age, and relationship of those involved? Other characteristics and aspects of identity?** | | |

## BATTERING AND DOMESTIC VIOLENCE IN OUR COMMUNITY: SECTION 3

| Data element | A. Baseline Year | B. If unknown, how might the information be obtained? Is it available? |
|---|---|---|
| **Advocacy** | | |
| **Crisis/help line calls** | | |
| **Requests for emergency shelter** | | |
| **Legal advocacy – assistance with protection order process** | | |

## BATTERING AND DOMESTIC VIOLENCE IN OUR COMMUNITY: SECTION 3

| Data element | A. Baseline Year | B. If unknown, how might the information be obtained? Is it available? |
|---|---|---|
| **Advocacy** | | |
| **Legal advocacy – court accompaniment (criminal case)** | | |
| **To what extent can the above data, if available, be reported according to race, ethnicity, gender, age, and relationship of those involved? Other characteristics and aspects of identity?** | | |

## VICTIM/SURVIVOR LIVED EXPERIENCE

| Summarize: | What is known | How to address gaps in that knowledge |
|---|---|---|
| **Victim/survivors' needs related to the harm caused by battering and other forms of domestic violence** | | |
| **A clear picture of how needs are being met by the criminal legal system response** | | |
| **A clear picture of how needs are *not* being met by the criminal legal system response** | | |
| **Are battered women being arrested?** | | |
| **What is happening to battered women who are arrested?** | | |

## VICTIM/SURVIVOR LIVED EXPERIENCE

| Summarize: | What is known | How to address gaps in that knowledge |
| --- | --- | --- |
| **Who are the culturally distinct and/or marginalized communities within the wider community?** | | |
| **Is the criminal legal system response working for all survivors in all communities?**<br><br>   ○  **If yes, in what ways and for whom?**<br><br>   ○  **If no, in what ways and for whom is it not working?** | | |

# [4] COMMUNITY CONSULTATION

**Definition**

One of the Blueprint's distinctive features is its commitment to grounding the approach and process in the experiences of victims of battering. The Blueprint calls on advocacy organizations and criminal justice agencies to work together to develop procedures and protocols. It also calls for including and consulting with those in the community who are most impacted by such public policies. Along with practitioner-advocate partnerships, a Blueprint community engages with a range of community members, from victims and survivors to populations overrepresented and/or underserved in the system, to develop, implement, and monitor Blueprint policies and practice.

Actions by the criminal legal system affect victims in different ways, sometimes with unintended harmful impacts. The Blueprint seeks to build this awareness into policy and practice, with attention to the complex and often dangerous implications of a victim's collaboration with interveners. The Blueprint acknowledges the realities of peoples' unique circumstances and experiences and seeks a criminal legal system response that best fits victims' needs as it helps stop violence, reduce harm, and save lives.

To keep victims of battering at the center of the Blueprint requires connecting and talking with survivors and others in the community as a matter of routine practice. In other words, community consultation must be a regular, sustained way of doing the business of the Blueprint. In the context of the Blueprint, community consultation is the process of engaging with and seeking guidance from survivors of battering and others in the community who represent the broadest range of life experiences, circumstances, and identities. Community consultation is not a one-time meeting or focus group or the

presence of a token survivor on a team or work group. It is an active, intentional, and ongoing process that utilizes a variety of methods to help keep the Blueprint grounded in the realities of living with battering and the experiences of those who are overrepresented and/or underserved in the criminal legal system. A fully developed and sustainable Blueprint for Safety rests on community consultation.

**Forms of community consultation used in the Blueprint adaptation**

Community consultation can be informal, via the encounters that advocates have with battered women and with one another and other practitioners. Sharing what we are hearing and seeing in the moment can point to questions that need to be answered or potential problems that the Blueprint might need to address. In addition, community consultation must take more specific forms in order to build the ongoing practice into a local Blueprint. Some of these forms overlap. Your community is likely to come up with a customized version that fits local conditions. While not all of the forms need to be developed and utilized—or in place simultaneously—the first two are essential. The Blueprint cannot proceed as intended without active leadership by community-based advocacy and the first-person perspectives of survivors.

- <u>Essential</u>: **Regular conversations and policy/practice review with community-based advocacy organizations**

  Community-based advocacy located in nonprofit, nongovernmental or tribal organizations, such as a local program for battered women, is essential to grounding the Blueprint in the scope and scale of battering and in victims' lives and experiences. Community-based advocacy provides a setting where victims of battering can speak confidentially, freely, and openly. No one else plays this role, which is distinct from that of the important support provided by victim assistance or legal services within government agencies. Community-based advocacy typically has broader access to victims and survivors, many of whom are fearful of and try to avoid public institutions such as the criminal legal system.

  The Blueprint advocate has the key role of ensuring that the voices and experiences of battered women are represented at all stages of developing a local Blueprint. This role is fulfilled in part via regular consultation with a wide range of community-based advocates. It includes frequent and focused conversations about what advocates are learning from the victims of battering that they work with. What is working and not working for battered women in the criminal legal system response? Are victims of battering getting arrested? What is happening for immigrant women? What are victims' experiences with no-contact orders?

  The Blueprint advocate is a bridge between advocacy organizations and the adaptation team. Ideally, the adaptation team and related work groups will include several community-based advocates. At a minimum, the Blueprint advocate, together with the Blueprint coordinator, ensures that a wide range of advocates are fully informed about proposed changes in policy and practice and have ample opportunity to review the proposals and recommend revisions. Consultation with community-based advocacy is not limited to those organizations that are the most well-known for working with victims of battering. It includes seeking out organizations that may have a great deal of

contact with victims in different advocacy settings, such as housing, health care, and economic security. Because of their distance from the criminal legal system, these "non-DV" advocates might offer particularly useful insights into survivors' experiences.

- **Essential: Regular conversations and policy/practice review with survivors via individual interviews and group discussions such as listening sessions and talking circles**

  While community-based advocates can provide critical information about victims' needs and experiences, talking directly with survivors adds depth and confirmation to what advocates report. First-person conversations are particularly important in understanding when and how the criminal legal system is experienced as unhelpful or unsafe by survivors from overrepresented or underserved communities. The Blueprint advocate has a key role here, too, in organizing and ensuring direct feedback from survivors. Note: interviews or other direct conversations with survivors are not about grilling women on the details of the violence that they have experienced. The purpose is to learn about experiences with and problems in the system's response and to review and make recommendations on how the Blueprint can address those problems.

  ☞ Resource: Discussion group guide and related information at http://www.praxisinternational.org/iata_audit_coordinators_resources.aspx#LogisticsGuideSection3

- **Essential: Regular conversations and policy/practice review with communities that are overrepresented and/or underserved in the criminal legal system.**

  The ongoing consultation with community-based advocates provides one link to communities that are overrepresented and/or underserved in the criminal legal system. In addition, a more direct and focused consultation with individuals and organizations from specific communities will add to the understanding of current and historical experience with the criminal legal system in general. Regular conversations with diverse communities helps connect the Blueprint coordinator, organizers, and adaptation team with local and national efforts to reduce disparity within the criminal legal system overall. Such conversations also encourage those focused on criminal legal system change to pay attention to the experiences and needs of victims of battering and the impact of proposed changes on women from marginalized communities.

- **Useful: Questionnaires**

  Questionnaires can be quick and inexpensive ways of surveying a large number of survivors about a specific issue, such as access to advocacy at the time of a police call, the use of mandatory no-contact orders, or experiences with one or more steps in the criminal case process. Many people are familiar with giving feedback in this way and are often more open in their responses because of the impersonal and anonymous format. A questionnaire can be designed so that it is easy to fill out and questions can be asked in a uniform way that makes it easy to tabulate and summarize responses. The availability of low- or no-cost online survey tools (such as SurveyMonkey, Zoomerang, or Google Forms) means that survivors, other community members, and practitioners can complete the survey

at home, at an advocacy office, public library, or place of employment. Advocates can distribute or call attention to flyers and posters with information on the website and process. Questionnaires can also be distributed via postcards or paper forms that are deposited at a convenient collection point or returned via regular mail.

- **Optional: Survivors' advisory group**

  Communities that are positioned to bring survivors' together in a formal advisory role will benefit from the insight and guidance that this form of community consultation can provide. Establishing a survivors' advisory group for the Blueprint is more likely when community-based advocacy programs already have a similar approach in place within their organizations. Survivors' groups oriented to policy and practice review rarely emerge spontaneously, but grow from the intention—and attention and facilitation—of advocacy organizations that value survivors' voice and guidance. Such a group can be challenging to establish and maintain over time as a fixed body with consistent membership. A more ad hoc approach can be more sustainable, with a group brought together as needed several times a year to analyze Blueprint adaptations and recommend changes. This approach can take advantage of any core membership and leadership that has emerged while also providing flexibility to bring in new members. For example, two or three times a year the Blueprint coordinator and advocate could partner with advocacy organizations to hold a dinner program that invites a diverse range of survivors to comment on specific questions or aspects of the Blueprint or criminal legal system response.

  ☞ Resource: Blueprint for Safety Survivors' Advisory Group: Role and Activities

- **Optional: Disparate impact advisory group**

  The benefits and challenges in establishing a disparate impact advisory group to the Blueprint are similar those for a survivors' advisory group. There is the potential for deeper insight and guidance that will help adapt and implement the Blueprint in ways that reduce unintended consequences and disparity of impact. It can be equally challenging to establish and maintain such a group over time as a fixed body with consistent membership. It can perhaps be even more challenging. The experience of being overrepresented in and/or underserved by the criminal legal system has left many people and organizations representing marginalized communities wary about the motivations and sincerity of that system. Their participation in policy discussions and development has often been at a token level. Blueprint communities that are positioned to form and sustain a disparate impact advisory group will most likely have already begun such work in meaningful ways elsewhere in the community. Blueprint organizers will have a foundation of relationships and trust that persuade individuals and organizations to join the effort.

  ☞ Resource: Blueprint for Safety Disparity Impact Advisory Group: Role and Activities

**Confidentiality – consent & safety**

Community consultation in the context of the Blueprint and its focus on people's experiences with battering requires specific attention to confidentiality, consent, and victim safety. Anyone completing a questionnaire or participating in an individual interview or focus group, for example, should be clearly informed of the purpose of the activity and how the information collected will be used. Victims of battering and others in the community—including those charged with domestic violence-related crimes—must understand that their participation in such activities is voluntary and that refusing to talk or otherwise provide information will have no impact whatsoever on their ability to use advocacy services or their case or any criminal legal system action. While the purpose of direct consultation with survivors and others is to learn about experiences with and problems in the system's response, personal information about their lives and circumstances may be revealed. Personal information must be treated confidentially and collected it in such a way that individuals are not identified (unless a person has granted clear, specific permission to do so).

Consultation with victims of battering should not put them at risk for further abuse. For example, when contacting victims by phone or mail with interview requests, focus group announcements, or questionnaires, consider who else is present in the home and has access to mail and phone messages. The Blueprint advocate and community-based advocacy organizations should be involved in planning any direct consultation with victims.

**Option: Survivors' advisory group – role and activities**

Role

A distinctive feature of the Blueprint for Safety is its commitment to ground policy and practice in the experiences of victims of violence, with particular attention to the complex and often dangerous implications of a victim's collaboration with the criminal legal system. Because community-based advocacy is uniquely situated to bring victims' experiences and concerns forward, it has a central role in Blueprint leadership and partnerships. Another way the Blueprint stays grounded in victims' experiences is via an advisory group of survivors who provide ongoing guidance and help direct the process of adapting and implementing the Blueprint. The Survivors' Advisory Group (survivors' group) acts as a touchstone to uncover problems that the Blueprint seeks to solve and test the Blueprint's solutions.

Members

The Survivors' Advisory Group should reflect the broadest, most diverse range of battered women in the community. Recruiting a broad range of members requires reaching out to culturally-specific and other organizations working with survivors, perhaps around issues that are not directly identified as a "domestic violence" program, such as employment or post-incarceration programs. The structure and format of meetings should be established in consultation with the Blueprint Advocate and other advocates who can strategize on how to best provide flexibility and consistency, meet any necessary childcare and transportation needs, and compensate members for sharing their expertise.

Activities

1. Meet regularly with the Blueprint advocate and the coordinator to provide guidance on strengthening victim engagement and avoiding unintended harmful consequences.

2. Review Blueprint policies and protocols from the perspective of survivor experience to identify potential harmful consequences of Blueprint interventions.

3. Contribute to building a knowledge base about violence against women in the community and the impact of criminal legal system intervention on the lives of battered women.

4. Act as a kind of "standing" focus group that can provide feedback on specific questions related to Blueprint policy and practice. Note: This is not in place of community focus groups with battered women.

5. Support ongoing conversations with victims of battering in the community by contributing to the organization and facilitation of focus groups and similar discussions.

6. Participate in policy and practice assessment activities, such as case file reviews and observations.

7. Recommend changes in Blueprint policy and practice to address any unintended consequences.

8. Contribute to ongoing monitoring, evaluation, and revision of Blueprint policy and practice.

**Option: Disparity impact advisory group – role and activities**

> *Blueprint for Safety Foundational Principle 6: Act in ways that reduce unintended consequences and the disparity of impact on victims and offenders.*[5]

Role

The Blueprint for Safety faces three complex interconnected realities as it seeks to honor Principle Six: (1) the deep and pervasive harm of mass incarceration and its impact on marginalized communities, (2)

---

[5] ***Unintended consequences***: Reforms to institutional policy and practice that are meant to increase safety and well-being for victims of battering instead jeopardize safety and well-being and contribute to disparity of impact. Unintended consequences may affect a broad range of victims of battering or fall more heavily on a specific group or community. ***Disparity of impact***: Exists when the proportion of a specific group within the control of the criminal legal system is greater than its proportion in the general population or when criminal legal system intervention has a more negative impact on a specific group. The group may reflect a particular characteristic or, more likely, reflect the intersectionality of different aspects of identity, such as race, ethnicity, class, gender, sexual orientation, age, poverty, ability, health status. Harmful disparity may result from overt bias or it may reflect unintended consequences, such as policy or practice that appears identity-neutral but that has a different impact on specific groups and communities.

the deep and pervasive harm of violence against women, and (3) the ways in which victims of battering are routinely caught up in the criminal legal system. The realities are interconnected.

The Disparate Impact Advisory Group (disparity impact group) identifies and analyzes issues of disparity in the community in relation to the Blueprint. It recommends adjustments to Blueprint policy adaptation and practice in order to avoid magnifying disparity. The disparity impact group provides an avenue for direct involvement in the adaptation process by communities that are overrepresented and/or underserved in seeking help from the criminal legal system.

## Members

The disparity impact group's core members include individuals affiliated with community-based organizations that represent and work directly with marginalized communities. The group includes meaningful representation from those most affected by disparity in the criminal legal system (i.e., sufficient numbers so that one or two individuals are not expected to represent an entire community). Possible sources to recruit core members include culturally-specific advocacy and civil rights organizations, legal aid services, and faith-based justice system reform groups. The specific make-up will depend upon local conditions related to current and historical disparity. The Blueprint coordinator and advocate also participate, along with a mix of Blueprint organizers and practitioners. The disparity impact group might also include one or more local researchers who study issues of disparity.

## Activities

1. Provide analysis and recommendations related to unintended consequences and disparity of impact in the criminal legal system's response to battering.

2. Contribute to building a knowledge base about the current and historic nature of disparity within the larger community and the criminal legal system.

3. Hold focus group or similar community discussions to gather information from victims of battering about the criminal legal system response and recommendations for change.

4. Participate in policy and practice assessment activities, such as case file reviews and observations.

5. Review Blueprint adaptations to policy and practice for any potential harmful consequences or disparity of impact.

6. Recommend changes in Blueprint policy and practice to address any unintended consequences or disparity of impact.

7. Contribute to ongoing monitoring, evaluation, and revision of Blueprint policy and practice.

# [5] POLICY COMPARISON WORKSHEETS

**Using this tool**

- Provide the relevant section to the workgroup that will be examining policy for that agency (e.g., the 911 work group uses the 911 section, the police department work group uses the law enforcement section, etc.).

- NOTE: Communities are neither expected nor likely to have all elements present in local policy and protocol. The essential elements reflect recommended standards. They provide a starting point for assessing the local response and establishing a foundation for changes and adaptations as a Blueprint community.

- "Policy" includes any written directive that tells practitioners what they must do. Directives that function as policy can appear under different names, such as "standard operating procedure" or "protocol." If an agency insists that it does not have a policy (i.e., no written policy) use the worksheet to ask about and examine whatever informal policy exists. What are workers required to do, however the expectation gets conveyed?

- Instructions: How does current POLICY compare?

    o Under this column, note where each element listed in the first column can be found in the agency's domestic violence policy (e.g., "policy sections 1A and 3C") and add any notes or comments about the policy.

    o The language used in local policies is unlikely to be the same as the wording in this tool. Look for and reference similar content and meaning in local policy that reflects the intended Blueprint element.

    o If the essential element is located outside of the domestic violence policy (e.g., in the investigations section of the police department's policy rather than in the domestic violence section), note where it can be found.

    o If the essential element is entirely missing, note any barriers to including it (e.g., including the element would require a change in legislation or new technology).

- Notes: the coordinator or a member of the work group records the analysis. Recommended: use a blank version of the policy comparison in an electronic format to take notes. This facilitates sharing the results with agency liaisons and administrators and the adaptation team. It also facilitates transferring information to the notes and documentation tool if the coordinator has selected that option to track the results of the policy comparison, case reviews, and other findings from the practice assessment.

**Related tools:**

- To address questions about why a particular element is included, see the explanation in **Blueprint Essential Elements Annotated** (Appendix 10 in Becoming a Blueprint Community).

- To document the policy and practice reviews using a single worksheet, see the **Notes and Documentation Tool** (Appendix 22-10).

- See corresponding **Case Review Worksheets** (Appendix 22-6).

**Blueprint Essential Elements – Policy Comparison Worksheet: 911 Emergency Communications**

| 911 EMERGENCY COMMUNICATIONS | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 1. Set priority-level response for domestic assault calls. | |
| 2. Elicit and relay to responding officers information about:<br>• Type & level of danger, weapons, types of violence used, etc.<br>• Exact report of what caller saw/heard/experienced<br>• Who is at the scene | |
| 3. Collect and relay information to aid officers in apprehending suspects who have left the scene. | |
| 4. Communicate effectively and respectfully with callers. | |
| 5. Tell callers when a squad has been dispatched. | |
| 6. Determine how and when to safely keep callers on the line. | |
| 7. Respond to people having difficulty with communication. | |
| 8. Safely respond to interrupted calls. | |
| 9. Safely respond to children on the line. | |
| 10. Communicate in a person's first language and in ways that address limited English proficiency; provide access to language interpretation & TTY/TDD when required. | |

| 911 EMERGENCY COMMUNICATIONS | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 11. Utilize all available databases and information sources to obtain history on suspect. | |
| 12. Code calls accurately when domestic violence-related. | |
| 13. Record and keep calls and related documents in a manner which allows later access by bail evaluators, investigators, prosecutors, probation, and defense attorneys. | |
| 14. Foster engagement with people seeking help:<br><br>• Avoid placing the victim in a position of confrontation with the offender.<br><br>• Protect the victim from retaliation when communicating with the offender.<br><br>• Treat each interaction with the victim as an opportunity to build a partnership over multiple contacts.<br><br>• Demonstrate awareness of signs that violence may be resuming or escalating.<br><br>• Inform caller before placing him/her on hold. | |
| 15. Conduct regular supervisory review of calls and practice according to Blueprint policies and protocols. | |

| 911 EMERGENCY COMMUNICATIONS | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 16. **Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.** | |
| 17. **Meet regularly with law enforcement, prosecution, and community-based advocates to discuss and resolve problematic cases and responses.** | |
| 18. **Other observations in comparing current policy and practice with Blueprint Essential Elements:**<br><br>• **Strengths**<br><br>• **Other gaps** | |

**Blueprint Essential Elements – Policy Comparison Worksheet: Law Enforcement**

| LAW ENFORCEMENT | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 1. **Obtain or request enhanced information from dispatch, including:**<br><br>• **Type & level of danger, weapons, types of violence used, etc.**<br>• **Exact report of what caller saw/heard/experienced**<br>• **Who is at the scene**<br>• **Information to aid in locating suspect who has left the scene** | |

| LAW ENFORCEMENT | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 2. **Separate the parties and minimize sight and sound contact between suspect and victim(s) as safety permits.** | |
| 3. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | |
| 4. **Interview everyone at the scene (including children) and obtain contact information for all.**<br><br>• **Obtain detailed contact information for the victim.**<br><br>• **Obtain suspect's statement if present at the scene or if s/he can be located.** | |
| 5. **Identify and check on the welfare of all children at the scene.** | |
| 6. **Document and collect all available evidence, including photographs of all injuries, the scene, broken or damaged belongings, weapons, witness statements, electronic (e.g., recordings of text messages, voice-mail, social media), indicators of strangulation, indicators of stalking.**<br><br>• **Do not seize telephone if it would leave victim without a working phone.**<br><br>• **Request the victim sign a medical release if medical treatment will be sought.** | |

| LAW ENFORCEMENT | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| • **Collect and secure evidence related to probable cause regardless of suspect's absence from the scene.**<br><br>• **Note spontaneous statements by those at the scene.**<br><br>• **Note physical appearance and emotional demeanor of parties.** | |
| 7. **Determine the existence of civil protection orders, harassment restraining orders, and criminal no-contact orders.** | |
| 8. **Ask about and document past history of violence and stalking.**<br><br>• **Victim and witness informants**<br><br>• **Law enforcement and criminal history records** | |
| 9. **Ask and document responses to the 3 Blueprint risk questions and follow-up:**<br><br>a) **Do you think he/she will seriously injure or kill you, your children, or someone else close to you? What makes you think so? What makes you think not?**<br><br>b) **How frequently does he/she intimidate, threaten, or assault you? Is it changing? Getting worse? Getting better?**<br><br>c) **Describe the time you were the most frightened or injured by him/her.** | |

| LAW ENFORCEMENT | How does current *POLICY* compare? |
| --- | --- |
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| **10. Ask about and document threats to victim for seeking help or attempts to dissuade victim from seeking help.** | |
| **11. When both parties have used violence:**<br><br>• **Assess <u>first</u> for self-defense; arrest the party who was not acting in self-defense.**<br>• **If cannot determine self-defense, assess for and arrest the predominant aggressor.**<br>• **Discourage dual arrest.** | |
| **12. Mandatory arrest with probable cause & one or more of the following conditions:**<br><br>• **Felony-level crime**<br>• **Injury or impairment to victim**<br>• **Dangerous weapon involved**<br>• **Violation of order for protection, harassment restraining order, or no-contact order**<br>• **Victim fears imminent bodily harm** | |
| **13. Whether or not there has been an arrest, provide assistance to victims before clearing the scene:**<br><br>• **At a minimum address: medical care, transport to a safe place, notice of victim's rights & compensation, advocacy & community resources, civil protection orders.**<br><br>• **Encourage victim to call 911 if suspect returns to the scene.** | |

| LAW ENFORCEMENT | How does current *POLICY* compare? |
| --- | --- |
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 14. **When probable cause exists to make an arrest and the suspect has left the scene, collect all evidence, take measures to locate the suspect and protect the victims; submit an investigation report.** | |
| 15. **Document patrol response and arrest decision in a report utilizing information in the Domestic Violence Patrol Report Checklist (attached).** | |
| 16. **If there is insufficient probable cause for an arrest, write a brief report to document the complaint and the response. Do not recode a call dispatched as domestic abuse-related to a non-domestic category.** | |
| 17. **If the suspect is gone from the scene (GOA), collect evidence in the same way as when an arrest has taken place and search for suspect as is reasonably possible.** | |
| 18. **Conduct prompt supervisory review and (1) assign follow-up investigation when patrol has determined probable cause for an arrest or (2) forward to charging attorney without further investigation.** | |
| 19. **Cases with one or more of the following receive high priority regardless of whether offender is in custody or out of custody (GOA):**<br><br>• **Imminent time deadline** | |

| LAW ENFORCEMENT | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| • **Significant injury or impairment**<br><br>• **Strangulation or stalking alleged**<br><br>• **Victim's response to risk questions indicates significant risk** | |
| 20. **In gross misdemeanor and felony cases:**<br><br>• **Conduct an expanded domestic violence risk assessment as warranted, starting from responses to the three risk questions.**<br><br>• **Evaluate for all possible charges.** | |
| 21. **Be alert to and investigate types of crimes associated with domestic violence:**<br><br>• **Stalking/harassment**<br><br>• **Strangulation**<br><br>• **Sexual coercion/sexual aggression**<br><br>• **Witness tampering** | |
| 22. **Promptly notify the victim when a case is declined for referral to prosecution.** | |
| 23. **Determine if the suspect is on probation; if so, notify probation of the circumstances of the case, including any offenses where the suspect left the scene and has not been located.** | |
| 24. **Engage with victims in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration over time, and increase access to services and protection.** | |

| LAW ENFORCEMENT | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| **25. Conduct regular supervisory quality and compliance review of departmental practice.**<br><br>• **Patrol and investigation supervisors conduct regular review of reports and files**<br><br>• **Refer reports to supervisors and commanders for review, redrafting, and policy/protocol clarification**<br><br>• **Approve officers' actions when exceptions to arrest policy are contemplated** | |
| **26. Provide structure for supervisors to participate in ongoing interagency monitoring, evaluation, and maintenance.** | |
| **27. Meet regularly with 911, prosecution, and probation to discuss and resolve problematic cases and responses.** | |
| **28. When an incident involves department employees:**<br><br>• **Investigate, make arrest decision, process evidence, and conduct follow-up investigation to ensure safety and accountability.**<br><br>• **Send a supervisor of higher rank than the suspect to the scene.**<br><br>• **Supervisor shall recover arrestee's badge, law enforcement identification card, and weapon.** | |

| LAW ENFORCEMENT | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| **29. Incidents involving public figures:**<br><br>• **Investigate, make arrest decision, process evidence, and conduct follow-up investigation to ensure safety and accountability.**<br><br>• **Send a supervisor to the scene.**<br><br>• **Take precautions to protect the victim's safety and confidentiality.** | |
| **30. Other observations in comparing current policy and practice with Blueprint Essential Elements:**<br><br>• **Strengths**<br><br>• **Other gaps** | |

**Attachment to Law Enforcement Essential Elements – Policy Comparison**

**Domestic Violence Patrol Report Checklist**

**Background and officers' actions:**

❑ Time of officers' arrival and time of incident

❑ Relevant 911 information, including specific details about any violence or threats in the 911 call

❑ Immediate statements of either party and any witnesses at the scene

❑ A complete description of the scene

❑ Note any existing protection or no-contact orders, probation, warrants, prior convictions

❑ Summarize actions taken by responding officers (e.g., entry, arrest, non-arrest, use of force, attempts to locate, transport, advocacy contact and referrals, victim notification, seizing firearms, rationale for self-defense or primary aggressor determination)

❑ Account of evidence collected (e.g., pictures, statements, weapons, other)

**For each witness and party involved:**

❑ His/her account of events and responses to follow-up questions

❑ Officer observation related to the person's account of events

❑ Identification, address, and means of locating the person for follow-up, including:

   o Home address and phone number

   o Place of employment, work address and phone number

   o Cell phone number(s)

   o Relationship to other parties

**For each party involved:**

❑ Injuries or impairment, (including pain, strangulation effects, breathing, movement impairment)

❑ Emotional

**Information from the victim**, including history of violence and stalking and contact information:

❑ Responses to the risk questions:

1. Do you think he/she will seriously injure or kill you or your children? What makes you think so? What makes you think not?

2. How frequently and seriously does he/she intimidate, threaten, or assault you? Is it changing? Getting worse? Getting better?

3. Describe the time you were the most frightened or injured by him/her.

4. Have you ever been threatened or intimated by him/her for seeking help or attempting to seek help from police, the courts or others? How?

❑ Threats to the victim for seeking help, particularly from law enforcement or courts, and stalking behaviors

❑ Name and phone numbers of someone who can always reach the victim

**Attachment to Law Enforcement Essential Elements – Policy Comparison**

**Domestic Violence Patrol Report Checklist**

❑ Presence of risk factors (see below)

❑ If an arrest was not made, the reason why

❑ When possible, issue a squad pick-up and hold on suspects not on the scene ("gone-on-arrival" or GOA) that are on probation.

state/demeanor

❑ Acts of intimidation or aggression

❑ Presence or use of weapons

❑ Alcohol or drug consumption and impairment of those involved

NOTE: Record victim contact information in the confidential section of the report.

❑ Inform the victim that every effort will be made to protect this information, but that it is possible that the suspect could gain access via court order

**Additional information related to the suspect:**

❑ GOA: details about where the suspect might be and where he/she stays when not at the address of the incident; physical and vehicle descriptions; aliases

❑ Suspect's county and state of residence during the past ten years

❑ Whether Miranda is given and/or request for attorney and when this occurred

❑ Whether a custodial taped interview of the suspect was conducted

❑ Any spontaneous statements given by the suspect after the arrest

**Additional information related to the case:**

❑ Details regarding presence, involvement, and welfare of children at the scene

❑ Existence of language, communication, or cognition barriers

❑ Medical help offered or used, facility, and medical release obtained

❑ Presence or involvement of elderly people or people with disabilities

**RISK & DANGER FACTORS**

**Caveat: Not a complete list:**

• Stalking

• Strangulation; attempts to "choke"

• Threats to kill the victim

• Victim believes or fears threats to kill

• Threats to kill 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

**Attachment to Law Enforcement Essential Elements – Policy Comparison**

**Domestic Violence Patrol Report Checklist**

|  |  |
|---|---|
|  | • Violence outside of home |
|  | • Increase in frequency, severity, or type of violence |
|  | • Frequent impairment by alcohol or drugs |
|  | • Victim attempting a permanent break |
|  | • Estrangements and separations |
|  | • Failure of prior interventions |
|  | • Prior arrests, law enforcement calls, and/or protection order(s) |
|  | • Obsessive control of victim's daily activities; obsessive jealousy |
|  | **Violence with a pattern of coercion is a serious marker of high risk violence.** |
|  | *For more information see Blueprint for Safety Appendix 1A: Practitioners' Guide to Risk and Danger in Domestic Violence Cases* |

**Blueprint Essential Elements – Policy Comparison Worksheet: Pretrial Release / Bail Evaluation**

| PRETRIAL RELEASE / BAIL EVALUATION | How does current *POLICY* compare? <br><br>**Where is this element found in the agency's domestic violence policy?**<br><br>*If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
|---|---|
| 1. **Present a bail evaluation that includes severity and context, criminal history, risk to the victim and community as well as likelihood of reappearance.** | |
| 2. **Inform the victim of limits of confidentiality; put procedures in place to protect information obtained from victim to the extent possible under law.** | |
| 3. **Differentiate recommendations for bail and conditions of release based on risk, context, and severity.** | |
| 4. **Contact the victim about the incident, history of violence, and wishes concerning conditions of release, including no- contact orders.** | |
| 5. **Inform the victim promptly of ordered conditions of release.** | |
| 6. **Supervise defendants granted conditional release, monitor for compliance with conditions of release, and respond promptly to violations of conditional release; take action based on the nature of the violation and risk and danger.** | |
| 7. **Inform victim of who to contact and how to report violations or harassment by defendant.** | |

| PRETRIAL RELEASE / BAIL EVALUATION | How does current *POLICY* compare? |
| --- | --- |
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 8. **Respond promptly to violations of conditional release; take action based on the nature of the violation and risk and danger.** | |
| 9. **Adopt Blueprint victim engagement protocols.** | Victims will be more likely to use the criminal legal system in the future if they feel partnership with interveners. Research shows that victims who have support within the system and from advocates are more likely to be able to be successful in ending the violent relationship sooner. |
| 10. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | |
| 11. **Conduct supervisory quality and compliance review of pretrial/bail evaluation practice.** | |
| 12. **Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.** | |
| 13. **Meet regularly with prosecution, court administration, and community-based advocates to discuss and resolve problematic practices and responses.** | |
| 14. **Other observations in comparing current policy and practice with Blueprint Essential Elements:** <br><br> • **Strengths** <br><br> • **Other gaps** | |

**Blueprint Essential Elements – Policy Comparison Worksheet: Sheriff's Office**

| SHERIFF'S OFFICE | How does current *POLICY* compare?<br><br>**Where is this element found in the agency's domestic violence policy?**<br><br>*If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
|---|---|
| 1. **Use widest possible sources of information to locate defendant.** | |
| 2. **Obtain and act upon information from victims related to locating the defendant.** | |
| 3. **Prioritize warrants based on crime level and risk and danger.** | |
| 4. **When new information is received, reactivate dormant warrants and renew attempts to locate defendant.** | |
| 5. **Capture and report to law enforcement the defendant's behavior at time of service regarding threats, intimidation, risk and danger.** | |
| 6. **Capture and report to law enforcement information regarding threats and risk and danger during booking and defendant's stay in the jail.** | |
| 7. **Provide prompt notification to victim of defendant's impending release.** | |
| 8. **Prohibit visits, correspondence, and phone calls between defendant and victim if a no-contact order is issued.** | |
| 9. **Block victim's phone number unless victim wants contact and a no-contact order is not in place.** | |

| SHERIFF'S OFFICE | How does current *POLICY* compare? |
| --- | --- |
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 10. **Make jail audio readily available to law enforcement and prosecution.** | |
| 11. **Establish procedures to obtain, accept, and act on victims' reports of harassment or threats.** | |
| 12. **Alert courtroom security to the existence of a protection order or no-contact order.** | |
| 13. **Establish procedures to act upon violations of court orders or victim intimidation.** | |
| 14. **Provide a secure area for victims in the courthouse.** | |
| 15. **Report to prosecutors any intimidation or harassment of victim by defendant.** | |
| 16. **Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.** | |
| 17. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | |
| 18. **Conduct supervisory quality and compliance review of Sheriff's Office practice.** | |
| 19. **Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.** | |

| SHERIFF'S OFFICE | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| **20. Meet regularly with law enforcement, prosecution, court administration, and community-based advocates to discuss and resolve problematic practices and responses.** | |
| **21. Other observations in comparing current policy and practice with Blueprint Essential Elements**<br><br>• **Strengths**<br><br>• **Other gaps** | |

**Blueprint Essential Elements – Policy Comparison Worksheet: Prosecution**

| PROSECUTION | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| **1. Approach charging in ways that minimize dependence on the victim and maximize other sources of information.**<br><br>• **Post-arrest witness intimidation is very common in domestic violence cases. Know the doctrine of forfeiture by wrongdoing and prepare the case accordingly.**<br>• **Expand the focus to include illegal behavior after patrol arrives.**<br>• **Charge all relevant crimes except where victim safety, including safety of victim-defendants, warrant otherwise.** | |

| PROSECUTION | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 2. Evaluate the risk and lethality factors and the context of the violence and adjust prosecutorial response accordingly. | |
| 3. Request further investigation rather than decline a case that might be charged with additional evidence. | |
| 4. Reevaluate the case for additional charges or amended charges as additional evidence is gathered. | |
| 5. Be aware of potentially undercharged crimes in domestic violence cases: strangulation, stalking, sexual coercion/sexual aggression, and witness tampering. | |
| 6. Relay charging decisions, including declining charges, promptly to law enforcement, victim, and victim/advocate. | |
| 7. Engage with victims in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection. | |
| 8. Communicate in a person's first language and in ways that address limited English proficiency and literacy. | |
| 9. Engage in and document early and continuing contact with victims. | |
| 10. Adopt process to obtain and consider input from victim and/or victim's advocate about pretrial conditions of release. | |

| PROSECUTION | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| **11.** Consider each no-contact order individually. | |
| **12.** Do not threaten to or place a victim in custody to ensure witness availability. | |
| **13.** Approach cases with the understanding that the victim may not appear for trial or may recant. | |
| **14.** Do not file criminal charges against a recanting victim. | |
| **15.** Make recommendations for bail and pretrial conditions of release that reflect context and severity of the offense, the risk and danger, and safety needs of the victim and public. | |
| **16.** Unless provided by another agency, keep victim informed of bail and pretrial release conditions and procedures. | |
| **17.** Take prompt action upon notice of violation of conditional release to ensure sure and swift consequences. | |
| **18.** Obtain and take into account input from victim and advocate about plea and sentencing recommendations. | |
| **19.** Ensure access to victim's rights protections under state statutes, including the right to restitution, compensation and offering victim impact statements. | |
| **20.** Adjust the response when considering plea agreements and sentencing with victim/defendants. | |

| PROSECUTION | How does current *POLICY* compare? |
| --- | --- |
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| **21. Request a probationary no-contact order at the victim's request, overriding this request only in rare cases where the suspect poses significant danger to the victim or the community.** | |
| **22. Provide information on plea and sentencing to appropriate persons and agencies including the victim.** | |
| **23. Provide probation PSI writer with already gathered information.** | |
| **24. Take prompt action to address violations of probation conditions to ensure sure and swift consequences.** | |
| **25. Conduct regular supervisory quality and compliance review of prosecution practice.** | |
| **26. Provide structure for managers and supervisors to participate in ongoing interagency monitoring, evaluation, and maintenance.** | |
| **27. Meet regularly with 911, law enforcement, court administration, and community-based advocates to discuss and resolve problematic practices.** | |
| **28. Other observations in comparing current policy and practice with Blueprint Essential Elements:**<br><br>• **Strengths**<br><br>• **Other gaps** | |

**Blueprint Essential Elements – Policy Comparison Worksheet: Victim/Witness**

| VICTIM/WITNESS | How does current *POLICY* compare? <br><br> **Where is this element found in the agency's domestic violence policy?** <br><br> *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| --- | --- |
| 1. **Inform victim that communication is not confidential.** | |
| 2. **Make contact as soon as possible and maintain contact throughout the criminal court process.** | |
| 3. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | |
| 4. **Connect victims with community-based advocates who can provide assurance of confidentiality.** | |
| 5. **Seek input from the victim at all stages of the process and communicate information to prosecutor.** | |
| 6. **Facilitate victim's access to the prosecutor and legal system to ensure that the victim has a voice in process and that her/his expressed concerns are communicated and considered.** | |
| 7. **Explore victim's concerns about safety and problem-solve to address question and concerns, including the implications of a no-contact order.** | |
| 8. **Provide required victim notifications related to the criminal case process pursuant to state law and assist victims in exercising their rights.** | |

| VICTIM/WITNESS | How does current *POLICY* compare? |
| --- | --- |
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 9. **Work with prosecutors to ensure access to victim's rights protections under state statutes, including the right to restitution, compensation and offering victim impact statements.** | |
| 10. **Offer support, information and resources throughout the process.** | |
| 11. **Arrange assistance as needed to facilitate victim's participation in court proceedings.** | |
| 12. **Facilitate victim's connection to probation throughout presentence investigation, sentencing, and supervision.** | |
| 13. **Provide for post-conviction assistance, information, and support.** | |
| 14. **Engage with victims in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.** | |
| 15. **Conduct regular supervisory quality and compliance review of Victim/Witness practice.** | |
| 16. **Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.** | |

| VICTIM/WITNESS | How does current *POLICY* compare?<br><br>**Where is this element found in the agency's domestic violence policy?**<br><br>*If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| --- | --- |
| **17. Meet regularly with law enforcement, prosecution, and community-based advocates to discuss and resolve problematic cases and responses.** | |
| **18. Other observations in comparing current policy and practice with Blueprint Essential Elements:**<br><br>   • **Strengths**<br><br>   • **Other gaps** | |

**Blueprint Essential Elements – Policy Comparison Worksheet: Probation**

| PROBATION | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 1. **Establish procedures to obtain victim input regarding presentence investigation (PSI) and conditions of probation, including no-contact orders and response to violations.** | |
| 2. **Conduct PSIs that search all available records and capture complete information about the current offense and defendant's past use of violence.** | |
| 3. **Incorporate history, context, severity, risk and danger in the PSI report, with particular attention to those cases involving apparent victim-defendants (i.e., where the defendant appears to have been abused in the past by the identified victim in the case).** | |
| 4. **Make PSI recommendations based on context, severity, risk and danger.** | |
| 5. **Attempt to meet with or contact the victim prior to first meeting with the defendant.** | |
| 6. **Meet promptly with offender to review all probation conditions and obtain signed releases.** | |

| PROBATION | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 7. **Provide supervision that is appropriate to risk and danger and consistent in holding offender accountable.**<br>• **Ensure that supervision of victim-defendants does not make the defendant more vulnerable to further violence.**<br>• **Identify high risk offenders and utilize enhanced supervision.** | |
| 8. **Provide immediate response to probation violations, differentiated based on risk posed to the victim and the community.** | |
| 9. **Establish procedures to hear probation violations based on new criminal activity before the new charge is resolved, if the activity is associated with increased risk to victim.** | |
| 10. **Provide timely & thorough notification to victims of the terms & conditions of probation.** | |
| 11. **Seek information from victims about their concerns during supervision, including how to report violations in a manner that does not increase risk.** | |
| 12. Ensure programming, including appropriate domestic violence treatment, that accounts for the level of risk & danger. | |
| 13. **Coordinate and share information with treatment programs; monitor compliance with probation conditions.** | |

| PROBATION | How does current *POLICY* compare? |
| --- | --- |
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 14. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | |
| 15. **Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.** | |
| 16. **Conduct regular supervisory quality and compliance review of practice.** | |
| 17. **Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.** | |
| 18. **Meet regularly with law enforcement, prosecution, and community-based advocates to discuss and resolve problematic cases and responses.** | |
| 19. **Other observations in comparing current policy and practice with Blueprint Essential Elements:**<br><br>• **Strengths**<br><br>• **Other gaps** | |

**Blueprint Essential Elements – Policy Comparison Worksheet: The Bench and Court Administration**

| THE BENCH AND COURT ADMINISTRATION | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 1. Allow prosecutors/probation to present relevant information regarding the violence, risk, context, and severity at all stages of criminal process. | |
| 2. Determine pretrial conditions of release and bail based on risk factors present, victim safety, public safety and likelihood of reappearance. | |
| 3. Determine the issuance of no-contact orders on an individual basis. | |
| 4. If victim objects to issuance of a no-contact order, assess both the context and risk to victim if the no-contact order is not issued and the difficulty for victim if it is ordered. | |
| 5. Set conditions of release and bail when suspect cannot be arrested on scene ("gone-on- arrival") on same basis as in-custody cases. | |
| 6. State pretrial and probationary conditions in clear and precise language. | |
| 7. Provide a prompt response to violations of conditions of pretrial release. | |
| 8. Read key conditions of probation aloud during sentencing. | |
| 9. Communicate in a person's first language and in ways that address limited English proficiency and literacy. | |

| THE BENCH AND COURT ADMINISTRATION | How does current *POLICY* compare? |
| --- | --- |
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 10. Establish a process to allow victims to request modification or dismissal of no-contact orders. | |
| 11. Distribute court orders, including conditions of pretrial release, no-contact orders (and any modifications or cancellations), and probation conditions to involved parties and agencies, including to victim unless provided by another agency. | |
| 12. Order a presentence Investigation (PSI) in all cases where the original charge is a domestic violence-related offense, regardless of conviction charge. | |
| 13. Issue a disposition that reflects risk, context and severity. | |
| 14. Except in rare cases involving particularly dangerous defendants who place victims or the community at high risk of serious or lethal harm, do not issue warrants for victims who do not appear in court pursuant to a subpoena. | |
| 15. Obtain victim input on pleas and sentencing. | |
| 16. Except in very rare cases after an assessment of risk and danger, do not order a probationary no-contact order over the victim's objection. | |
| 17. Hear probation violations promptly. | |
| 18. Establish procedures to order surrender of firearms based on state and federal law. | |

| THE BENCH AND COURT ADMINISTRATION | How does current *POLICY* compare? |
|---|---|
| | **Where is this element found in the agency's domestic violence policy?** |
| | *If missing, explain where located elsewhere in agency policy or any barriers to including it.* |
| 19. **Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.** | |
| 20. **Establish a courtroom atmosphere that enhances criminal justice system intervention to support victim safety and offender accountability.** | |
| 21. **Conduct regular supervisory quality and compliance review of court practices.** | |
| 22. **Provide a structure for court administration to participate in ongoing interagency monitoring, evaluation, and maintenance.** | |
| 23. **Other observations in comparing current policy and practice with Blueprint Essential Elements:**<br><br>• **Strengths**<br><br>• **Other gaps** | |

# [6] ANALYZING CASE RECORDS

**Overview**

- The case review is a guided look at current agency practice and how that practice compares to the Blueprint's essential elements. Communities are neither expected nor likely to have all elements present in local practice. The essential elements reflect recommended practice and provide a starting point for assessing the local response. Discoveries from the case review—as well as the overall policy and practice assessment—establish a foundation for changes and adaptations as a Blueprint community.

- A "case" is the official story of what happened. How a case is put together—how the incident is documented and the story told—shows the ways in which the context, history, and impact of the violence is established, how safety considerations are identified, decisions practitioners make, and whether and how practice conforms to policy and standards. Case documents include such things as:

    o 911 call recordings, transcripts, dispatch records

    o Patrol arrest and incident reports; investigation and supplemental reports

    o Jail booking sheets and phone logs

    o Bail screening reports; forms documenting conditions of bail and pretrial release

    o Prosecution case files (which include reports and forms from many sources)

    o Presentence investigation reports

    o No-contact orders

    o Sentencing forms and reports

    o Victim information brochures and forms

    o Risk and danger assessment forms and reports

- The Blueprint coordinator works with the agency's representative on the adaptation team—and others as needed—to locate and prepare cases for review, per agreements in the Memorandum of Understanding established in Phase One.

- Small agency-specific work groups convene to review and analyze cases. The worksheet provides a guide to help the group look for certain elements and identify any gaps between recommended and current practice. By applying the same questions to a number of cases, the work group discovers questions and patterns related to how the agency is organized to respond to domestic violence-related crimes.

- The Blueprint coordinator or another facilitator guides the work group in analyzing and summing up what it learns during the review and making recommendations for Blueprint adaptations.

**Related Tools**

- To address questions about why a particular element is included, see the explanation in **Blueprint Essential Elements Annotated**, (Appendix 10 in Becoming a Blueprint Community).

- To document the results of the case review, use the **Notes and Documentation Tool** (Appendix 22-10).

- See corresponding agency-specific policy review worksheets (Appendix 22-5).

**Advance Preparation by Blueprint Coordinator**

1. **Become familiar with the case records that each agency maintains.**

   - When compiling the source book and during the mapping step, note what kinds of forms, reports, checklists, documentation, and case records, etc., are used at each step. Collect examples of blank forms.

   - Read through a sample of cases from each agency to become familiar with what a "case file" includes and how the agency documents its response and actions. As Blueprint Coordinator, in the process of selecting a pool of cases to review you will read more cases and become more familiar with them than any other member of the adaptation team.

2. **Decide which of the following approaches to the case review to use; each option impacts how the case records will be assembled:**

   - Option: Each member of the case review team reads all of the selected case records—calls, forms, reports, or files, and so forth—and completes the worksheet for each case. The advantage of this approach is that all members of the team are seeing all cases and paying attention to the full range of recommended practices included on the worksheets. Everyone has a common base of information to bring to the discussions. This approach can require more time.

   - Option: All team members complete a full review of two case records and discuss the cases together in order to become familiar with the process and develop a common base for the analysis. The team then splits into pairs, with different cases assigned to each pair. This approach can be a way to include more cases in the review while still providing a level of common grounding for the process and ensuring that at least two members of the larger team are familiar with any one case. Because all members have not completed at least a preliminary review of all case records, however, they will not share an understanding of each case.

**3. Assemble and select case records for the work group's analysis.**

How many calls and reports and files? There is no fixed answer to this question. It depends in part on the complexity and volume of the type of record under review. A work group listening to 911 calls or analyzing bail screening forms, for example, can work through thirty cases relatively quickly. Ten cases might be the most that a work group analyzing prosecution or probation case files can reasonably handle. In some small, rural communities, ten cases might comprise a third of the all cases prosecuted in a year. In an urban jurisdiction, ten cases might be insufficient to adequately see how the response is organized. The following guidelines provide a general framework for compiling case records.

• Select a time frame from which to pull case records, such as single week or month.

• Search or sort for all cases of adult intimate partner violence within the selected time frame. Because the Blueprint is primarily a response to battering, adult intimate partner cases will be more likely to involve battering than the category of family violence.

• From the pool of intimate partner violence cases, listen to the calls or read the forms, reports, or other case records and build a set that reflects general agency practice.

• Complete any necessary redaction and copying.

• Convene the case review work group(s) and provide cases for review.

   o Case records consisting of 911 emergency calls or forms or reports of ten pages or less: start with 15 cases

   o Case records consisting of files comprised of multiple reports and forms from different sources, such as prosecution, probation, or court files: start with 8 cases

• Add cases as needed to establish a solid picture of how the agency's response is organized or to explore a specific kind of case or aspect of case processing (e.g., to learn more about declined or dismissed cases or to look more closely at risk and danger assessment).

**4. Draft a confidentiality form for the case review process.**

Because the work group will have access to detailed information about specific cases, individuals, and practitioners, it is crucial that its members agree to a set of ground rules governing how information will be treated and when and to whom it will be released. The Memorandum of Understanding template included in the Phase One tools requires such an agreement: "Agencies agree to make staff available for interviews and observations, and to have case files and other documents examined by team members under a negotiated confidentiality agreement." The confidentiality agreement template has been used in a variety of practice assessment settings. It provides a place to begin and finalize with agency administrators.

5. **Decide the extent to which case records will be redacted.**

The Blueprint practice assessment assumes that the case records the assessment team works with will not be redacted (i.e., information identifying a specific person or place will not be removed from the records). The confidentiality template requires keeping case information confidential and secure; it restricts identifying or discussing any person named in the case outside of the team's meetings. Redacting case records is helpful, but the cost and expense is beyond the reach of most communities conducting a Blueprint practice assessment. It is time-consuming to redact most case records used in the case review, unless they are in an electronic format where a find-and-replace function can make it a relatively quick process.

Redacted case material is the preferred approach whenever possible, however. As well as helping to safeguard personal identifying information, masking the identities of the people involved (victims, suspects, children, and practitioners) can help take the focus off of particular individuals or personalities and shift it to the practices involved. Redacting names of practitioners handling the case is particularly helpful in keeping the case review focused on systemic practices rather than individual performance. Consult agency administrators in advance to determine whether or not to redact the case material that is distributed to the team and, if so, to what extent. For example, prosecution case files that a work group reads in place, without photocopying, and that do not leave the prosecutor's office might be entirely un-redacted. Copies of 911 transcripts or arrest reports that team members read off-site would, at a minimum, have birthdates redacted and Social Security numbers removed. See the case review instructions template.

6. **Compile case files, worksheets, instructions, and mapping notes for each group member.**

   • Use the template to prepare instructions.

   • Provide or confirm that each work group member has the Blueprint brochure or similar material available as a reference.

   • For large case files or reports, construct a timeline of events to include.

   • Have a set of any applicable policies and protocols available for reference during the work group meetings.

   • Have the **Blueprint Essential Elements Annotated** (Appendix 10 in Becoming a Blueprint Community) available for reference.

7. **Orient any work group members who are new to the Blueprint to its purpose and goals.**

8. **Note: the coordinator or a member of the work group records the analysis.**

Recommended: use a blank version of the case review worksheet in an electronic format to record a summary of the case review analysis for each agency and element of practice. This approach facilitates sharing the results with agency liaisons and administrators and the adaptation team. It also facilitates transferring information to the notes and documentation tool if the coordinator has

selected that option to track the results of the policy comparison, case reviews, and other findings from the practice assessment. Whatever the method of taking notes and tracking each work group's analysis, a summary of the case review must be available when the team meets to review the policy and practice assessment findings and identify gaps for the Blueprint to address.

**Blueprint for Safety Policy and Practice Assessment: Confidentiality Agreement Template**

The [community name] Blueprint for Safety Policy and Practice Assessment (hereinafter Blueprint Practice Assessment) of the [agency name] response to domestic violence will involve reviewing case records and other documents. To ensure the integrity of the process, respect the role of individual agency employees, and protect the privacy of community residents, assessment team members agree to the following:

1. The material collected and distributed to assessment team members is intended only for use in conducting the Blueprint Practice Assessment and to inform the Blueprint coordinator, adaptation team, and policy makers on the need for changes in intervention practices.

2. Team members will keep any materials containing case information confidential, in a secure location, and will return materials to the Blueprint Coordinator as requested on designated dates.

3. Team members will not identify or discuss any person named in any case materials, except as necessary within assessment team meetings.

4. Team members will not remove or copy any non-public forms, files, or other records containing personal identifying information.

5. Team members will adhere to agreed-upon procedures for releasing information about the assessment to agency administrators.


Blueprint Assessment Team Member Signature: _____

Print Name: _____ Date: _____


PLEASE RETURN THE SIGNED ORIGINAL TO [Blueprint Coordinator]


Questions? Contact [enter contact information for Blueprint Coordinator]

**Instructions to Case Review Work Group - Template**

1. Review the instructions and become familiar with the case review worksheet(s) and the essential elements.

2. Note the following cautions and procedures related to un-redacted and original case records.

| Any **un-redacted case records**, *copied or original (records include actual names and personal identifying information)* | *Original, onsite case records (records are in un-redacted and original form and available only on agency premises)* |
|---|---|
| • Use the redacted case number.<br><br>• Avoid using actual names in notes; use abbreviations, such as:<br><br>    ○ VIC = Victim / VIC1, VIC2, etc.<br><br>    ○ DEF = Defendant<br><br>    ○ J = Judge<br><br>    ○ MAG = Magistrate<br><br>    ○ CH = Child<br><br>    ○ WIT = Witness<br><br>    ○ PROS = Prosecutor<br><br>    ○ LE = Law enforcement officer<br><br>    ○ PROB = Probation agent<br><br>• Do not use or record addresses, birthdates, Social Security numbers, driver's license numbers or other personal identifying information. | • Follow all cautions for working with un-redacted case records.<br><br>• Use the sticky notes provided to flag/highlight contents, forms, questions.<br><br>• Do not write on the file or anything in it.<br><br>• Do not reorder or remove any documents included in the case file. |

3. Listen to the first call or read the first report or case file or document without stopping to take many notes on the worksheet or jumping into the analysis.

   a. Read page by page as if you were reading a story of the events.

   b. Let the words do the talking.

   c. Highlight or flag what catches your ear or eye in relation to the overall response and the essential elements included on the worksheet.

    d.   Highlight or flag key forms (e.g., police report, conditions of release, presentence investigation report, order of probation, victim impact statement).

4.   Read through the case record a second time; pay close attention to whether and how it reflects the essential elements listed on the worksheet (use one worksheet per case).

    a.   Check off all practices that are evident in the call, report, or file.

    Not every practice will be evident or applicable. For example, if no children are present or the suspect has not left the scene, elements related to the welfare of children or searching for a suspect would not apply.

    b.   Under the column: How does current PRACTICE compare?

        i.   Note what actually happens in practice. Is the element visible in practice or missing? What has actually happened in this particular case?

        ii.   Pay attention also to what is unknown, not applicable, or not possible in the case. Such information points the way to areas where the adaptation team might need to take a closer look, as well as to areas of possible change that will be necessary to fully implement the Blueprint essential elements.

    c.   Record any additional observations, questions, or examples related to the case and the practitioner's response.

    d.   Pay attention to whether and how the response reflects the Blueprint goals and principles (use the Blueprint brochure as reference).

    e.   Use quotes and concrete examples to illustrate key points and questions.

5.   Repeat steps 2 through 4 for each case record assigned.

6.   Review and discuss each case record together as a work group.

Identify themes and common gaps that emerge through the discussion. Note where essential practices are consistently occurring as well as where there are gaps.

7.   Compile a summary of the discussion for each essential practice element.

    a.   Option: Use a blank version of the case review worksheet in an electronic format to record a summary of the case review analysis for each agency and element of practice. The coordinator can use the cut-and-paste feature to transfer information to the notes and documentation tool.

    b.   Option: Blueprint coordinator uses the notes and documentation tool during the work group's discussion to summarize the results of the case.

    c.   Option: Select a work group member to record the summary discussion on a blank case review worksheet and submit it to the Blueprint coordinator.

## [7] CASE REVIEW WORKSHEETS

Case review worksheets are included for the following key steps in the criminal legal system process. The worksheets are organized by step or function and each one generally corresponds to the related agency. Where more than one local agency performs the same or similar functions—e.g., multiple police departments; a city and a county prosecutor; local and state probation—adapt the worksheet header to indicate the specific agency.

1. **911 Emergency Communications**

2. **Law Enforcement**

3. **Pretrial Release / Bail Evaluation**

4. **Sheriff's Office**

5. **Prosecutor**

6. **Victim/Witness**

7. **Probation**

8. **Bench and Court Administration**

**Blueprint Practice Assessment – Case Review: 911 Emergency Communications**

| 911 EMERGENCY COMMUNICATIONS | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this call/case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| 1. **Set priority-level response for domestic assault calls.** | |
| 2. **Elicit and relay to responding officers information about:** | |
| • **Type & level of danger, weapons, types of violence used, etc.** | |
| • **Exact report of what caller saw/heard/experienced** | |
| • **Who is at the scene** | |
| 3. **Collect and relay information to aid officers in apprehending suspects who have left the scene.** | |
| 4. **Communicate effectively and respectfully with callers.** | |
| 5. **Tell callers when a squad has been dispatched.** | |
| 6. **Determine how and when to safely keep callers on the line.** | |
| 7. **Respond to people having difficulty with communication.** | |
| 8. **Safely respond to interrupted calls.** | |
| 9. **Safely respond to children on the line.** | |

| 911 EMERGENCY COMMUNICATIONS | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this call/case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| **10. Communicate in person's first language and in ways that address limited English proficiency; provide access to interpretation, including TTY/TDD, when required.** | |
| **11. Utilize all available databases and information sources to obtain history on suspect.** | |
| **12. Code calls accurately when domestic violence-related.** | |
| **13. Record and keep calls and related documents in a manner which allows later access by bail evaluators, investigators, prosecutors, probation, and defense attorneys.** | |
| **14. Foster engagement with people seeking help:**<br><br>• **Avoid placing the victim in a position of confrontation with the offender.**<br><br>• **Protect victim from retaliation when communicating with offender.**<br><br>• **Treat each interaction with the victim as an opportunity to build a partnership over multiple contacts.**<br><br>• **Demonstrate awareness of signs that violence may be resuming or escalating.**<br><br>• **Inform caller before placing him/her on hold.** | |

| 911 EMERGENCY COMMUNICATIONS | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this call/case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| **15. Conduct regular supervisory review of calls and practice according to Blueprint policies and protocols.** | |
| **16. Provide structure for managers to participate in ongoing interagency Blueprint monitoring, evaluation, and maintenance.** | |
| **17. Other observations related to the response to this call/case:**<br><br>• **Strengths**<br><br>• **Other gaps** | |

Blueprint Policy and Practice Assessment: Law Enforcement

| LAW ENFORCEMENT<br><br>Essential Elements<br><br><br>Call/Case ID# _____ | How does current *PRACTICE* compare?<br><br>What actually happens in this call/case?<br><br>☐ *Check all practices demonstrated; give examples*<br><br>☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
|---|---|
| 1. **Obtain or request enhanced information from dispatch, including:**<br><br>• **Type & level of danger, weapons, types of violence used, etc.**<br><br>• **Exact report of what caller saw/heard/experienced**<br><br>• **Who is at the scene**<br><br>• **Information to aid in locating suspect who has left the scene** | |
| 2. **Separate the parties and minimize sight and sound contact between suspect and victim(s) as safety permits.** | |
| 3. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | |
| 4. **Interview everyone at the scene (including children) and obtain contact information for all.**<br><br>• **Obtain detailed contact information for the victim.**<br><br>• **Obtain suspect's statement if present at the scene or if s/he can be located.** | |
| 5. **Identify and check on the welfare of all children at the scene.** | |

| LAW ENFORCEMENT | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this call/case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |

6. **Document and collect all available evidence, including photographs of all injuries, the scene, broken or damaged belongings, weapons, witness statements, electronic (e.g., recordings of text messages, voice-mail, social media), indicators of strangulation, indicators of stalking.**

   - **Do not seize telephone if it would leave victim without a working phone.**

   - **Request the victim sign a medical release if medical treatment will be sought.**

   - **Collect and secure evidence related to probable cause regardless of suspect's absence from the scene.**

   - **Note spontaneous statements by those at the scene.**

   - **Note physical appearance and emotional demeanor of parties.**

7. **Determine the existence of civil protection orders, harassment restraining orders, and criminal no-contact orders.**

8. **Ask about and document past history of violence and stalking.**

   - **Victim and witness informants**

   - **Law enforcement and criminal history records**

| LAW ENFORCEMENT | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this call/case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |

9. **Ask and document responses to the risk questions and follow-up:**

   a) **Do you think he/she will seriously injure or kill you, your children, or someone else close to you? What makes you think so? What makes you think not?**

   b) **How frequently does he/she intimidate, threaten, or assault you? Is it changing? Getting worse? Getting better?**

   c) **Describe the time you were the most frightened or injured by him/her.**

   d) **Have you ever been threatened or intimated by him/her for seeking help or attempting to seek help from police, the courts or others? How?**

10. **When both parties have used violence:**

   • **Assess <u>first</u> for self-defense; arrest the party who was not acting in self-defense.**

   • **If cannot determine self-defense, assess for the predominant aggressor; arrest the predominant aggressor.**

   • **Discourage dual arrest.**

| LAW ENFORCEMENT | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this call/case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| **11. Mandatory arrest with probable cause and any one or more of the following conditions:**<br><br>  • **Felony-level crime**<br><br>  • **Injury or impairment to victim**<br><br>  • **Dangerous weapon involved**<br><br>  • **Violation of order for protection, harassment restraining order, or no-contact order**<br><br>  • **Victim fears imminent bodily harm** | |
| **12. Ask about and document threats to victim for seeking help or attempts to dissuade victim from seeking help.** | |
| **13. Whether or not there has been an arrest, provide assistance to victims before clearing the scene:**<br><br>  • **At a minimum, address: medical care, transport to a safe place, notice of victim's rights and compensation, advocacy and community resources, civil protection orders.**<br><br>  • **Encourage victim to call 911 if suspect returns to the scene.** | |
| **14. When probable cause exists to make an arrest and the suspect has left the scene, collect all evidence, take measures to locate the suspect and protect the victims; submit an investigation report.** | |

| LAW ENFORCEMENT | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this call/case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| **15.** Document patrol response and arrest decision in a report utilizing information in the Domestic Violence Patrol Report Checklist (attached). | |
| **16.** If there is insufficient probable cause for an arrest, write a brief report to document the complaint and the response. Do not recode a call dispatched as domestic abuse-related to a non-domestic category. | |
| **17.** If the suspect is gone from the scene (GOA), collect evidence in the same way as when an arrest has taken place and search for suspect as is reasonably possible. | |
| **18.** Conduct prompt supervisory review and (1) assign follow-up investigation when patrol has determined probable cause for an arrest or (2) forward to charging attorney without further investigation. | |
| **19.** Cases with one or more of the following receive high priority regardless of whether offender is in custody or out of custody ("gone-on-arrival"): <br><br> • **Imminent time deadline** <br><br> • **Significant injury or impairment** <br><br> • **Strangulation or stalking alleged** <br><br> • **Victim's response to risk questions indicates significant risk** | |

| LAW ENFORCEMENT | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this call/case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| **20. In gross misdemeanor and felony cases:**<br><br>• **Conduct an expanded domestic violence risk assessment as warranted, starting from responses to the three risk questions.**<br><br>• **Evaluate for all possible charges.** | |
| **21. Be alert to and investigate types of crimes associated with domestic violence:**<br><br>• **Stalking/harassment**<br><br>• **Strangulation**<br><br>• **Sexual coercion/sexual aggression**<br><br>• **Witness tampering** | |
| **22. Promptly notify the victim when a case is declined for referral to prosecution.** | |
| **23. Determine if the suspect is on probation; if so, notify probation of the circumstances of the case, including any offenses where the suspect left the scene and has not been located.** | |
| **24. Engage with victims in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration over time, and increase access to services and protection.** | |

| LAW ENFORCEMENT | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this call/case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |

| | |
|---|---|
| **25. Conduct regular supervisory quality and compliance review of departmental practice according to adapted Blueprint policies and protocols.**<br><br>• **Patrol and investigation supervisors conduct regular review of reports and files**<br><br>• **Refer reports to supervisors and commanders for review, redrafting, and policy/protocol clarification**<br><br>• **Approve officers' actions when exceptions to arrest policy are contemplated** | |
| **26. Provide structure for supervisors to participate in ongoing interagency Blueprint monitoring, evaluation, and maintenance.** | |
| **27. Meet regularly with 911, prosecution, and probation to discuss and resolve problematic cases and responses.** | |
| **28. When an incident involves department employee:**<br><br>• **Investigate, make arrest decision, process evidence, and conduct follow-up investigation to ensure safety and accountability.**<br><br>• **Send a supervisor of higher rank than the suspect to the scene.**<br><br>• **Supervisor shall recover arrestee's badge, law enforcement identification card, and weapon.** | |

| LAW ENFORCEMENT | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this call/case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |

**29. Incidents involving public figures:**

- **Investigate, make arrest decision, process evidence, and conduct follow-up investigation to ensure safety and accountability.**

- **Send a supervisor to the scene.**

- **Take precautions to protect the victim's safety and confidentiality.**

**26. Other observations related to the response to this call/case:**

- **Strengths**

- **Other gaps**

**Attachment to Law Enforcement Essential Elements – Practice Assessment Case Review**

**Domestic Violence Patrol Report Checklist**

**Background and officers' actions:**

❑ Time of officers' arrival and time of incident

❑ Relevant 911 information, including specific details about any violence or threats in the 911 call

❑ Immediate statements of either party and any witnesses at the scene

❑ A complete description of the scene

❑ Note any existing protection or no-contact orders, probation, warrants, prior convictions

❑ Summarize actions taken by responding officers (e.g., entry, arrest, non-arrest, use of force, attempts to locate, transport, advocacy contact and referrals, victim notification, seizing firearms, rationale for self-defense or primary aggressor determination)

❑ Account of evidence collected (e.g., pictures, statements, weapons, other)

**For each witness and party involved:**

❑ His/her account of events and responses to follow-up questions

❑ Officer observation related to the person's account of events

❑ Identification, address, and means of locating the person for follow-up, including:

  o Home address and phone number

  o Place of employment, work address and phone number

  o Cell phone number(s)

  o Relationship to other parties

**For each party involved:**

❑ Injuries or impairment, (including pain, strangulation effects, breathing, movement impairment)

**Information from the victim**, including history of violence and stalking and contact information:

❑ Responses to the risk questions:

5. Do you think he/she will seriously injure or kill you or your children? What makes you think so? What makes you think not?

6. How frequently and seriously does he/she intimidate, threaten, or assault you? Is it changing? Getting worse? Getting better?

7. Describe the time you were the most frightened or injured by him/her.

8. Have you ever been threatened or intimated by him/her for seeking help or attempting to seek help from police, the courts or others? How?

❑ Threats to the victim for seeking help, particularly from law enforcement or courts, and stalking behaviors

❑ Name and phone numbers of someone who can always reach the victim

**Attachment to Law Enforcement Essential Elements – Practice Assessment Case Review**

**Domestic Violence Patrol Report Checklist**

❑ Presence of risk factors (see below)

❑ If an arrest was not made, the reason why

❑ When possible, issue a squad pick-up and hold on suspects not on the scene ("gone-on-arrival" or GOA) that are on probation.

❑ Emotional state/demeanor

❑ Acts of intimidation or aggression

❑ Presence or use of weapons

❑ Alcohol or drug consumption and impairment of those involved

NOTE: Record victim contact information in the confidential section of the report.

❑ Inform the victim that every effort will be made to protect this information, but that it is possible that the suspect could gain access via court order

**Additional information related to the suspect:**

❑ GOA: details about where the suspect might be and where he/she stays when not at the address of the incident; physical and vehicle descriptions; aliases

❑ Suspect's county and state of residence during the past ten years

❑ Whether Miranda is given and/or request for attorney and when this occurred

❑ Whether a custodial taped interview of the suspect was conducted

❑ Any spontaneous statements given by the suspect after the arrest

**Additional information related to the case:**

❑ Details regarding presence, involvement, and welfare of children at the scene

❑ Existence of language, communication, or cognition barriers

❑ Medical help offered or used, facility, and medical release obtained

❑ Presence or involvement of elderly people or people with disabilities

**RISK & DANGER FACTORS**
*Caveat-Not a complete list:*

• Stalking

• Strangulation; attempts to "choke"

• Threats to kill the victim

• Victim believes or fears threats to kill

• Threats to kill 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,

**Attachment to Law Enforcement Essential Elements – Practice Assessment Case Review**

**Domestic Violence Patrol Report Checklist**

or threatens with a weapon

- Violence outside of home

- Increase in frequency, severity, or type of violence

- Frequent impairment by alcohol or drugs

- Victim attempting a permanent break

- Estrangements and separations

- Failure of prior interventions

- Prior arrests, law enforcement calls, and/or protection order(s)

- Obsessive control of victim's daily activities; obsessive jealousy

**Violence with a pattern of coercion is a serious marker of high risk violence.**

*For more information see Blueprint for Safety Appendix 1A: Practitioners' Guide to Risk and Danger in Domestic Violence Cases*

**Blueprint Policy and Practice Assessment: Pretrial Release / Bail Evaluation**

| PRETRIAL RELEASE / BAIL EVALUATION<br><br>**Essential Elements**<br><br><br>**Call/Case ID# _____** | How does current *PRACTICE* compare?<br><br>**What actually happens in this case?**<br><br>☐ *Check all practices demonstrated; give examples*<br><br>☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
|---|---|
| 1. **Present a bail evaluation that includes severity and context, criminal history, risk to the victim and community as well as likelihood of reappearance.** | |
| 2. **Inform the victim of limits of confidentiality; put procedures in place to protect information obtained from victim to the extent possible under law.** | |
| 3. **Differentiate recommendations for bail and conditions of release based on risk, context, and severity.** | |
| 4. **Contact the victim about the incident, history of violence, and wishes concerning conditions of release, including no-contact orders.** | |
| 5. **Inform the victim promptly of ordered conditions of release.** | |
| 6. **Supervise defendants granted conditional release, monitor for compliance with conditions of release, and respond promptly to violations of conditional release; take action based on the nature of the violation and risk and danger.** ☐ | |
| 7. **Inform victim of who to contact and how to report violations or harassment by defendant.** | |

| PRETRIAL RELEASE / BAIL EVALUATION | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this case?** |
| **Call/Case ID# _____** | ☐ *Check all practices demonstrated; give examples* |
| | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| 8. **Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, and increase access to services and protection.** | |
| 9. **Respond promptly to violations of conditional release; take action based on the nature of the violation and risk and danger.** | |
| 10. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | |
| 11. **Conduct regular supervisory review of pretrial/bail evaluation practices according to Blueprint policies and protocols** | |
| 12. **Provide structure for managers to participate in ongoing interagency Blueprint monitoring, evaluation, and maintenance.** | |
| 13. **Meet regularly with prosecution and court administration to discuss and resolve problematic practices and responses.** | |
| 14. **Other observations related to the response to this case:** | |

- **Strengths**

- **Other gaps**

Blueprint Policy and Practice Assessment: Sheriff's Office

| SHERIFF'S OFFICE<br><br>Essential Elements<br><br><br>Call/Case ID# _____ | How does current *PRACTICE* compare?<br><br>What actually happens? Based on:<br><br>☐ *Check all practices demonstrated; give examples*<br><br>☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
|---|---|
| 1. Use widest possible sources of information to locate defendant. | |
| 2. Obtain and act upon information from victims related to locating the defendant. | |
| 3. Prioritize warrants based on crime level and risk and danger. | |
| 4. When new information is received, reactivate dormant warrants and renew attempts to locate defendant. | |
| 5. Capture and report to law enforcement the defendant's behavior at time of service regarding threats, intimidation, risk and danger. | |
| 6. Capture and report to law enforcement information regarding threats and risk and danger during booking and defendant's stay in the jail. | |
| 7. Provide prompt notification to victim of defendant's impending release. | |
| 8. Prohibit visits, correspondence, and phone calls between defendant and victim if a no-contact order is issued. | |
| 9. Block victim's phone number unless victim wants contact and a no-contact order is not in place. | |

| SHERIFF'S OFFICE<br><br>**Essential Elements**<br><br><br>**Call/Case ID# _____** | **How does current *PRACTICE* compare?**<br><br>**What actually happens? Based on:**<br><br>☐ *Check all practices demonstrated; give examples*<br><br>☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
|---|---|
| 10. **Make jail audio readily available to law enforcement and prosecution.** | |
| 11. **Establish procedures to obtain, accept, and act on victims' reports of harassment or threats.** | |
| 12. **Alert courtroom security to the existence of a protection order or no-contact order.** | |
| 13. **Establish procedures to act upon violations of court orders or victim intimidation.** | |
| 14. **Provide a secure area for victims in the courthouse.** | |
| 15. **Report to prosecutors any intimidation or harassment of victim by defendant.** | |
| 16. **Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.** | |
| 17. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | |
| 18. **Conduct regular supervisory review of Sheriff's Office practice according to Blueprint policies and protocols.** | |

| SHERIFF'S OFFICE | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens? Based on:** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| **19. Provide structure for managers to participate in ongoing interagency Blueprint monitoring, evaluation, and maintenance.** | |
| **20. Other observations related to the response to this case:** | |
| • **Strengths** | |
| • **Other gaps** | |

**Blueprint Policy and Practice Assessment: Prosecution**

| PROSECUTION | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| **1. Approach charging in ways that minimize dependence on the victim and maximize other sources of information.**<br>• **Post-arrest witness intimidation is very common in domestic violence cases. Know the doctrine of forfeiture by wrongdoing and prepare the case accordingly.**<br>• **Expand the focus to include illegal behavior after patrol arrives.**<br>• **Charge all relevant crimes except where victim safety, safety of victim-defendants, warrant otherwise.** | |

| PROSECUTION | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this case?** |
| **Call/Case ID# _____** | ☐ *Check all practices demonstrated; give examples* |
| | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| 2. Evaluate the risk and lethality factors and the context of the violence and adjust prosecutorial response accordingly. | |
| 3. Request further investigation rather than decline a case that might be charged with additional evidence. | |
| 4. Reevaluate the case for additional charges or amended charges as additional evidence is gathered. | |
| 5. Be aware of potentially undercharged crimes in domestic violence cases: strangulation, stalking, sexual coercion/sexual aggression, and witness tampering. | |
| 6. Relay charging decisions, including declining or dismissing charges, promptly to law enforcement, victim, and victim/advocate. | |
| 7. Engage with victims in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection. | |
| 8. Communicate in a person's first language and in ways that address limited English proficiency and literacy. | |
| 9. Engage in and document early and continuing contact with victims. | |

| PROSECUTION | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| 10. **Adopt process to obtain and consider input from victim and/or victim's advocate about pretrial conditions of release.** | |
| 11. **Consider each no-contact order individually.** | |
| 12. **Do not threaten to or place a victim in custody to ensure witness availability.** | |
| 13. **Approach cases with the understanding that the victim may not appear for trial or may recant.** | |
| 14. **Do not file criminal charges against a recanting victim.** | |
| 15. **Make recommendations for bail and pretrial conditions of release that reflect context and severity of the offense, the risk and danger, and safety needs of the victim and public.** | |
| 16. **Unless provided by another agency, keep victim informed of bail and pretrial release conditions and procedures.** | |
| 17. **Take prompt action upon notice of violation of conditional release to ensure sure and swift consequences.** | |

| PROSECUTION | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| 18. **Obtain and take into account input from victim and advocate about plea and sentencing recommendations.** | |
| 19. **Ensure access to victim's rights protections under state statutes, including the right to restitution, compensation and offering victim impact statements.** | |
| 20. **Adjust the response when considering plea agreements and sentencing with victim/defendants.** | |
| 21. **Request a probationary no-contact order at the victim's request, overriding this request only in rare cases where the suspect poses significant danger to the victim or the community.** | |
| 22. **Provide information on plea and sentencing to appropriate persons and agencies including the victim.** | |
| 23. **Provide probation PSI writer with already gathered information.** | |
| 24. **Take prompt action to address violations of probation conditions to ensure sure and swift consequences.** | |

| PROSECUTION | How does current *PRACTICE* compare? |
| --- | --- |
| **Essential Elements** | **What actually happens in this case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| **25. Conduct regular supervisory review of prosecution files and practices according to Blueprint policies and protocols.** | |
| **26. Provide structure for managers/supervisors to participate in ongoing interagency Blueprint monitoring, evaluation, and maintenance.** | |
| **27. Other observations related to the response to this case:** <br><br> • **Strengths** <br><br> • **Other gaps** | |

**Blueprint Policy and Practice Assessment: Victim/Witness**

| VICTIM/WITNESS<br><br>Essential Elements<br><br><br>Call/Case ID# _____ | How does current *PRACTICE* compare?<br><br>What actually happens in this case?<br><br>☐ *Check all practices demonstrated; give examples*<br><br>☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| --- | --- |
| 1. **Inform victim that communication is not confidential.** | |
| 2. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | |
| 3. **Make contact as soon as possible and maintain contact throughout the criminal court process.** | |
| 4. **Connect victims with community-based advocates who can provide assurance of confidentiality.** | |
| 5. **Seek input from the victim at all stages of the process and communicate information to prosecutor.** | |
| 6. **Facilitate victim's access to the prosecutor and legal system to ensure that the victim has a voice in process and that her/his expressed concerns are communicated and considered.** | |
| 7. **Explore victim's concerns about safety and problem-solve to address question and concerns, including the implications of a no-contact order.** | |

| VICTIM/WITNESS | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this case?** |
| **Call/Case ID# _____** | ☐ *Check all practices demonstrated; give examples* |
| | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| 8. **Provide required victim notifications related to the criminal case process pursuant to state law and assist victims in exercising their rights.** | |
| 9. **Work with prosecution to ensure access to victim's rights protections under state statutes, including the right to restitution, compensation and offering victim impact statements..** | |
| 10. **Offer support, information and resources throughout the process.** | |
| 11. **Arrange assistance as needed to facilitate victim's participation in court proceedings.** | |
| 12. **Facilitate victim's connection to probation throughout presentence investigation, sentencing, and supervision.** | |
| 13. **Provide for post-conviction assistance, information, and support.** | |
| 14. **Engage with victims in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.** | |
| 15. **Conduct regular supervisory review of Victim/Witness agency practice according to Blueprint policies and protocols.** | |

| VICTIM/WITNESS | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this case?** |
| **Call/Case ID# _____** | ☐ *Check all practices demonstrated; give examples* |
| | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| 16. **Provide structure for managers to participate in ongoing interagency Blueprint monitoring, evaluation, and maintenance.** | |
| 17. **Meet regularly with law enforcement and prosecution to discuss and resolve problematic cases and responses.** | |
| 18. **Other observations related to the response to this case:** | |
| • **Strengths** | |
| • **Other gaps** | |

**Blueprint Policy and Practice Assessment: Probation**

| PROBATION<br><br>Essential Elements<br><br><br>Call/Case ID# _____ | How does current *PRACTICE* compare?<br><br>What actually happens in this case?<br><br>☐ *Check all practices demonstrated; give examples*<br><br>☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
|---|---|
| 1. Establish procedures to obtain victim input regarding presentence investigation (PSI) and conditions of probation, including no-contact orders and response to violations. | |
| 2. Conduct PSIs that search all available records and capture complete information about the current offense and defendant's past use of violence. | |
| 3. Incorporate history, context, severity, risk and danger in the PSI report, with particular attention to those cases involving apparent victim-defendants (i.e., where the defendant appears to have been abused in the past by the identified victim in the case). | |
| 4. Make PSI recommendations based on context, severity, risk and danger. | |
| 5. Attempt to meet with or contact the victim prior to first meeting with the defendant. | |
| 6. Meet promptly with offender to review all probation conditions and obtain signed releases. | |

| PROBATION | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| **7. Provide supervision that is appropriate to risk and danger and consistent in holding offender accountable.**<br><br>• **Ensure that supervision of victim-defendants does not make the defendant more vulnerable to further violence.**<br><br>• **Identify high risk offenders and utilize enhanced supervision.** | |
| **8. Provide immediate response to probation violations, differentiated based on risk posed to the victim and the community.** | |
| **9. Establish procedures to hear probation violations based on new criminal activity before the new charge is resolved, if the activity is associated with increased risk to victim.** | |
| **10. Provide timely and thorough notification to victims of the terms and conditions of probation.** | |
| **11. Seek information from victims about their concerns during supervision, including how to report violations in a manner that does not increase risk.** | |
| **12. Ensure programming, including appropriate domestic violence treatment, that that accounts for risk and danger.** | |

| PROBATION | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this case?** |
| **Call/Case ID# _____** | ☐ *Check all practices demonstrated; give examples* |
| | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| 13. **Coordinate and share information with treatment programs; monitor compliance with probation conditions.** | |
| 14. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | |
| 15. **Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.** | |
| 16. **Other observations related to the response to this case:** | |
| • **Strengths** | |
| • **Other gaps** | |

**Blueprint Policy and Practice Assessment: The Bench and Court Administration**

| THE BENCH AND COURT ADMINISTRATION<br><br>**Essential Elements**<br><br><br>Call/Case ID# _____ | How does current *PRACTICE* compare?<br><br>**What actually happens in this case?**<br><br>☐ *Check all practices demonstrated; give examples*<br><br>☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
|---|---|
| 1. **Allow prosecutors/probation to present relevant information regarding the violence, risk, context, and severity at all stages of criminal process.** | |
| 2. **Determine pretrial conditions of release and bail based on risk factors present, victim safety, public safety and likelihood of reappearance.** | |
| 3. **Determine the issuance of no-contact orders on an individual basis.** | |
| 4. **If victim objects to issuance of a no-contact order, assess both the context and risk to victim if the no-contact order is not issued and the difficulty for victim if it is ordered.** | |
| 5. **Set conditions of release and bail when suspect cannot be arrested on scene ("gone-on- arrival") on same basis as in-custody cases.** | |
| 6. **State pretrial and probationary conditions in clear and precise language.** ☐ | |
| 7. **Read key conditions of probation aloud during sentencing.** | |
| 8. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | |

| THE BENCH AND COURT ADMINISTRATION | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| 9.  **Establish a process to allow victims to request modification or dismissal of no-contact orders.** | |
| 10. **Provide a prompt response to violations of conditions of pretrial release.** | |
| 11. **Distribute court orders, including conditions of pretrial release, no-contact orders (and any modifications or cancellations), and probation conditions to involved parties and agencies, including to victim unless provided by another agency.** | |
| 12. **Order a presentence Investigation (PSI) in all cases where the original charge is a domestic violence-related offense, regardless of conviction charge.** | |
| 13. **Issue a disposition that reflects risk, context and severity.** | |
| 14. **Except in rare cases involving particularly dangerous defendants who place victims or the community at high risk of serious or lethal harm, do not issue warrants for victims who do not appear in court pursuant to a subpoena.** | |
| 15. **Obtain victim input on pleas and sentencing.** | |

| THE BENCH AND COURT ADMINISTRATION | How does current *PRACTICE* compare? |
|---|---|
| **Essential Elements** | **What actually happens in this case?** |
| | ☐ *Check all practices demonstrated; give examples* |
| **Call/Case ID# _____** | ☐ *Note if unknown or not applicable or possible in this call/case (explain)* |
| **16. Except in very rare cases after an assessment of risk and danger, do not order a probationary no-contact order over the victim's objection.** | |
| **17. Hear probation violations promptly.** | |
| **18. Establish procedures to order surrender of firearms based on state and federal law.** | |
| **19. Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.** | |
| **20. Establish a courtroom atmosphere that enhances criminal justice system intervention to support victim safety and offender accountability.** | |
| **21. Conduct regular supervisory review of court practices according to Blueprint policies and protocols.** | |
| **22. Provide a structure for court administration to participate in ongoing interagency Blueprint monitoring, evaluation, and maintenance.** | |
| **23. Other observations related to the response to this case:**<br><br>• **Strengths**<br><br>• **Other gaps** | |

# [8] PRACTITIONER INTERVIEWS AND OBSERVATIONS

In a Blueprint for Safety Policy and Practice Assessment, interviews and observations with those working in the criminal legal system supplement information gained via the mapping and case review steps. Interviews and observations are useful in learning more about a specific step in case processing and to answer questions and clarify what the team is learning. Practitioner interviews and observations are also a way to further explore issues and gaps for victims/survivors that emerge via community consultation activities.

**Interviews: "Talking"**

Interviews provide insight into how the criminal legal system response is organized or "put together" in ways that that workers are required or authorized to take certain actions and restricted from taking others. Talking with line staff and administrators helps build more in-depth knowledge about the kinds of rules, administrative procedures, training, documents and forms, links, and other factors that influence what happens.

Interviews can help a Blueprint adaptation team expand its understanding of:

- Where and how the essential elements are included in or missing from practice

- An agency's mission and goals and how those impact the response to battering and domestic violence crimes

- The purpose of different steps in the criminal legal system process

- Functions of an worker's specific tasks

- Historical trends related to the criminal legal system and/or agency's response

- Data collection practices

- Ways in which the response is organized or unorganized to address the needs of victims of battering and their children

- How and where victims are linked with community-based advocacy

- Choices that a practitioner is authorized to make at specific points in case processing

- Responses that might reinforce gaps in safety or accountability

- How an agency's response is documented and communicated to other interveners

- Whether and how safety and accountability measures are reflected in case documents

**Observations: "Watching"**

Watching practitioners at work provides a more detailed and often more accurate picture of the criminal legal system response by focusing on what actually happens in the moment, on the job. In interviews, people tend to convey what agency policy and their job description say they should do. Observations help an assessment team see what actually happens in the response to battering and domestic violence crimes. What the team observes may confirm or contradict what they have learned at other stages of the assessment. Observations are often on opportunity to talk with practitioners as well and conduct a kind of abbreviated interview.

Observations can help a Blueprint adaptation team expand its understanding of:

- Where and how the essential elements are included in or missing from practice

- The small things that practitioners do every day or intuitively that are routine and outside of the official job description

- The conditions under which those responding to battering and domestic violence crimes actually work, such as the case-loads, time, tools and equipment involved and the short cuts workers take

- Practitioners actual interactions with the people who are involved in battering and domestic violence crimes

- The human emotions, strains, and vulnerabilities that are rarely accessible in case files and difficult to fully explore in interviews

- How specific steps and processes in the criminal legal system work and the kinds of forms, reports, and other documents that impact the process

- The full range of the ways in which criminal legal system practitioners are organized to response both within and across each key agency

**Who to talk with . . . what to watch**

A Blueprint policy and practice assessment might involve any of the following kinds of interviews and observations and others specific to local needs.

Practitioner Interviews

- Line staff and supervisors, such as:

  o Emergency communications call-takers and dispatchers

  o Patrol officers

  o Investigators/detectives

  o Jail booking and monitoring staff

  o Prosecution charging attorneys

  o Victim/witness specialists

  o Bail/pretrial release screeners and monitors

  o Presentence investigation writers

  o Probation supervisors

  o Public defenders

  o Batterer intervention program facilitators

- Members of specialized response teams or high-risk offender teams

- Staff and practitioners affiliated with family safety center-type agencies

- Staff assigned to training and policy development/management: e.g., the police training academy director; manager of the law enforcement agency accreditation process

- Agency administrators and policy-makers:

Practitioner Observations

- Sitting in with emergency communications call-takers and dispatchers

- Riding with patrol officers

- Shadowing investigators as they review and follow-up on cases

- Observing courthouse security

- Shadowing prosecutors as they make charging decisions and negotiate plea agreements

- Watching court hearings related to all facets of the case through final disposition

  o Arraignment

  o Bail setting and review

  o Pleas and sentencing

  o Trials

  o Specialized domestic violence monitoring court or hearings

- Shadowing probation supervisors

- Sitting in on meetings of specialized response or high-risk offender teams

Practitioner Interviews                    Practitioner Observations

- o   Emergency communications center
      director

- o   Chief of police and command staff

- o   Sheriff

- o   Jail administrator

- o   Pretrial screening and monitoring
      agency director

- o   Family safety center director

- o   Probation services manager

- o   Lead public defender

- o   Judges

**Scope and approach**

In a Blueprint policy and practices assessment, a mix of people conduct interviews and observations: the Blueprint coordinator, advocate, adaptation team, and/or members of agency-specific work groups. Who does what kinds of interviews or observations and how many will vary greatly. In some communities, the Blueprint coordinator and one or two members of the adaptation team might do a few follow-up interviews to clarify something that has emerged from the mapping or case review. Other communities might do interviews and observations when such questions come up. Still others might emphasize observations over interviews and focus on key points of intervention that are relatively easy to observe, such as sitting in at the 911-emergency communication center, patrol ride-along, or observations of a variety of court hearings.

In order to track and manage the overall assessment and its results, the Blueprint coordinator has the central role in scheduling and managing interviews and observations, regardless of who is assigned to a specific activity. As with access to case records, the Memorandum of Understanding secured in the planning phase sets the expectation that agencies will make staff available for interviews and observations.

The following steps and tips help guide the process, regardless of how narrow or broad the use of interviews and observations.

**Practitioner Interviews and Observations: Steps and Tips**

1. Expect to spend an hour for most interviews and two hours for most observations.

You need enough time to discuss the essential elements and explore the response to battering and domestic violence crimes.

2. Prepare ahead of time.

If unsure about the focus or purpose of the interview or observation, clarify it with the Blueprint coordinator. Review the Blueprint brochure, essential elements, and results of any mapping or case review that has occurred.

3. Consider the person to be interviewed or observed as an extension of the Blueprint adaptation team.

Their perspectives into the criminal legal system process is a significant source of information. They will have many contributions to understanding whether and how the essential elements are reflected in policy and practice.

4. Provide a brief overview of the Blueprint for Safety and the policy and practice assessment.

Ask about the person's familiarity with the Blueprint for Safety and provide a brief overview as needed. Leave a copy of the Blueprint brochure or similar local document. Explain the policy and practice assessment phase and emphasize that the interviews and observations are not assessments of individual effectiveness or actions.

5. Use the Blueprint mapping as a guide for asking questions and watching what is happening.

The map provides a reference point about what is currently happening—or what the assessment team thinks is happening, based on its inquiry thus far.

6. Use the Blueprint essential elements for the agency as a guide for asking questions and watching what is happening.

The essential elements provide a clear, useful framework for talking with a practitioner about what may or may not be happening under current policy and practice.

7. Seek concrete examples.

Ask for specific example of what you are discussing: show me the case file, report, form, computer screen, etc. Describe the last two cases where you saw this essential element in practice . . . where the policy didn't work. Note concrete details from cases you observe.

8. Ask about the uses of policies, forms, and technology; how information is collected and routed; how this practitioner is linked to others.

Use the interview or observation to fine-tune the policy and practice assessment's discoveries about how the criminal legal system response to battering and domestic violence crimes is organized.

9.  Avoid arguing or disagreeing about practices you observe or opinions that differ from your own.

Arguing or judging diverts attention away from the goal of fully understanding what is happening at a certain point in case processing and how the essential elements are present or absent. The more relaxed you stay, the better the person being interviewed or observed will be at sharing their perspective and contributing to the assessment.

10. Prepare, review, and submit notes promptly to the Blueprint coordinator.

The longer you wait to sum up the interview or observation, the more likely you are to miss the flow and forget key insights to share with the assessment team. In addition, the Blueprint coordinator has a big job in managing and tracking the results of the policy and practice assessment, as well as the Blueprint adaptation process overall. Prompt completion of assignments and notes help keep the process moving forward.

# [9] ANALYSIS AND REPORTING

Analysis is the process of gathering the insights and ideas that emerge from the policy and practice assessment in order to identify problems, support the statements with documentation, and define the kinds of changes that need to occur. Analysis occurs in a dynamic, ongoing way as part of the information-gathering, from community consultation and mapping to policy comparison, case review, and any interviews and observations. Through analysis, the Blueprint coordinator and work groups answer the four questions that frame the assessment:

1. How does the current criminal legal system response meet the Blueprint's essential elements for recommended practice in battering and domestic violence related crimes?

2. What are the range of victims' needs and experiences with the current response?

3. What are the experiences of victims from communities that are over-represented and/or underserved in the criminal legal system?

4. What policy and practice changes should be made to address gaps in recommended practice and to better meet victims' needs within the framework of the Blueprint for Safety?

The assessment provides the foundation for Phase Three: Adapt Policy and Adjust Practice. The primary need for reporting the assessment outcomes is to prepare the work groups that will identify agency-specific policy revisions and changes to current practice and produce the collective Blueprint policy. In addition, the full Blueprint adaptation team, organizers and key champions, agency heads, and others in the community need to know how the current legal system response compares to the Blueprint's recommended practice. Reporting does not require a complex, formal document but it should address the four questions that frame the assessment and highlight how current practice compares to the Blueprint's essential elements.

**Coordinating the analysis and reporting**

1. Utilize Coordinating the Blueprint for Safety: Strategies to Stay Focused and Move Forward (Appendix 19 in Becoming a Blueprint Community).

    This tool provides a reference point and strategies for facilitating the assessment process.

2. Meet frequently during the assessment to discuss what the work groups and team members are learning.

Regular check-in meetings help capture what the assessment is learning, keep the process moving, and identify where additional information-gathering is needed. Ask and document:

- What have we learned . . .

    o   About how current practice reflects the essential elements?

    o   Victims' needs and experiences with the current response?

o   Experiences of victims from over-represented and/or underserved communities?

- Where do we need more information? What kind of information?

- What are the potential gaps in recommended policy and practice? What changes will help solve these problems?

3.   Build the analysis over time.

Initial conclusions may not hold up. Expand the understanding of what is happening in the response by asking more questions and gathering additional information where needed. Revise or eliminate problem statements accordingly.

4.   Draw on the Blueprint Essential Elements as a primary frame of reference, in both the annotated form and as policy comparison and case review worksheets.

The essential elements help focus attention and provide an anchor for discussions and examples of what the assessment team is learning about policy and practice.

5.   For each problem that emerges, apply the following four-step process to sum up the nature and likely sources of the problem.

A.   Identify and document the problem.

o   Where in the process does it occur?

o   What data sources contribute to identifying the problem?

- Statistical

- Mapping

- Community consultation

- Policy comparison

- Case reviews

- Interviews

- Observations

B.   Address who is most affected by the problem and in what ways.

o   Are there different impacts according to people's life circumstances, cultural identities, communities?

o   How does the problem affect those overrepresented and/or underserved in criminal legal system?

C. Expand understanding of the problem via additional information as needed.

    o   What additional information needs to be developed?

    o   Who needs to be involved?

D. Identify the sources of the problem in the ways in which the response is organized.

    o   Rules & regulations

    o   Administrative practices

    o   Resources

    o   Linkages

    o   Education & training

    o   Concepts & theories

    o   Mission, purpose, & function

    o   Accountability

Use the Problem Analysis Worksheet and the related reference, Primary Ways of Organizing Work, to guide the work groups' discussions and analysis.

6. Collect individual and group notes; document discussions and recommendations.

Making recommendations for policy and practice adaptations is a smoother process when there is a clear record of what the assessment discovered. The Policy and Practice Assessment Notes and Documentation template (Appendix 22-10) provides an all-in-one tool for a coordinator to maintain a record of the assessment. Use the template as-is, customize it, or use it as a framework for building a database to document and query the results of the assessment.

7. Draft reports as needed to prepare the Phase Three policy adaptation work groups and to update the Blueprint adaptation team, Blueprint organizers and champions, and agency heads.

"Reports" can take different forms, depending upon the purpose and level of detail needed. For example:

    o   Printed or electronic version of the completed Policy and Practice Assessment Notes and Documentation Tool (Appendix 22-10)

        If used to track assessment results, the information included in the notes and documentation template will benefit the Phase 3 policy adaptation work groups as they determine what kind of policy changes to recommend. Generate agency-specific reports for individual work groups. Provide the entire report to the Blueprint adaptation team.

Include a face sheet that summarizes the highest priorities and discoveries related to the four questions that frame the assessment.

o   Oral presentation plus a one-page handout with highlights of the assessment

This format is useful for updates to agency administrators and to the Blueprint adaptation team, organizers, and champions. Use the four questions to organize the information. Such a report can be agency-specific (e.g., briefing to police department command staff or the district attorney's office) or include the full scope of the Blueprint. The handout provides a take-away for the audience to

o   Web site platform

Updates can be distributed via a password link that the Blueprint adaptation team and other authorized users have access to. Any public reports should be cleared with the agencies involved.

**Policy and Practice Assessment: Problem Analysis Worksheet**

| Step | Notes |
|---|---|
| **Step 1:**<br><br>**Identify and document the problem.**<br><br>• **Where in the process does it occur?**<br><br>• **What data sources contribute to identifying the problem?**<br>    ○ **Statistical**<br>    ○ **Mapping**<br>    ○ **Community consultation**<br>    ○ **Policy comparison**<br>    ○ **Case reviews**<br>    ○ **Interviews**<br>    ○ **Observations** | |
| **Step 2:**<br><br>**Address who is most affected by the problem and in what ways.**<br><br>• **Different impacts according to people's life circumstances, cultural identities, communities?**<br><br>• **Those overrepresented and/or underserved in criminal legal system?** | |
| **Step 3:**<br><br>**Expand understanding of problem.**<br><br>• **What additional information needs to be developed?**<br><br>• **Who needs to be involved?** | |

| Policy and Practice Assessment: Problem Analysis Worksheet | |
|---|---|
| **Step** | **Notes** |
| <u>**Step 4**</u>: **Identify the sources of the problem in how the agency's and/or system's response is organized.** 1) **Rules & regulations** 2) **Administrative practices** 3) **Resources** 4) **Linkages** 5) **Education & training** 6) **Concepts & theories** 7) **Mission, purpose, & function** 8) **Accountability** | |

**Primary Ways of Organizing Work**

No one working in the criminal legal system—or any other complex system—arrives at work each day and decides what to do and how to do it. While there are degrees of discretion according to role and job function, no one gets to make up her or his own job; no one has total discretion. Institutions organize and direct what workers do in order to standardize the response.

What workers must do and how they do it are shaped by laws and policies, roles and functions, procedures, training, concepts, and other factors. Identifying these factors is a key strategy in analyzing problems discovered by a Blueprint policy and practice assessment—and in solving the problems. Changing the ways in which work is organized changes the response.

1. **Rules & regulations**

   Laws, administrative rules, court rulings, policies, and directives, etc., that direct and guide management of the institution and tell workers what they must do.

**2. Administrative practices**

All ways that standardize how workers do what rules and regulations require them to do—e.g., forms, reports, screening tools, routing instructions.

**3. Resources**

Funding, materials, processes, and personnel needed to accomplish the work.

**4. Linkages**

Ways that workers are connected to other workers and processes, to the people who seek or drawn into its services, and to other institutions, such as state or federal regulating agencies.

**5. Education & training**

Formal and informal ways that workers learn their jobs and are exposed to different concepts and theories and professional thinking and practice.

**6. Concepts & theories**

Theories, assumptions, language, categories, etc., that organize workers to act on cases in authorized and approved ways.

**7. Mission, purpose, & function**

Overarching purpose of a system (e.g., criminal court), a specific process within that mission (e.g., arraignment), and a specific practitioner role (prosecutor).

**8. Accountability**

Person to person (e.g., offender to victim), practitioner to practitioner (e.g., 911 call-taker to patrol officer), agency to agency (e.g., prosecutor's office to probation), agency to person (e.g., police to victim/survivor), and institutions to due process.

# [10] NOTES AND DOCUMENTATION TOOL

**Using this tool**

This tool provides an option for the Blueprint coordinator to document the policy and practice assessment. Assessment activities occur over a period of months, using a variety of work groups. The coordinator can use the tool to update findings as they become available. The coordinator will often keep notes as a member of the work group. In other settings, a summary will be entered from notes provided by the work group.

- Option: Download the document template from www.praxixinternational.org and use as-is. [ADD more specific location and/or instructions when final]

- Option: Incorporate the content fields into any agency profile and tracking database or other system set up during Phase One.

- Bottom line: Maintain a written record of all policy and practice assessment findings and recommendations that can be shared with or used to generate reports (whether formal or informal) to the Blueprint adaptation team and work groups, organizers, and agency administrators.

To address questions about why a particular element is included, see the explanation in **Blueprint Essential Elements Annotated**, Appendix 10 in *Becoming a Blueprint Community*.

The tool is also designed to enable a coordinator to keep track of who is involved and the scope of assessment activities. For example:

| Summary of the 911 Emergency Communications assessment activities | |
| --- | --- |
| Work groups | 1 team completed all activities; members included: |
| | Susan Smith, EEC supervisor; designee to Blueprint Adaptation Team |
| | John Jones, EEC deputy director (policy comparison only) |
| | Gail Green, EEC call-taker |
| | Fred Flower, EEC dispatcher (case review only) |
| | Brenda Brown, Blueprint Coordinator |

| | |
|---|---|
| | Tara Tate, Blueprint Advocate (case review only) |
| Policy review | Included EEC Standard Operating Procedures 12 and 15 |
| Case review | Listened to 25 911 call recordings; read corresponding CAD reports |
| Community consultation | 3 team members (Blueprint Coordinator, Advocate, and EEC supervisor) met with local advocates for victims of battering and advocates for the Deaf and the Latino community |
| Interviews | Lt. Deborah Dorn, City Police Department Patrol Division<br><br>District Attorney Anthony Apple |
| Observations | 1 observation (2 hours) of second shift in ECC |
| Other activities | No other activities |

**Blueprint Policy and Practice Assessment: 911 Emergency Communications – Notes & Documentation**

| Summary of the 911 Emergency Communications assessment activities | |
|---|---|
| Work groups | |
| Policy review | |
| Case review | |
| Community consultation | |
| Interviews | |
| Observations | |
| Other activities | |

| Policy & Practice Assessment | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
| --- | --- | --- |
| Notes & Documentation<br><br>**911 EMERGENCY COMMUNICATIONS** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of call recordings and dispatch records<br><br>☐ Interviews with call-takers and dispatchers<br><br>☐ Observations in the 911 center<br><br>☐ Information from victims/survivors |
| 1. **Set priority-level response for domestic assault calls.** | | |
| 2. **Elicit and relay to responding officers information about:**<br><br>• **Type & level of danger, weapons, types of violence used, etc.**<br><br>• **Exact report of what caller saw/heard/experienced**<br><br>• **Who is at the scene** | | |
| 3. **Collect and relay information to aid officers in apprehending suspects who have left the scene.** | | |

| Policy & Practice Assessment | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Notes & Documentation**<br><br>**911 EMERGENCY COMMUNICATIONS** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of call recordings and dispatch records<br><br>☐ Interviews with call-takers and dispatchers<br><br>☐ Observations in the 911 center<br><br>☐ Information from victims/survivors |
| 4. **Communicate effectively and respectfully with callers.** | | |
| 5. **Tell callers when a squad has been dispatched.** | | |
| 6. **Determine how and when to safely keep callers on the line.** | | |
| 7. **Respond to people having difficulty with communication.** | | |
| 8. **Safely respond to interrupted calls.** | | |
| 9. **Safely respond to children on the line.** | | |

| Policy & Practice Assessment | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Notes & Documentation**<br><br>**911 EMERGENCY COMMUNICATIONS** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of call recordings and dispatch records<br><br>☐ Interviews with call-takers and dispatchers<br><br>☐ Observations in the 911 center<br><br>☐ Information from victims/survivors |
| **10. Communicate in a person's first language and in ways that address limited English proficiency; provide access to language interpretation and TTY/TDD when required.** | | |
| **11. Utilize all available databases and information sources to obtain history on suspect.** | | |
| **12. Code calls accurately when domestic violence-related.** | | |
| **13. Record and keep calls and related documents in a manner which allows later access by bail evaluators, investigators, prosecutors, probation, and defense attorneys.** | | |

| Policy & Practice Assessment | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Notes & Documentation**<br><br>**911 EMERGENCY COMMUNICATIONS** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of call recordings and dispatch records<br><br>☐ Interviews with call-takers and dispatchers<br><br>☐ Observations in the 911 center<br><br>☐ Information from victims/survivors |
| **14. Foster engagement with people seeking help:**<br><br>• **Avoid placing the victim in a position of confrontation with the offender.**<br><br>• **Protect the victim from retaliation when communicating with the offender.**<br><br>• **Treat each interaction with the victim as an opportunity to build a partnership over multiple contacts.**<br><br>• **Demonstrate awareness of signs that violence may be resuming or escalating.**<br><br>• **Inform caller before placing him/her on hold.** | | |

| Policy & Practice Assessment | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Notes & Documentation**<br><br>**911 EMERGENCY COMMUNICATIONS** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of call recordings and dispatch records<br><br>☐ Interviews with call-takers and dispatchers<br><br>☐ Observations in the 911 center<br><br>☐ Information from victims/survivors |
| **15. Conduct regular supervisory quality and compliance review of calls and practice.** | | |
| **16. Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.** | | |

| Policy & Practice Assessment | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Notes & Documentation**<br><br>**911 EMERGENCY COMMUNICATIONS** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of call recordings and dispatch records<br><br>☐ Interviews with call-takers and dispatchers<br><br>☐ Observations in the 911 center<br><br>☐ Information from victims/survivors |
| **17. Meet regularly with law enforcement, prosecution, and community-based advocates to discuss and resolve problematic cases and responses.** | | |
| **18. Other observations in comparing current policy and practice with Blueprint Essential Elements:**<br><br>• **Strengths**<br><br>• **Other gaps** | | |

**Blueprint Policy and Practice Assessment: Law Enforcement**

| Summary of the law enforcement assessment activities | |
|---|---|
| Work groups | |
| Policy review | |
| Case review | |
| Community consultation | |
| Interviews | |
| Observations | |
| Other activities | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐  Review of patrol and investigation reports<br><br>☐  Interviews with patrol officers and investigators<br><br>☐  Observations (e.g., patrol ride-along)<br><br>☐  Information from victims/survivors |

| **PATROL** | | |
|---|---|---|
| 1.  **Obtain or request enhanced information from dispatch, including:**<br><br>•  **Type & level of danger, weapons, types of violence used, etc.**<br><br>•  **Exact report of what caller saw/heard/experienced**<br><br>•  **Who is at the scene**<br><br>•  **Information to aid in locating suspect who has left the scene** | | |
| 2.  **Separate the parties and minimize sight and sound contact between suspect and victim(s) as safety permits.** | | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of patrol and investigation reports<br><br>☐ Interviews with patrol officers and investigators<br><br>☐ Observations (e.g., patrol ride-along)<br><br>☐ Information from victims/survivors |
| 3. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | | |
| 4. **Interview everyone at the scene (including children) and obtain contact information for all.**<br><br>• **Obtain detailed contact information for the victim.**<br><br>• **Obtain suspect's statement if present at the scene or if s/he can be located.** | | |
| 5. **Identify and check on the welfare of all children at the scene.** | | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of patrol and investigation reports<br><br>☐ Interviews with patrol officers and investigators<br><br>☐ Observations (e.g., patrol ride-along)<br><br>☐ Information from victims/survivors |
| 6. **Document and collect all available evidence, including photographs of all injuries, the scene, broken or damaged belongings, weapons, witness statements, electronic (e.g., recordings of text messages, voice-mail, social media), indicators of strangulation, indicators of stalking.**<br><br>• **Do not seize telephone if it would leave victim without a working phone.**<br><br>• **Request the victim sign a medical release if medical treatment will be sought.**<br><br>• **Collect and secure evidence related to probable cause regardless of suspect's absence from the scene.** | | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of patrol and investigation reports<br><br>☐ Interviews with patrol officers and investigators<br><br>☐ Observations (e.g., patrol ride-along)<br><br>☐ Information from victims/survivors |
| • **Note spontaneous statements by those at the scene.**<br><br>• **Note physical appearance and emotional demeanor of parties.** | | |
| 7. **Determine the existence of civil protection orders, harassment restraining orders, and criminal no-contact orders.** | | |
| 8. **Ask about and document past history of violence and stalking.**<br><br>• **Victim and witness informants**<br><br>• **Law enforcement and criminal history records** | | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of patrol and investigation reports<br><br>☐ Interviews with patrol officers and investigators<br><br>☐ Observations (e.g., patrol ride-along)<br><br>☐ Information from victims/survivors |

9.  **Ask and document responses to the 3 Blueprint risk questions and follow-up:**

a)  **Do you think he/she will seriously injure or kill you, your children, or someone else close to you?**
    **What makes you think so? What makes you think not?**

b)  **How frequently does he/she intimidate, threaten, or assault you? Is it changing? Getting worse? Getting better?**

c)  **Describe the time you were the most frightened or injured by him/her.**

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
| --- | --- | --- |
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of patrol and investigation reports<br><br>☐ Interviews with patrol officers and investigators<br><br>☐ Observations (e.g., patrol ride-along)<br><br>☐ Information from victims/survivors |
| **10. When both parties have used violence:**<br><br>• **Assess <u>first</u> for self-defense; arrest the party who was not acting in self-defense.**<br><br>• **If cannot determine self-defense, assess for the predominant aggressor; arrest the predominant aggressor.**<br><br>• **Discourage dual arrest.** | | |
| **11. Mandatory arrest with probable cause and any one or more of the following conditions:**<br><br>• **Felony-level crime** | | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of patrol and investigation reports<br><br>☐ Interviews with patrol officers and investigators<br><br>☐ Observations (e.g., patrol ride-along)<br><br>☐ Information from victims/survivors |
| • **Injury or impairment to victim**<br><br>• **Dangerous weapon involved**<br><br>• **Violation of order for protection, harassment restraining order, or no-contact order**<br><br>• **Victim fears imminent bodily harm** | | |
| **12. Ask about and document threats to victim for seeking help or attempts to dissuade victim from seeking help.** | | |
| **13. Whether or not there has been an arrest, provide assistance to victims before clearing the scene:**<br><br>• **At a minimum, address: medical care, transport to a safe place,** | | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of patrol and investigation reports<br><br>☐ Interviews with patrol officers and investigators<br><br>☐ Observations (e.g., patrol ride-along)<br><br>☐ Information from victims/survivors |
| **notice of victim's rights and compensation, advocacy and community resources, civil protection orders.**<br><br>• **Encourage victim to call 911 if suspect returns to the scene.** | | |
| 14. **When probable cause exists to make an arrest and the suspect has left the scene, collect all evidence, take measures to locate the suspect and protect the victims; submit an investigation report.** | | |
| 15. **Document patrol response and arrest decision in a report utilizing information in the Domestic Violence Patrol Report Checklist (attached).** | | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of patrol and investigation reports<br><br>☐ Interviews with patrol officers and investigators<br><br>☐ Observations (e.g., patrol ride-along)<br><br>☐ Information from victims/survivors |
| **16. If there is insufficient probable cause for an arrest, write a brief report to document the complaint and the response. Do not recode a call dispatched as domestic abuse-related to a non-domestic category.** | | |
| **17. If the suspect is gone from the scene (GOA), collect evidence in the same way as when an arrest has taken place and search for suspect as is reasonably possible.** | | |
| **18. Conduct prompt supervisory review and (1) assign follow-up investigation when patrol has determined probable cause for an arrest or (2) forward to charging attorney without further investigation.** | | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
| --- | --- | --- |
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of patrol and investigation reports<br><br>☐ Interviews with patrol officers and investigators<br><br>☐ Observations (e.g., patrol ride-along)<br><br>☐ Information from victims/survivors |
| **19. Cases with one or more of the following receive high priority regardless of whether offender is in custody or out of custody (GOA):**<br><br>• **Imminent time deadline**<br><br>• **Significant injury or impairment**<br><br>• **Strangulation or stalking alleged**<br><br>• **Victim's response to risk questions indicates significant risk** | | |
| **20. In gross misdemeanor and felony cases:**<br><br>• **Conduct an expanded domestic violence risk assessment as warranted, starting from responses** | | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of patrol and investigation reports<br><br>☐ Interviews with patrol officers and investigators<br><br>☐ Observations (e.g., patrol ride-along)<br><br>☐ Information from victims/survivors |

  **to the three risk questions.**

- **Evaluate for all possible charges.**

21. **Be alert to and investigate types of crimes associated with domestic violence:**

- **Stalking/harassment**

- **Strangulation**

- **Sexual coercion/sexual aggression**

- **Witness tampering**

22. **Promptly notify the victim when a case is declined for referral to prosecution.**

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of patrol and investigation reports<br><br>☐ Interviews with patrol officers and investigators<br><br>☐ Observations (e.g., patrol ride-along)<br><br>☐ Information from victims/survivors |
| **23. Determine if the suspect is on probation; if so, notify probation of the circumstances of the case, including any offenses where the suspect left the scene and has not been located.** | | |
| **24. Engage with victims in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration over time, and increase access to services and protection.** | | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of patrol and investigation reports<br><br>☐ Interviews with patrol officers and investigators<br><br>☐ Observations (e.g., patrol ride-along)<br><br>☐ Information from victims/survivors |
| **SUPERVISION** | | |
| **25. Conduct regular supervisory quality and compliance review of departmental practice.**<br><br>• **Patrol and investigation supervisors conduct regular review of reports and files**<br><br>• **Refer reports to supervisors and commanders for review, redrafting, and policy/protocol clarification**<br><br>• **Approve officers' actions when exceptions to arrest policy are contemplated** | | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐   Review of patrol and investigation reports<br><br>☐   Interviews with patrol officers and investigators<br><br>☐   Observations (e.g., patrol ride-along)<br><br>☐   Information from victims/survivors |
| 26. **Provide structure for supervisors to participate in ongoing interagency monitoring, evaluation, and maintenance.** | | |
| 27. **Meet regularly with 911, prosecution, and probation to discuss and resolve problematic cases and responses.** | | |
| 28. **When an incident involves department employees:**<br><br>• **Investigate, make arrest decision, process evidence, and conduct follow-up investigation to ensure safety and accountability.**<br><br>• **Send a supervisor of higher rank than the suspect to the scene.** | | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of patrol and investigation reports<br><br>☐ Interviews with patrol officers and investigators<br><br>☐ Observations (e.g., patrol ride-along)<br><br>☐ Information from victims/survivors |
| • **Supervisor shall recover arrestee's badge, law enforcement identification card, and weapon.** | | |
| **29. Incidents involving public figures:**<br><br>• **Investigate, make arrest decision, process evidence, and conduct follow-up investigation to ensure safety and accountability.**<br><br>• **Send a supervisor to the scene.**<br><br>• **Take precautions to protect the victim's safety and confidentiality.** | | |

| LAW ENFORCEMENT | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
| --- | --- | --- |
| **Essential Elements** | Where is this element found in the agency's domestic violence policy? | What actually happens? Based on: |
| | | ☐ Review of patrol and investigation reports |
| | If missing, explain where located elsewhere in agency policy or any barriers to including it. | ☐ Interviews with patrol officers and investigators |
| | | ☐ Observations (e.g., patrol ride-along) |
| | | ☐ Information from victims/survivors |

30. **Other observations in comparing current policy and practice with Blueprint Essential Elements:**

   - **Strengths**

   - **Other gaps**

**SEE ATTACHMENT: Domestic Violence Patrol Report Checklist**

**Attachment to Law Enforcement Essential Elements: Blueprint for Safety – Domestic Violence Patrol Report Checklist**

**Background and officers' actions:**

❑ Time of officers' arrival and time of incident

❑ Relevant 911 information, including specific details about any violence or threats in the 911 call

❑ Immediate statements of either party and any witnesses at the scene

❑ A complete description of the scene

❑ Note any existing protection or no-contact orders, probation, warrants, prior convictions

❑ Summarize actions taken by responding officers (e.g., entry, arrest, non-arrest, use of force, attempts to locate, transport, advocacy contact and referrals, victim notification, seizing firearms, rationale for self-defense or primary aggressor determination)

❑ Account of evidence collected (e.g., pictures, statements, weapons, other)

**For each witness and party involved:**

❑ His/her account of events and responses to follow-up questions

❑ Officer observation related to the person's account of events

❑ Identification, address, and means of locating the person for follow-up, including:

   o Home address and phone number

   o Place of employment, work address and phone number

   o Cell phone number(s)

   o Relationship to other parties

**For each party involved:**

❑ Injuries or impairment, (including pain, strangulation effects, breathing, movement impairment)

❑ Emotional state/demeanor

**Information from the victim**, including history of violence and stalking and contact information:

❑ Responses to the risk questions:

   9. Do you think he/she will seriously injure or kill you or your children? What makes you think so? What makes you think not?

   10. How frequently and seriously does he/she intimidate, threaten, or assault you? Is it changing? Getting worse? Getting better?

   11. Describe the time you were the most frightened or injured by him/her.

   12. Have you ever been threatened or intimated by him/her for seeking help or attempting to seek help from police, the courts or others? How?

❑ Threats to the victim for seeking help, particularly from law enforcement or courts, and stalking behaviors

❑ Name and phone numbers of someone

**Attachment to Law Enforcement Essential Elements: Blueprint for Safety – Domestic Violence Patrol Report Checklist**

❑ Presence of risk factors (see below)

❑ If an arrest was not made, the reason why

❑ When possible, issue a squad pick-up and hold on suspects not on the scene ("gone-on-arrival" or GOA) that are on probation.

❑ Acts of intimidation or aggression

❑ Presence or use of weapons

❑ Alcohol or drug consumption and impairment of those involved

who can always reach the victim

NOTE: Record victim contact information in the confidential section of the report.

❑ Inform the victim that every effort will be made to protect this information, but that it is possible that the suspect could gain access via court order

**Additional information related to the suspect:**

❑ GOA: details about where the suspect might be and where he/she stays when not at the address of the incident; physical and vehicle descriptions; aliases

❑ Suspect's county and state of residence during the past ten years

❑ Whether Miranda is given and/or request for attorney and when this occurred

❑ Whether a custodial taped interview of the suspect was conducted

**Additional information related to the case:**

❑ Details regarding presence, involvement, and welfare of children at the scene

❑ Existence of language, communication, or cognition barriers

❑ Medical help offered or used, facility, and medical release obtained

❑ Presence or involvement of elderly people or people with disabilities

**RISK & DANGER FACTORS**

This is **not a complete list**, but for illustration.

• Stalking

• Strangulation; attempts to "choke"

• Threats to kill the victim

• Victim believes or fears threats to kill

• Threats to kill conveyed to others

• Threats of suicide

• Forced sex or pressuring for sex even when separated

**Attachment to Law Enforcement Essential Elements: Blueprint for Safety – Domestic Violence Patrol Report Checklist**

☐ Any spontaneous statements given by the suspect after the arrest

- Serious injury to the victim

- Carries, has access to, uses, or threatens with a weapon

- Violence outside of the home

- Increase in frequency, severity, or type of violence

- Frequent impairment by alcohol or drugs

- Victim attempting a permanent break

- Estrangements and separations

- Failure of prior interventions

- Prior arrests, law enforcement calls, and/or protection order(s)

- Obsessive control of victim's daily activities; obsessive jealousy

**Violence with a pattern of coercion is a serious marker of high risk violence.**

*For more information see  Blueprint for Safety Appendix 1A: Practitioners' Guide to Risk and Danger in Domestic Violence Cases*

**Blueprint Policy and Practice Assessment: Pretrial Release / Bail Evaluation**

| Summary of the pretrial release/bail evaluation assessment activities | |
|---|---|
| Work groups | |
| Policy review | |
| Case review | |
| Community consultation | |
| Interviews | |
| Observations | |
| Other activities | |

| PRETRIAL RELEASE / BAIL EVALUATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of completed release/bail forms/conditions<br><br>☐ Interviews with bail evaluators<br><br>☐ Observations in court or pretrial release facility<br><br>☐ Information from victims/survivors |
| 1. **Present a bail evaluation that includes severity and context, criminal history, risk to the victim and community as well as likelihood of reappearance.** | | |
| 2. **Inform the victim of limits of confidentiality; put procedures in place to protect information obtained from victim to the extent possible under law.** | | |
| 3. **Differentiate recommendations for bail and conditions of release based on risk, context, and severity.** | | |
| 4. **Contact the victim about the incident, history of violence, and wishes concerning conditions of release, including no- contact orders.** | | |

| PRETRIAL RELEASE / BAIL EVALUATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of completed release/bail forms/conditions<br><br>☐ Interviews with bail evaluators<br><br>☐ Observations in court or pretrial release facility<br><br>☐ Information from victims/survivors |
| 5. **Inform the victim promptly of ordered conditions of release.** | | |
| 6. **Supervise defendants granted conditional release, monitor for compliance with conditions of release, and respond promptly to violations of conditional release; take action based on the nature of the violation and risk and danger.** | | |
| 7. **Inform victim of who to contact and how to report violations or harassment by defendant.** | | |
| 8. **Respond promptly to violations of conditional release; take action based on the nature of the violation and risk and danger.** | | |

| PRETRIAL RELEASE / BAIL EVALUATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of completed release/bail forms/conditions<br><br>☐ Interviews with bail evaluators<br><br>☐ Observations in court or pretrial release facility<br><br>☐ Information from victims/survivors |
| 9. **Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, and increase access to services and protection.** | | |
| 10. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | | |
| 11. **Conduct supervisory quality and compliance review of pretrial/bail evaluation practice.** | | |
| 12. **Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.** | | |

| PRETRIAL RELEASE / BAIL EVALUATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy? <br><br> If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on: <br><br> ☐ Review of completed release/bail forms/conditions <br><br> ☐ Interviews with bail evaluators <br><br> ☐ Observations in court or pretrial release facility <br><br> ☐ Information from victims/survivors |
| **13. Meet regularly with prosecution, court administration, and community-based advocates to discuss and resolve problematic practices and responses.** | | |
| **14. Other observations in comparing current policy and practice with Blueprint Essential Elements:** <br><br> • **Strengths** <br><br> • **Other gaps** | | |

**Blueprint Policy and Practice Assessment: Sheriff's Office**

| Summary of the Sheriff's Office assessment activities | |
|---|---|
| Work groups | |
| Policy review | |
| Case review | |
| Community consultation | |
| Interviews | |
| Observations | |
| Other activities | |

| SHERIFF'S OFFICE | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | | What actually happens? Based on: |
| | Where is this element found in the agency's domestic violence policy? | ☐ Review of warrant and jail notification documents |
| | If missing, explain where located elsewhere in agency policy or any barriers to including it. | ☐ Interviews with warrant, jail, and courtroom staff |
| | | ☐ Observations in the courtroom |
| | | ☐ Information from victims/survivors |
| **Warrants** | | |
| 1. **Use widest possible sources of information to locate defendant.** | | |
| 2. **Obtain and act upon information from victims related to locating the defendant.** | | |
| 3. **Prioritize warrants based on crime level and risk and danger.** | | |
| 4. **When new information is received, reactivate dormant warrants and renew attempts to locate defendant.** | | |
| 5. **Capture and report to law enforcement the defendant's behavior at time of service regarding threats, intimidation, risk and danger.** | | |

| SHERIFF'S OFFICE | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | | What actually happens? Based on: |
| | Where is this element found in the agency's domestic violence policy? | ☐ Review of warrant and jail notification documents |
| | If missing, explain where located elsewhere in agency policy or any barriers to including it. | ☐ Interviews with warrant, jail, and courtroom staff |
| | | ☐ Observations in the courtroom |
| | | ☐ Information from victims/survivors |
| **Jail** | | |
| 6. **Capture and report to law enforcement information regarding threats and risk and danger during booking and defendant's stay in the jail.** | | |
| 7. **Provide prompt notification to victim of defendant's impending release.** | | |
| 8. **Prohibit visits, correspondence, and phone calls between defendant and victim if a no-contact order is issued.** | | |
| 9. **Block victim's phone number unless victim wants contact and a no-contact order is not in place.** | | |
| 10. **Make jail audio readily available to law enforcement and prosecution.** | | |

| SHERIFF'S OFFICE<br><br>Essential Elements | How does current *POLICY* compare? | How does current *PRACTICE* compare?<br><br>What actually happens? Based on: |
|---|---|---|
| | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | ☐ Review of warrant and jail notification documents<br><br>☐ Interviews with warrant, jail, and courtroom staff<br><br>☐ Observations in the courtroom<br><br>☐ Information from victims/survivors |
| **Court Security** | | |
| 11. **Establish procedures to obtain, accept, and act on victims' reports of harassment or threats.** | | |
| 12. **Alert courtroom security to the existence of a protection order or no-contact order.** | | |
| 13. **Establish procedures to act upon violations of court orders or victim intimidation.** | | |
| 14. **Provide a secure area for victims in the courthouse.** | | |
| 15. **Report to prosecutors any intimidation or harassment of victim by defendant.** | | |

| SHERIFF'S OFFICE | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | | What actually happens? Based on: |
| | Where is this element found in the agency's domestic violence policy? | ☐ Review of warrant and jail notification documents |
| | If missing, explain where located elsewhere in agency policy or any barriers to including it. | ☐ Interviews with warrant, jail, and courtroom staff |
| | | ☐ Observations in the courtroom |
| | | ☐ Information from victims/survivors |
| **CROSS-DIVISION / AGENCY-WIDE** | | |
| 16. **Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.** | | |
| 17. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | | |
| 18. **Conduct supervisory quality and compliance review of Sheriff's Office practice.** | | |

| SHERIFF'S OFFICE<br><br>**Essential Elements** | How does current *POLICY* compare? | How does current *PRACTICE* compare?<br><br>What actually happens? Based on: |
|---|---|---|
| | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | ☐ Review of warrant and jail notification documents<br><br>☐ Interviews with warrant, jail, and courtroom staff<br><br>☐ Observations in the courtroom<br><br>☐ Information from victims/survivors |
| 19. **Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.** | | |
| 20. **Meet regularly with law enforcement, prosecution, court administration, and community-based advocates to discuss and resolve problematic practices and responses.** | | |
| 21. **Other observations in comparing current policy and practice with Blueprint Essential Elements:**<br><br>• **Strengths**<br><br>• **Other gaps** | | |

**Blueprint Policy and Practice Assessment: Prosecution**

| Summary of the prosecution assessment activities | |
|---|---|
| Work groups | |
| Policy review | |
| Case review | |
| Community consultation | |
| Interviews | |
| Observations | |
| Other activities | |

| PROSECUTION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review prosecutions cases of various dispositions<br><br>☐ Interviews with prosecutors<br><br>☐ Observations in the courtroom<br><br>☐ Information from victims/survivors |
| 1. **Approach charging in ways that minimize dependence on the victim and maximize other sources of information.**<br><br>• **Post-arrest witness intimidation is very common in domestic violence cases. Know the doctrine of forfeiture by wrongdoing and prepare the case accordingly.**<br><br>• **Expand the focus to include illegal behavior after patrol arrives.**<br><br>• **Charge all relevant crimes except where victim safety, including safety of victim-defendants, warrant otherwise.** | | |

| PROSECUTION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review prosecutions cases of various dispositions<br><br>☐ Interviews with prosecutors<br><br>☐ Observations in the courtroom<br><br>☐ Information from victims/survivors |
| 2. **Evaluate the risk and lethality factors and the context of the violence and adjust prosecutorial response accordingly.** | | |
| 3. **Request further investigation rather than decline a case that might be charged with additional evidence.** | | |
| 4. **Reevaluate the case for additional charges or amended charges as additional evidence is gathered.** | | |
| 5. **Be aware of potentially undercharged crimes in domestic violence cases: strangulation, stalking, sexual coercion/sexual aggression, and witness tampering.** | | |

| PROSECUTION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review prosecutions cases of various dispositions<br><br>☐ Interviews with prosecutors<br><br>☐ Observations in the courtroom<br><br>☐ Information from victims/survivors |
| 6. **Relay charging decisions, including declining charges, promptly to law enforcement, victim, and victim/advocate.** | | |
| 7. **Engage with victims in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.** | | |
| 8. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | | |
| 9. **Engage in and document early and continuing contact with victims.** | | |

| PROSECUTION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review prosecutions cases of various dispositions<br><br>☐ Interviews with prosecutors<br><br>☐ Observations in the courtroom<br><br>☐ Information from victims/survivors |
| 10. **Adopt process to obtain and consider input from victim and/or victim's advocate about pretrial conditions of release.** | | |
| 11. **Consider each no-contact order individually.** | | |
| 12. **Do not threaten to or place a victim in custody to ensure witness availability.** | | |
| 13. **Approach cases with the understanding that the victim may not appear for trial or may recant.** | | |
| 14. **Do not file criminal charges against a recanting victim.** | | |

| PROSECUTION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review prosecutions cases of various dispositions<br><br>☐ Interviews with prosecutors<br><br>☐ Observations in the courtroom<br><br>☐ Information from victims/survivors |
| **15. Make recommendations for bail and pretrial conditions of release that reflect context and severity of the offense, the risk and danger, and safety needs of the victim and public.** | | |
| **16. Unless provided by another agency, keep victim informed of bail and pretrial release conditions and procedures.** | | |
| **17. Take prompt action upon notice of violation of conditional release to ensure sure and swift consequences.** | | |
| **18. Obtain and take into account input from victim and advocate about plea and sentencing recommendations.** | | |

| PROSECUTION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review prosecutions cases of various dispositions<br><br>☐ Interviews with prosecutors<br><br>☐ Observations in the courtroom<br><br>☐ Information from victims/survivors |
| **19. Ensure access to victim's rights protections under state statutes, including the right to restitution, compensation and offering victim impact statements.** | | |
| **20. Adjust the response when considering plea agreements and sentencing with victim/defendants.** | | |
| **21. Request a probationary no-contact order at the victim's request, overriding this request only in rare cases where the suspect poses significant danger to the victim or the community.** | | |

| PROSECUTION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
| --- | --- | --- |
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review prosecutions cases of various dispositions<br><br>☐ Interviews with prosecutors<br><br>☐ Observations in the courtroom<br><br>☐ Information from victims/survivors |
| **22. Provide information on plea and sentencing to appropriate persons and agencies including the victim.** | | |
| **23. Provide probation PSI writer with already gathered information.** | | |
| **24. Take prompt action to address violations of probation conditions to ensure sure and swift consequences.** | | |
| **25. Conduct regular supervisory quality and compliance review of prosecution practice.** | | |

| PROSECUTION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review prosecutions cases of various dispositions<br><br>☐ Interviews with prosecutors<br><br>☐ Observations in the courtroom<br><br>☐ Information from victims/survivors |
| **26. Provide structure for managers and supervisors to participate in ongoing interagency monitoring, evaluation, and maintenance.** | | |
| **27. Meet regularly with 911, law enforcement, court administration, and community-based advocates to discuss and resolve problematic practices.** | | |
| **28. Other observations in comparing current policy and practice with Blueprint Essential Elements:**<br><br>• **Strengths**<br><br>• **Other gaps** | | |

**Blueprint Policy and Practice Assessment: Victim/Witness**

| Summary of the victim/witness assessment activities | |
| --- | --- |
| Work groups | |
| Policy review | |
| Case review | |
| Community consultation | |
| Interviews | |
| Observations | |
| Other activities | |

| VICTIM/WITNESS | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of case files<br><br>☐ Interviews with V/W staff<br><br>☐ Observations in the V/W office and courtroom<br><br>☐ Information from victims/survivors |
| 1. **Inform victim that communication is not confidential.** | | |
| 2. **Make contact as soon as possible and maintain contact throughout the criminal court process.** | | |
| 3. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | | |
| 4. **Connect victims with community-based advocates who can provide assurance of confidentiality.** | | |
| 5. **Seek input from the victim at all stages of the process and communicate information to prosecutor.** | | |

| VICTIM/WITNESS | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of case files<br><br>☐ Interviews with V/W staff<br><br>☐ Observations in the V/W office and courtroom<br><br>☐ Information from victims/survivors |
| 6. **Facilitate victim's access to the prosecutor and legal system to ensure that the victim has a voice in process and that her/his expressed concerns are communicated and considered.** | | |
| 7. **Explore victim's concerns about safety and problem-solve to address question and concerns, including the implications of a no-contact order.** | | |
| 8. **Provide required victim notifications related to the criminal case process pursuant to state law and assist victims in exercising their rights.** | | |
| 9. **Ensure access to victim's rights protections under state statutes, including the right to restitution, compensation and offering victim impact statements.** | | |

| VICTIM/WITNESS | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy? | What actually happens? Based on: |
| | If missing, explain where located elsewhere in agency policy or any barriers to including it. | ☐ Review of case files |
| | | ☐ Interviews with V/W staff |
| | | ☐ Observations in the V/W office and courtroom |
| | | ☐ Information from victims/survivors |
| 10. **Offer support, information and resources throughout the process.** | | |
| 11. **Arrange assistance as needed to facilitate victim's participation in court proceedings.** | | |
| 12. **Facilitate victim's connection to probation throughout presentence investigation, sentencing, and supervision.** | | |
| 13. **Provide for post-conviction assistance, information, and support.** | | |
| 14. **Engage with victims in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.** | | |

| VICTIM/WITNESS | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of case files<br><br>☐ Interviews with V/W staff<br><br>☐ Observations in the V/W office and courtroom<br><br>☐ Information from victims/survivors |
| **15. Conduct regular supervisory quality and compliance review of Victim/Witness practice.** | | |
| **16. Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.** | | |
| **17. Meet regularly with law enforcement, prosecution, and community-based advocates to discuss and resolve problematic cases and responses.** | | |
| **18. Other observations in comparing current policy and practice with Blueprint Essential Elements:**<br><br>    • **Strengths**<br>    • **Other gaps** | | |

**Blueprint Policy and Practice Assessment: Probation**

| Summary of the probation assessment activities | |
| --- | --- |
| Work groups | |
| Policy review | |
| Case review | |
| Community consultation | |
| Interviews | |
| Observations | |
| Other activities | |

| PROBATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy? | What actually happens? Based on: |
| | If missing, explain where located elsewhere in agency policy or any barriers to including it. | ☐ Review of PSIs and supervision cases |
| | | ☐ Interviews with probation staff |
| | | ☐ Observations in the probation office/courtroom |
| | | ☐ Information from victims/survivors |
| 1. **Establish procedures to obtain victim input regarding presentence investigation (PSI) and conditions of probation, including no-contact orders and response to violations.** | | |
| 2. **Conduct PSIs that search all available records and capture complete information about the current offense and defendant's past use of violence.** | | |
| 3. **Incorporate history, context, severity, risk and danger in the PSI report, with particular attention to those cases involving apparent victim-defendants (i.e., where the defendant appears to have been abused in the past by the identified victim in the case).** | | |

| PROBATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of PSIs and supervision cases<br><br>☐ Interviews with probation staff<br><br>☐ Observations in the probation office/courtroom<br><br>☐ Information from victims/survivors |
| 4. **Make PSI recommendations based on context, severity, risk and danger.** | | |
| 5. **Attempt to meet with or contact the victim prior to first meeting with the defendant.** | | |
| 6. **Meet promptly with offender to review all probation conditions and obtain signed releases.** | | |
| 7. **Provide supervision that is appropriate to risk and danger and consistent in holding offender accountable.**<br><br>• **Ensure that supervision of victim-defendants does not make the defendant more vulnerable to further violence.** | | |

| PROBATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐   Review of PSIs and supervision cases<br><br>☐   Interviews with probation staff<br><br>☐   Observations in the probation office/courtroom<br><br>☐   Information from victims/survivors |
| • **Identify high risk offenders and utilize enhanced supervision.** | | |
| 8.   **Provide immediate response to probation violations, differentiated based on risk posed to the victim and the community.** | | |
| 9.   **Establish procedures to hear probation violations based on new criminal activity before the new charge is resolved, if the activity is associated with increased risk to victim.** | | |
| 10.   **Provide timely and thorough notification to victims of the terms and conditions of probation.** | | |

| PROBATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of PSIs and supervision cases<br><br>☐ Interviews with probation staff<br><br>☐ Observations in the probation office/courtroom<br><br>☐ Information from victims/survivors |
| **11. Seek information from victims about their concerns during supervision, including how to report violations in a manner that does not increase risk.** | | |
| **12. Ensure programming, including appropriate domestic violence treatment, that fits risk and danger.** | | |
| **13. Coordinate and share information with treatment programs; monitor compliance with probation conditions.** | | |
| **14. Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | | |

| PROBATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of PSIs and supervision cases<br><br>☐ Interviews with probation staff<br><br>☐ Observations in the probation office/courtroom<br><br>☐ Information from victims/survivors |
| **15. Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.** | | |
| **16. Conduct regular supervisory quality and compliance review of practice.** | | |
| **17. Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.** | | |

| PROBATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of PSIs and supervision cases<br><br>☐ Interviews with probation staff<br><br>☐ Observations in the probation office/courtroom<br><br>☐ Information from victims/survivors |
| 18. **Meet regularly with law enforcement, prosecution, and community-based advocates to discuss and resolve problematic cases and responses.** | | |
| 19. **Other observations in comparing current policy and practice with Blueprint Essential Elements:**<br><br>• **Strengths**<br><br>• **Other gaps** | | |

**Blueprint Policy and Practice Assessment: The Bench and Court Administration**

| Summary of the bench and court administration assessment activities | |
|---|---|
| Work groups | |
| Policy review | |
| Case review | |
| Community consultation | |
| Interviews | |
| Observations | |
| Other activities | |

| THE BENCH AND COURT ADMINISTRATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of conditions of release, probation, orders<br><br>☐ Interviews with judges and court staff<br><br>☐ Observations in the courtroom<br><br>☐ Information from victims/survivors. |
| 1. **Allow prosecutors/probation to present relevant information regarding the violence, risk, context, and severity at all stages of criminal process.** | | |
| 2. **Determine pretrial conditions of release and bail based on risk factors present, victim safety, public safety and likelihood of reappearance.** | | |
| 3. **Determine the issuance of no-contact orders on an individual basis.** | | |
| 4. **If victim objects to issuance of a no-contact order, assess both the context and risk to victim if the no-contact order is not issued and the difficulty for victim if it is ordered.** | | |

| THE BENCH AND COURT ADMINISTRATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of conditions of release, probation, orders<br><br>☐ Interviews with judges and court staff<br><br>☐ Observations in the courtroom<br><br>☐ Information from victims/survivors. |
| 5. **Set conditions of release and bail when suspect cannot be arrested on scene ("gone-on- arrival") on same basis as in-custody cases.** | | |
| 6. **State pretrial and probationary conditions in clear/precise language.** | | |
| 7. **Read key conditions of probation aloud during sentencing.** | | |
| 8. **Communicate in a person's first language and in ways that address limited English proficiency and literacy.** | | |
| 9. **Establish a process to allow victims to request modification or dismissal of no-contact orders.** | | |

| THE BENCH AND COURT ADMINISTRATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy? <br><br> If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on: <br><br> ☐ Review of conditions of release, probation, orders <br><br> ☐ Interviews with judges and court staff <br><br> ☐ Observations in the courtroom <br><br> ☐ Information from victims/survivors. |
| **10. Provide a prompt response to violations of conditions of pretrial release.** | | |
| **11. Distribute court orders, including conditions of pretrial release, no-contact orders (and any modifications or cancellations), and probation conditions to involved parties and agencies, including to victim unless provided by another agency.** | | |
| **12. Order a presentence Investigation (PSI) in all cases where the original charge is a domestic violence-related offense, regardless of conviction charge.** | | |

| THE BENCH AND COURT ADMINISTRATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
| --- | --- | --- |
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐ Review of conditions of release, probation, orders<br><br>☐ Interviews with judges and court staff<br><br>☐ Observations in the courtroom<br><br>☐ Information from victims/survivors. |
| **13. Issue a disposition that reflects risk, context and severity.** | | |
| **14. Except in rare cases involving particularly dangerous defendants who place victims or the community at high risk of serious or lethal harm, do not issue warrants for victims who do not appear in court pursuant to a subpoena.** | | |
| **15. Obtain victim input on pleas and sentencing.** | | |
| **16. Except in very rare cases after an assessment of risk and danger, do not order a probationary no-contact order over the victim's objection.** | | |

| THE BENCH AND COURT ADMINISTRATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
| --- | --- | --- |
| **Essential Elements** | Where is this element found in the agency's domestic violence policy?<br><br>If missing, explain where located elsewhere in agency policy or any barriers to including it. | What actually happens? Based on:<br><br>☐  Review of conditions of release, probation, orders<br><br>☐  Interviews with judges and court staff<br><br>☐  Observations in the courtroom<br><br>☐  Information from victims/survivors. |
| **17. Hear probation violations promptly.** | | |
| **18. Establish procedures to order surrender of firearms based on state and federal law.** | | |
| **19. Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.** | | |
| **20. Establish a courtroom atmosphere that enhances criminal justice system intervention to support victim safety and offender accountability.** | | |

| THE BENCH AND COURT ADMINISTRATION | How does current *POLICY* compare? | How does current *PRACTICE* compare? |
|---|---|---|
| **Essential Elements** | Where is this element found in the agency's domestic violence policy? | What actually happens? Based on: |
| | | ☐  Review of conditions of release, probation, orders |
| | If missing, explain where located elsewhere in agency policy or any barriers to including it. | ☐  Interviews with judges and court staff |
| | | ☐  Observations in the courtroom |
| | | ☐  Information from victims/survivors. |
| **21. Conduct regular supervisory quality and compliance review of court practices.** | | |
| **22. Provide a structure for court administration to participate in ongoing interagency monitoring, evaluation, and maintenance.** | | |
| **23. Other observations in comparing current policy and practice with Blueprint Essential Elements:**<br><br>•  **Strengths**<br><br>•  **Other gaps** | | |