

2015 Kansas City Domestic Violence Community Safety Assessment Report

Findings and Recommendations for Improving Kansas City's Response to Domestic Violence

INTRODUCTION

Several years ago, three Rose Brooks Center staff, including CEO Susan Miller, attended Praxis International's week-long training on the purpose and process of conducting a Domestic Violence Community Safety Assessment. They brought the information back to Kansas City, Missouri and were immediately met with enthusiasm and support from community leaders such as Mayor James, Police Chief Forté, and Jackson County Prosecutor Jean Peters Baker.

After funding was secured to hire a dedicated Safety Assessment Coordinator, Tanya Draper-Douthit, Director of Community Programs, and the Coordinator, Annie Struby, began meeting with leaders from agencies that would be crucial to the Assessment. Reaction to the proposed project was overwhelmingly positive, and each agency agreed to sign a memorandum of understanding and to dedicate at least one staff person to assist with the Assessment. Those staff became the Community Safety Assessment Team.

In December of 2012, Praxis International's Denise Eng spent two days training the Team on the process of conducting a Safety Assessment. The Team learned that the Safety Assessment process involves an in-depth look at the way institutional processes can enhance or impede victim safety and offender accountability in domestic violence cases. The process is not focused on the performance of individual workers, but is intended to discover how laws, policies, forms, and other influences that guide the work of individuals may create gaps in victim safety and offender accountability. The Team's job is to identify those gaps and make recommendations to close them (please see Appendix 1 for a more detailed methodology).

After the training, the Team began meeting in January of 2013. The Team has met regularly since then, and has also conducted many activities outside of team meetings. This report is a result of many hours of interviews, observations, study, and discussion.

All agencies involved in this Safety Assessment, particularly the Kansas City Police Department (KCPD) and both the Kansas City Municipal Prosecutor's Office and the Jackson County Prosecutor's Office, should be applauded for their courage in participating in this process. It is a brave act for systems and communities to examine their own work and then share the results with others. We all want to believe that our good intentions and commitment make all victims safer and all offenders more accountable. Peoples' lives are complex, however, as are the elements of risk, safety, and well-being for any survivor of intimate partner violence. Equally complex institutions, such as the criminal legal system, are often a poor fit for meeting what individual survivors need. Building safe communities requires ongoing attention to making a better fit between the institutional response and individual needs.

RECOGNIZING A STRONG FOUNDATION

A Safety Assessment is designed to identify practices that impede safety, well-being, and accountability. Its focus is on discovering and articulating problems. Its effectiveness, however, requires a strong foundation. It is abundantly apparent that this strong foundation exists in Kansas City. The Team saw evidence of this in the way community leaders embraced this project, the willingness of each agency to participate in the Assessment process, the dedication of individuals to the work that they do on a daily basis and to the Assessment process, and the previously-existing partnerships between participating agencies, such as the Lethality Assessment Program, a joint effort of KCPD and victims' service providers. Kansas City should be proud of the work that is happening in our community to end domestic violence; the Safety Assessment would not have been possible without the solid foundation that exists here.

PARTICIPATING AGENCIES AND TEAM MEMBERS

The utmost gratitude is extended to the agencies that were open to participating in the Safety Assessment, signed a Memorandum of Understanding (MOU) to formalize their commitment, and dedicated many hours of staff time to making sure the Assessment was successful.

➤ MOU Agencies

- Kansas City Missouri Police Department (KCPD)
- Jackson County Circuit Court
- Jackson County Prosecutor's Office
- Missouri Division of Probation and Parole
- Kansas City Municipal Court – Probation Division
- Kansas City Municipal Prosecutor's Office
- Legal Aid of Western Missouri
- Resource Development Institute

- Synergy Services
- Rose Brooks Center

The Safety Assessment Team Members conducted all of the activities of the Assessment (which are detailed below) and spent countless hours in discussion and editing sessions to produce this report.

➤ **Team Members**

- Annie Struby, Coordinator
- Jill Icenhower
- Amanda Siebold
- Amber Crites
- Brittany Caldwell
- The Honorable Christine Sill-Rogers
- Sgt. Derek Rothert
- Donna Bushur
- Monica Mayberry
- Stephanie Boyer
- Jesse Sendejas
- Josh Bateman
- Sgt. Lisa Allender
- Crissy Del Percio

Several additional individuals also contributed greatly to the Safety Assessment, but, due to job changes during the Assessment, were not able to continue on the Team through the entire process. The Team thanks them for their contribution!

➤ **Former Team Members**

- Sgt. Keysha Johnson
- Sgt. Kari Thompson
- Alison Dunning
- Robin Sipe
- Kendra Price
- Doug Weishar
- Ben Caldwell
- Megan Pfannenstiel
- D.J. Pierre

ASSESSMENT QUESTION AND DATA COLLECTION

The Kansas City Safety Assessment Team explored this question:

How does Kansas City's criminal justice system address risk to victims and accountability of batterers as it investigates criminal domestic violence cases?

The Team's findings are based on information gathered during the following activities:

- Focus groups:
 - 4 with survivors of domestic violence, including 1 with only immigrant survivors
 - 2 with KCPD patrol officers, including 1 with newer officers and 1 with longer-tenured officers
 - 1 with perpetrators of battering
- 6 ride-alongs with KCPD covering most of the area patrol stations
- Observation of:
 - 5 days of the DV training for new recruits at the Regional Police Academy
 - Municipal domestic violence docket
 - Municipal probation revocation docket
- Interviews with:
 - KCPD DV Unit detectives and sergeants
 - Municipal prosecutors and victim advocates
 - County prosecutors and victim advocates
- Text analysis of:
 - Policies of:
 - KCPD
 - Municipal prosecutor's office
 - County prosecutor's office
 - State statutes related to domestic violence
 - Municipal ordinances related to domestic violence
 - Lethality Assessment Program documents, including those used by KCPD and those used by advocates
 - 30 police reports, including those in which:
 - City charges were pursued

- State charges were pursued
- There was found to be no probable cause and/or no primary aggressor
- A property crime was charged but the parties involved had a current or previous dating/intimate partner relationship.

TEAM ACCOMPLISHMENTS

Although the report and recommendations were the end goal of the Assessment Team, we accomplished an incredible amount by having the right people around the table while discussing systemic concerns. When issues arose that were urgent or so simple to correct that waiting for a report to come out didn't make sense, Assessment Team members addressed them immediately. The relationships built among the Team during the Assessment process were critical as well, and have resulted in increased communication and collaboration among agencies. Some examples of our Team accomplishments are:

- Sergeants in KCPD's domestic violence (DV) section discussed the difficulties that officers faced in verifying, and, therefore, enforcing provisions of orders of protection. They did not have access to Secure CaseNet and, therefore, could not see if the order that a party was presenting to them was the most current order in that case. This was particularly a problem after regular business hours when they could not call the Adult Abuse office to verify the order. Advocates had heard from victim-survivors that this was a major safety issue, as police were not able to make an arrest if they could not verify the validity of the order.

The Team Member from the Circuit Court, in coordination with the DV sergeant on the Team, asked the Jackson County Presiding Judge to write a letter to the Office of State Courts Administrator (OSCA) requesting that they grant access to secure CaseNet to the Domestic Violence Section detectives. OSCA granted the request; DV detectives now have access to secure CaseNet and are able to verify that orders are valid when officers call in from the field overnights, weekends, holidays and other times when the Adult Abuse office is closed and unable to provide verification.

This is a huge step toward safety for victims, as the perpetrator can be arrested for violating the order and removed from the scene, even if the incident occurs at night, on weekends, or on a holiday. It also increases the swiftness of punishment for the abuser, as he or she is arrested immediately at the scene.

- The Team worked together to suggest revisions to the informational sheet (KCPD Form #157) that KCPD officers give to victims on the scene of every domestic violence call. The suggested revisions were seen by the Team as an opportunity to improve victims' basic knowledge of the system and, hopefully, to keep victims engaged with law enforcement and/or advocacy agencies as the abuser's criminal case moves through the system.

- The Team discussed the relatively large number of accused child-abusers who were ending up with a DV conviction instead of a child abuse conviction. This occurs because DV charges offer prosecutors more flexibility than child abuse charges. An unintended outcome of this charging, however, is that people who are not appropriate for Batterers Intervention Programs (BIPs) were automatically being ordered into these programs as a result of having a DV conviction. Team members from the Jackson County Prosecutor's Office and state Probation and Parole collaborated on procedural changes to ensure that offenders are screened into appropriate programs and that BIP resources are not drained by those who will not benefit from the program. These changes have already been implemented.
- The Team member from the Municipal Court Administrator's office met with the Team member who is a KCPD DV Unit Sergeant outside of a Team meeting, and they discovered that municipal court personnel have an electronic resource called Court Web that KCPD could not access. The Municipal Court Team member then acquired access to Court Web for DV Unit detectives which, among other features, allows detectives to see city probation conditions electronically.
- The Department of Corrections Probation and Parole Team member reports that the Safety Assessment strengthened her connection to the Municipal Prosecutor's Office in that she now frequently calls to check on criminal history, new offenses, and other information about perpetrators on her caseload.
- The Team member who is a victim advocate at municipal court built and strengthened relationships with KCPD's DV Unit through the Safety Assessment process, and now regularly contacts detectives for information when needed.

This Safety Assessment report identifies eight areas in which investigation of domestic violence cases in Kansas City could be improved and gives recommendations for changes that are designed to increase victim safety and offender accountability.

Findings & Recommendations

Each team member had several opportunities to participate in framing the findings as well as to review and comment on this report. Findings statements have been rewritten, clarified, added, and set aside in this collective effort. The goal was to produce an account of gaps and changes that the team agreed upon, while making note of questions that required further inquiry or fell outside of the immediate scope of the study. Again, this process was not focused on the performance of individual workers, but was intended to discover how laws, policies, forms, and other influences that guide the work of individuals may create gaps in victim safety and offender accountability.

This report sums up the Safety Assessment and identifies gaps to address in domestic violence cases in Kansas City, Missouri. Each finding is presented in a way that an ad hoc work group or implementation committee could initiate the discussion and craft solutions for closing the gap, and includes suggestions for how to close the gap.

Finding 1. For both city and state level cases, consequences are often delayed significantly for suspects who are not at the scene of a reported incident.

HOW IS THIS A PROBLEM?

It is a problem for all victims whose abusers flee the scene of an incident before the police arrive, and of particular concern because fleeing the scene can be an indicator of dangerousness. It is a problem for these victims because if the abuser is not

arrested immediately, victim safety and offender accountability are jeopardized in a number of ways, including:

- The abuser remains at large and can return to harass, abuse, and/or threaten the victim at any time;
- Instead of having to appear in court almost immediately, the abuser may not be arrested for weeks, or possibly months, even if a warrant is issued quickly;
- Victims who either are not screened for lethality at the scene or do not screen in as “high lethality” are not connected to community-based advocacy unless and until they come to court;
- In a city case, victims do not know what is happening with the criminal case during the period while the warrant is being approved, which can be several days to a week. Although this time period has been reduced and is shorter than it was previously, victims are still calling in to the prosecutor’s office during this period - some frantic - because they do not have information about what is happening with the case.

These same concerns apply to cases where the victim makes a report about a phone threat or goes to the police station to report a crime because in these situations, just as in gone-on-arrival (GOA) cases, the suspect is not present to be arrested.

When there are delays in issuing a warrant, making an arrest, and connecting victims with services, victims can get the impression that nothing is happening with the case and lose faith in the ability of the criminal justice system to hold the batterer accountable. This sentiment is illustrated by a focus-group participant whose abuser nearly killed her before she was able to reach a hospital. In the several-month span between the incident and his arrest, he threatened and coerced her until she returned to him. When asked what her idea of justice is, she said “Him getting picked up sooner. I gave the police lots of tips of where to find him. [The police] don’t understand the dynamics of domestic violence. If they did they would have arrested him.”

WHAT CONTRIBUTES TO THE GAP?

- There is often a long delay (potentially a year or more) in getting suspects picked back up on a city charge, in part because KCPD is not automatically alerted when a warrant is issued at either a city or state level. They will only know about the warrant if they happen to run the suspect’s name. Technology may exist to give police alerts about warrants or to allow police to run reports for active warrants in a particular patrol area, but it is not standard practice to do so.
- If the suspect in a state-level case has fled the scene or is otherwise not present, the timeframe for filing charges can reach four months or longer.
 - Cases in which the suspect is not arrested at the scene are assigned to detectives as “anytime” cases. The victim’s interview is done as soon as possible after the crime occurs, and then a stop order is issued for the suspect. The stop order allows for the suspect to be brought in for an interview if he or she is stopped by police. If the

suspect is not picked up within 90 days, the case is sent to the prosecutor's office. The prosecutor's office then decides within about 30 days whether to file charges or not.

- When a suspect flees the scene, if no one knows his/her date of birth or if the date of birth and name cannot be verified (per policy), no summons can be issued at that time. Delay results because further investigation has to occur to verify the suspect's identity. If the Domestic Violence unit sergeant determines, when reading such an incident report, that probable cause exists, a detective is assigned to investigate and gather the necessary identifying information about the suspect. This is the practice of the current DV unit sergeant, but is not department policy.

HOW DO WE CLOSE THE GAP?

- Establish a warrant squad or specialized domestic violence response team to pick up suspects with outstanding warrants, both at a city and state level.
- Establish/maintain good communication between domestic violence service providers and KCPD so advocates may easily share information about potential location of suspects at the request of and with the permission of clients.
- KCPD's Arrest Coordinator should continue to utilize internal information-sharing meetings within KCPD as opportunities to disseminate information about high risk offenders.
- KCPD's Arrest Coordinator should continue to consistently put out stop orders for perpetrators.
- KCPD DV policy should state that in cases where the suspect's name and/or date of birth is unknown, a detective shall be assigned to investigate.
- Officers should be consistently noting the address where they found a suspect in their written report so that they are able to access that address again if he flees the scene of another incident, and KCPD supervisors should ensure that this information is collected.
- The city court should generate and send an automatic mailing each day notifying victims when a warrant is issued.
- Officers should consistently give victims the informational sheet (KCPD Form # 157) at the scene of any domestic violence related incident that contains hotline numbers and other information, and should note in their reports that it was provided to the victim.
- Shelter supervisors should train hotline advocates to explain the potential delays and to put callers in touch with a police advocate and either DV detectives or the city prosecutor's office, depending on whether the case is a city or state level case.
- City warrant applications should be reviewed and a warrant issued within 2 business days. However, in order for the city prosecutor's office to issue a warrant, the police report must be "frozen" in the system by KCPD. This is frequently not occurring. Sometimes the delay is unavoidable and an officer is simply not able to finish the report by the end of their shift. Sometimes, however, current technology impedes officers' attempts to freeze reports; technology upgrades are necessary to alleviate this problem. Additionally, KCPD supervisors

should ensure that, whenever possible, officers are completing and freezing their reports before the end of their shift.

- City officials should ensure that the city prosecutor's office continues to have adequate personnel and other resources to issue warrants quickly.

Finding 2. Although the Lethality Assessment Program (LAP) has successfully connected thousands of domestic violence victims with assistance, issues of safety still exist for high-lethality victims because of (1) a lack of consistent implementation at the scene of a domestic assault and (2) a lack of officer understanding of and/or belief in the effectiveness of LAP.

HOW IS IT A PROBLEM?

The Lethality Assessment Program was developed by the Maryland Network against Domestic Violence, and is based on the Danger Assessment created by Dr. Jacqueline Campbell of Johns Hopkins University. The intent of the program is to identify victims of domestic violence who are at the greatest risk of being killed, and to connect those victims with services that will work with them to provide resources and make a plan for safety.

Kansas City began implementing LAP in 2009. When patrol officers respond to the scene of a domestic violence call, they have a list of “yes” or “no” questions to ask the victim to determine their level of risk of being seriously injured or killed. If a victim screens in as “high-lethality,” the officers then call the designated advocacy agency from the scene and encourage the victim to speak directly with the advocate. Advocates speak with victims about their immediate safety and offer services, including shelter or assistance with an emergency order of protection. Advocates also ask for consent to follow up with the victim within a few days.

If officers are not performing the lethality screenings, victims with high risk of lethality may not be connected with crucial services such as safety planning and shelter. Similarly, if officers do not understand the intention of LAP and/or never hear positive results from the program, their ability and willingness to encourage victims to connect with advocates through the LAP program will be reduced.

WHAT CONTRIBUTES TO THE GAP?

- There is a lack of officer buy-in regarding LAP
 - As heard in officer focus groups and on ride-alongs, the officers do not know how LAP was developed nor what the intent is of the program. Officers expressed many misconceptions about what the intent of the LAP program is including to collect scientific data, to fulfill grant requirements, and to get victims to leave the relationship (thus leading officers to believe if victims are not leaving immediately, the program is a failure). The lack of knowledge about how the LAP program was

developed and what its intention is prevents officers from promoting LAP to victims as a safety measure.

- Some officers who expressed misconceptions about the program deemed it a “waste of time” and reported not screening victims. In 6 of the 25 reports (24%), that the team read, officers on the scene did not mention conducting a LAP screen, although this could at least partially reflect a lack of documentation rather than a lack of screening.
 - Note: the LAP statistics from KCPD reflect that a high percentage (over 90%) of LAP screens are performed when they are supposed to be (ie. on the scene of a domestic violence assault call).
- In officer focus groups, we heard a desire to see “stats” or numbers that prove the effectiveness of the program.
- There is no full-time LAP coordinator in any system (KCPD, advocacy agencies, or elsewhere).
 - Currently, staff at two DV service agencies and at KCPD separately keep LAP statistics and work to ensure that the program is functioning as intended. We acknowledge and appreciate the efforts of these individuals, but also recognize that they all have important non-LAP responsibilities as well. The Team sees great benefit in having one person who could keep both advocacy and law enforcement statistics on LAP and who could focus on coordinating efforts of all the agencies involved
- LAP was implemented approximately 6 years ago and has not had a thorough review since.
- The official KCPD policy regarding the use of LAP lacks specific information regarding the purpose of LAP, method of completion of the forms, and guidance regarding what type of calls trigger a LAP screen.
- Officers are trained on LAP at the Academy, but report remembering little of their DV Academy training after they get out into the field, not only as related to LAP and/or DV, but in general.

HOW DO WE CLOSE THE GAP?

- Designate a full-time LAP coordinator at KCPD or another agency who would establish a method of training that can reach all patrol officers in a consistent manner, method, and frequency. Additionally, this person would be charged with disseminating information about LAP designed to increase LAP effectiveness and officer buy-in, including the regular sharing of statistics and success stories, performing quality assurance, and surveying officers and/or victims about LAP. KCPD’s *Daily Informant* newsletter is one good vehicle for the dissemination of this information.
- Perform a systemic review and evaluation of LAP. This should be a process review that is conducted by an independent evaluator. Funding may be available for this purpose through the Office on Violence Against Women or other sources.
- Continue and enhance conversations between KCPD and advocacy agencies that take LAP referrals.

- Research model policies regarding LAP and enhance KCPD LAP policy to reflect best practices.
 - The revised policy should include a requirement or, at a minimum, the option for officers to perform a LAP screen on all DV-related calls (ie. DV burglary calls, DV property crime calls) and not only on assault calls as they do now.
- Implement oversight of LAP by a multi-disciplinary team after a thorough review is performed.
- Investigate a mobile option (such as an application, or app, for a smart phone) to make it easy for officers to record and transmit LAP information from the scene. An app would also make the LAP information easier to track, analyze, and share with court, probation, and treatment providers.
- Ensure that comprehensive and ongoing LAP training is provided to recruits and officers.
 - Ensure that Academy training continues to include information about how LAP was developed and what the purpose is of the program.
 - Arrange meetings between new officers and LAP coordinators during officers' break-in period.
 - Facilitate LAP refresher course during sergeant school and Field Training Officer (FTO) training.
- Make improvements upon existing KCPD LAP form
 - Add Spanish versions of questions so that even officers who speak minimal Spanish can screen Spanish-speaking victims without waiting for an interpreter.
 - Clarify on the form that officers should call the hotline with a high-risk victim even if she or he does not want to speak directly to an advocate. This allows the advocate to safety plan with a victim via the officer even if the victim does not want to get on the phone.
 - Remove the word "counselor" and replace it with "advocate."

Finding 3. State-level property crimes in Kansas City are not investigated by the domestic violence unit of KCPD even when a qualifying relationship exists between parties. This can prevent investigators from recognizing a pattern of abusive behavior and from making an accurate assessment of risk to the victim and dangerousness of the perpetrator.

HOW IS IT A PROBLEM?

The KCPD DV Unit detectives do not currently investigate property crimes in which the suspect and victim have a qualifying DV relationship (ie. current and former partners, people with children in common, etc). This hinders the detectives' ability to see the full pattern of threatening and abusive behavior and, therefore, accurately assess the dangerousness of the perpetrator. When detectives run a criminal history on a suspect to check for DV priors, they will not be able to see, without reading each individual report, that a prior violation listed as a property crime was actually part of a series of events of abusive acts by the suspect against a current or former partner.

Victim safety is also affected because victims are not linked to advocacy services through a LAP screen if the call is not categorized as a DV call. Additionally, a no contact order will not be issued if it is categorized as a property crime rather than a domestic violence offense.

Currently, a state-level burglary case involving parties with a qualifying DV relationship is investigated by the DV Unit, but state-level property crimes are not. Additionally, the team read property crime reports and DV reports that had very similar fact patterns; it appeared that some could have been charged as either DV or a property crime.

WHAT CONTRIBUTES TO THE GAP?

- KCPD duty manuals do not support a property crime investigation by the DV Unit even when the parties involved have a qualifying relationship.
- Property crime investigations are very incident-focused whereas DV is often a pattern of behavior and requires a broader investigation.
- Focus group participants, advocate reports, and police reports indicate that property crimes are frequently used as an intimidation tactic or are a prelude to potentially dangerous behavior.
 - For example, in one property crime report that we read, police found the perpetrator (ex-boyfriend of the victim) on the roof of the victim's house, with a club

in his hand. He had broken out her window and was yelling at her to let him in and threatening to “destroy her world.”

- In another property damage case, a woman spent several weeks staying with relatives after an incident with her ex-boyfriend. On her first night back in her home, the ex-boyfriend kicked her door in so violently that the lock broke, the frame splintered, and the trim broke off of the wall. Both of these incidents were part of a pattern of violent behavior by the suspects, but, because they were categorized as property damage and not DV, the victims were not connected with services for DV victims, including assistance with safety planning, shelter, and emergency orders of protection. Additionally, detectives investigating subsequent incidents involving violence by the perpetrator may not be able to recognize the full extent the dangerousness of that perpetrator’s behavior.
- There is a high volume of property crimes investigated by KCPD. This can make it difficult for officers and property crimes detectives to identify patterns and recognize cases where a DV relationship exists.

HOW DO WE CLOSE THE GAP?

- Revise the KCPD duty manual and policy to:
 - Allow the DV unit to investigate property crime charges that are between parties with a qualifying DV relationship;
 - Instruct and ensure that patrol officers check the DV box in their tracking system to flag these cases;
 - Adjust LAP protocol so that DV property crimes trigger a LAP screen and immediate connection to advocates; and
 - Divert cases which do not involve domestic violence (such as school or other public threats) away from the DV Unit so that detectives may focus on DV cases.
- Expand KCPD’s DV Unit to accommodate the investigation of state-level property crime cases.
- Provide appropriate training for patrol officers on new procedures for DV property crimes once the duty manual and policy have been revised.

Finding 4. Pictures and video are often crucial to an investigation but patrol officers do not always have access to the technology necessary to gather this evidence. When patrol officers do have access, they frequently do not know the best way to collect photos and video evidence that will aid in prosecution.

HOW IS IT A PROBLEM?

When photos and/or video evidence is not collected at the scene or is not collected in a way which makes it helpful to prosecutors, the evidence is often lost forever. There is no way to recreate the scene of a crime to show the judge or jury, and evidence of injuries may fade quickly. The absence of this evidence can, in some cases, prevent prosecutors from moving forward with a case or force prosecutors to reduce a case from a state to a city charge.

When photo/video evidence is present and collected in a way that is useful, it can potentially be used to prosecute cases in which the victim is unable to participate safely. This increases victim safety because it is clear to the perpetrator that the state or city is bringing charges against them, not the victim, thereby decreasing the motivation for retribution toward the victim.

WHAT CONTRIBUTES TO THE GAP?

- Patrol officers do not consistently have access to the equipment necessary to take photos or videos. Each patrol car is supposed to have a functioning camera, but we learned in focus groups and ride-alongs that this is not consistently occurring.
- Officers do not receive comprehensive training on how to take pictures in a way that would be most helpful to prosecutors.
- Access to evidence is also a problem. Officers will often note in a report that they took pictures, but prosecutors are not initially provided the pictures when the case is submitted for review. When prosecutors later request them, occasionally law enforcement is not able to locate the pictures.

HOW DO WE CLOSE THE GAP?

- Police officers need consistent access to a device that can take pictures and record video.
 - This could be a smartphone, which would eliminate the need for separate phones and cameras in patrol cars. Smartphones would also allow photos and video to be quickly transmitted to DV detectives to aid in making a determination about whether a case would be investigated as a city or state case.

- Patrol officers need training on how to collect optimal video and/or photos to be used in prosecution.
 - Additionally, or in the alternative, officers need access to a DNA-trained officer or someone from a specialized DV response team that can respond and collect photos/video.
- Detectives, prosecutors, and probation and parole officers need the ability to easily access photos and video taken at the scene.
 - Research should occur into available technology and/or the creation of new application technology that would support real-time exchange of photos, videos, and data.
 - Supervisors at KCPD should ensure that pictures and video are uploaded to the correct electronic location as they approve the reports. This could include an electronic drop box where police can put the pictures and prosecutors can view and order what they need.

Finding 5. Strangulation is a complex, severe, and prevalent type of assault which is linked to a high danger of lethality for victims, but is not always properly assessed by the criminal justice system.

HOW IS IT A PROBLEM?

The severity of a strangulation attack is difficult to ascertain, especially using only an external visual assessment. The Training Institute on Strangulation Prevention reports that more than half of strangulations result in no visible injuries. However, the internal swelling that results from strangulation can kill a victim several days after the attack. There are not only missed opportunities for appropriate charging if the seriousness of the assault has not been properly determined, but more importantly, the victim's health and safety are also at risk.

Strangulation is extremely prevalent in Kansas City. A review of KCPD's Lethality Assessment calls to Rose Brooks Center **during the first quarter of 2015** reveals the following:

- Of the 553 victims who screened in as high lethality during that time period,
 - 420 (76%) answered "yes" when asked if the perpetrator had ever strangled them.
 - 127 (23%) reported that strangulation had occurred during the current incident for which the police were on scene.

It should be noted that these figures do not include the North or Shoal Creek Patrol Divisions' LAP calls, as those calls are neither answered nor tracked by Rose Brooks Center.

WHAT CONTRIBUTES TO THE GAP?

- The high volume of strangulation cases in Kansas City can make it difficult to identify the most serious cases.
- A lack of medical resources, in that:
 - Few area hospitals conduct domestic violence forensic exams, and
 - Victims do not have consistent access to free forensic exams.
- KCPD lacks the adequate specialized training and written procedures necessary to properly investigate each domestic violence strangulation crime.
- Information about the dangerousness of strangulation and what symptoms to look for is not widely distributed to victims.
- There is no state legislation in place that would provide funding for free forensic exams in domestic violence cases, particularly those in which strangulation was used.

HOW DO WE CLOSE THE GAP?

- Written protocol for assessment of strangulation needs to be incorporated into the training manual that will be used by KCPD investigations unit for training new detectives.
- All KCPD domestic violence detectives should continue to consistently use an existing list of questions regarding strangulation when patrol officers call in from the scene of an assault.
- KCPD should ensure that new patrol officers are trained on assessment and potential seriousness of strangulation. All current patrol officers have received this training, but it should be incorporated into training for new officers, as well as consistently taught for POST hours for current officers. Additionally, officers should have refresher courses in sergeant school and Field Training Officer (FTO) school.
- Victim advocates should be trained on the seriousness of strangulation. This information should also be included in the community-wide trainings that Rose Brooks conducts in an effort to increase the public's knowledge about the seriousness of strangulation.
- Protocols and/or training for KCPD and advocates should include knowledge of which hospitals offer DV forensic exams or quick access to this information so that they may advise victims.
- KCPD protocol should include offering victims a specific forensic release to be signed at the scene or the hospital so that the police may access results of a forensic exam if the victim consents.
- Law enforcement, advocates, and prosecutors should continue to build upon existing relationships with health care professionals to help identify the most serious cases of strangulation.
- Advocates should work to promote legislative funding changes, including free DV forensic exams based on the SANE (Sexual Assault Nurse Examiner) model.
- Technology exists that can easily detect internal injuries due to strangulation; one or more agencies involved with strangulation victims need to research bringing this technology to Kansas City.
- Dispatch operators, front desk personnel, EMS and other medical personnel should be included in strangulation trainings.

Finding 6. Victim safety and offender accountability are jeopardized when KCPD, advocates, and other practitioners are unable to contact victims after their initial involvement with law enforcement.

HOW IS IT A PROBLEM?

When neither law enforcement nor advocates have accurate contact information for victims, an already-confusing system (see Finding 7) becomes even more complicated for victims, and can make their situation more dangerous. The inability to reconnect with victims:

- Limits victims' access to assistance with safety planning by trained advocates, which is particularly important with high-risk victims;
- Limits victims' knowledge of court proceedings and court outcomes, including no contact orders, changes in bond amount, and/or conditions of release;

Offender accountability is also affected by practitioners' inability to reconnect with victims in that it:

- Limits police investigation of the abuse as they are not able to get further information from the victim when necessary. This is a particular problem in state-level DV cases because, besides the account given at the scene, victims are asked to give a formal statement at a later time. Without this formal statement, detectives may be forced to close a case.
- Frequently affects the outcome of court cases because it is difficult for prosecutors to proceed without the victim.

WHAT CONTRIBUTES TO THE GAP?

- Victims may not have consistent access to phones.
 - Batterers often steal or destroy victims' mobile phones, sometimes with the specific intent of making it difficult for the victim to contact law enforcement or other helpful resources.
 - Many victims do not have the financial resources to pay for a mobile phone and/or minutes for a phone.
 - Many victims are transient, often as a result of the abuse, and do not have a consistent landline.
- Officers are not capturing multiple contact methods at the initial scene, including alternate phone numbers, addresses, and email addresses, even though current KCPD database technology supports collection of this information. An alternate phone number or email address was collected in just 7 of the 25 police reports reviewed by the Team. Two reports had no phone numbers or email addresses listed for the victims, only a street address.

- Victims sometimes refuse to give police their information, often due to a lack of trust in the system or concerns about their immigration status.
- Police and prosecutors have difficulty contacting victims who are staying in shelters.

HOW DO WE CLOSE THE GAP?

- KCPD should revise policy to require officers to ask for email and multiple numbers/addresses and include them in their formal report.
 - Officers are trained to do so but it does not happen consistently. Supervisors should return reports to officers which do not have multiple contact methods or in which it is not documented that the victim has no alternate contact information.
 - Asking for multiple kinds of contact information should be reinforced in trainings and via other communication methods (ie. The Daily Informant, roll calls, etc).
 - Officers should ask for the following information:
 - The victim's home, work, and cell phone numbers, including whether it is safe to leave a message at each number
 - A phone number for someone who always knows how to reach the victim
 - An email address that is safe for law enforcement to use
 - Requesting additional contact information could be reinforced through technology by making certain fields mandatory through the use of prompts.
- All systems need to collaborate to ensure consistency in asking victims for alternate contact information.
 - KCPD should explore the possibility of gaining greater access to court documents via Secure Case.net which would give them access to the contact information that the court has for the victim.
 - Releases between shelters and KCPD should be incorporated into an intake at shelter for victims who choose to participate in the criminal prosecution of the perpetrator.
- DV service providers should utilize resources to generate donations of cell phones, chargers, and minutes for phones.

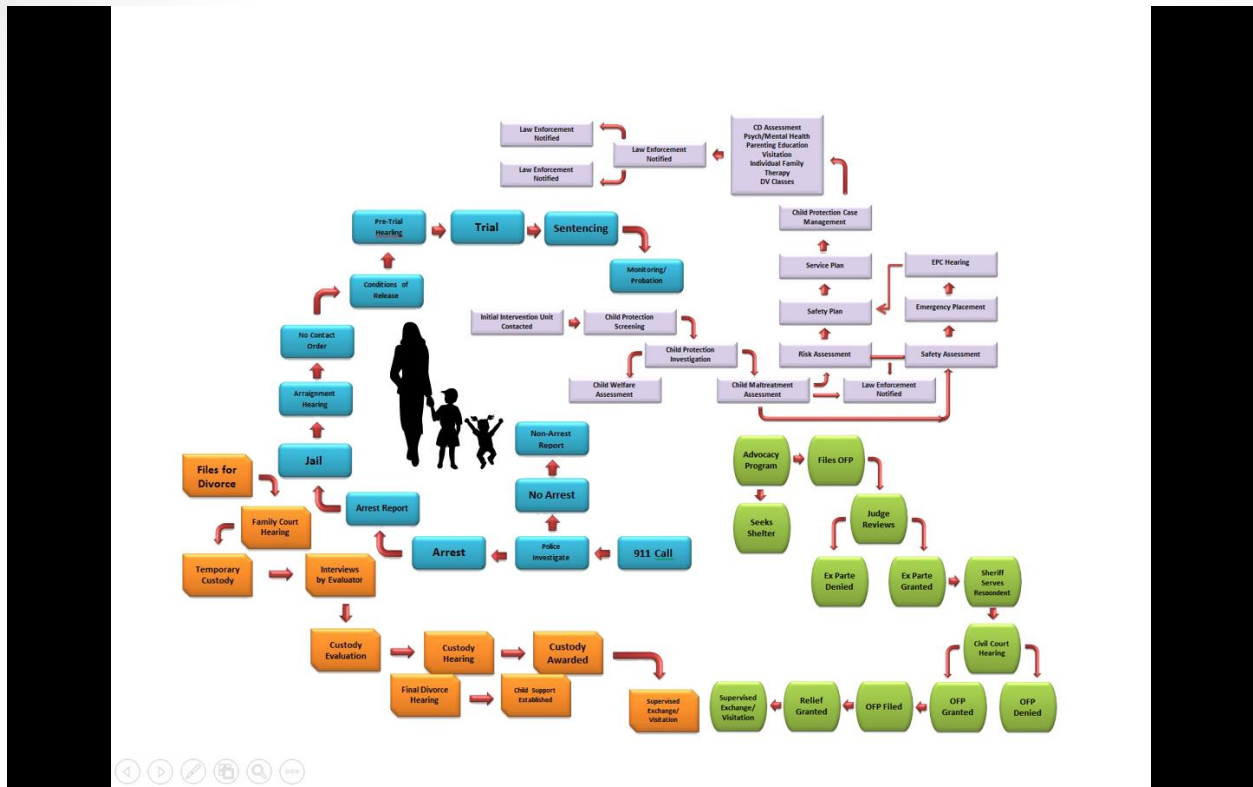
Finding 7. The court process and criminal justice system are confusing and difficult to navigate for domestic violence victims. Victims are often asked or required to appear in multiple courtrooms, on numerous dates and times, in both civil and criminal cases. They report confusion about the purpose of each court and the role of various professionals within the system.

HOW IS IT A PROBLEM?

A single call to 911 during an incident of domestic violence can throw a victim into the maze of the criminal justice system and civil court systems. Victims may be contacted by police officers, advocates, Children's Division caseworkers, and prosecutors. They may be asked to appear in various courts numerous times, which may mean repeatedly making arrangements for transportation, leave from work, and childcare. If the victim decides an order of protection would increase his or her safety, they will need to attend more court hearings, with the potential that the victim would need to testify about extremely sensitive and traumatic events.

Throughout all of this, the victim will have to continue to manage his or her usual day-to-day responsibilities with work, children, school, etc., sometimes suddenly without a co-parent and/or with a reduced household income because of the abuse, and all the while trying to manage the trauma from past abuse and the uncertainty about their present safety. Certain victims have extra barriers in navigating the system. Immigrant victims, for example, may not speak English or, even if they do speak the language, they may find our court system to be much different from that in their home country.

The graphic below, a representation of a victim and all of the systems he or she might encounter, is helpful in illustrating this situation:



WHAT CONTRIBUTES TO THE GAP?

- Victims have expressed confusion of criminal and civil (order of protection) courts.
 - Advocates report and we heard in focus groups that victims sometimes believe that municipal court and order of protection court are the same thing.
- Victims have described feeling “alone and confused about what was happening in court.”
- Victims have referred to the prosecutor as “their attorney” or as their “public defender” in focus groups.
- Officers on the scene may not have time to explain the entire court process and/or the victim may be unable to absorb and understand all of that information at the scene because of having just experienced trauma. One focus group participant said, regarding municipal court, that she was merely told to show up and was not “given any information about what was going to happen.”

HOW DO WE CLOSE THE GAP?

- Update the informational sheet which officers give to victims on the scene of a domestic violence crime (KCPD Form #157), to be simple, yet more informative and victim-friendly.
 - The Safety Assessment team submitted a proposed revision of this form to KCPD in December 2014.

- Build a specialized DV response team that could provide more DV specific information to victims and an immediate link to advocacy (ie. Having an advocate present at the scene of an incident).
- Improve advocate knowledge of other systems to be able to share with clients and hotline callers.
 - Cross-train with members of other systems (KCPD, courts, etc).
 - Require ride-alongs with police as part of standard advocate training.
 - Add “city or state” charge information to advocates’ LAP sheets so that advocates can accurately advise victims on the next steps in the process.
 - Train advocates to ask if the victim needs help with court, explain the process accurately, and link victims to in-court advocates.
 - Recognize that this is a process and that these conversations will need to occur more than once.
 - Change forms to prompt these conversations if necessary

Finding 8. Access to critical information is impeded by KCPD's current technology. Much of the technology available to KCPD, and subsequently used by other practitioners in the criminal justice system, is inefficient and hinders practitioners' ability to accurately assess risk, hold offenders accountable, and keep victims safe.

HOW IS IT A PROBLEM?

Increasingly, technology shapes our daily lives, and the police department is no exception. While the Team recognizes that technology changes and upgrades can be costly, outdated and/or hard-to-use technology not only creates vast inefficiency for police, prosecutors, and probation and parole, but it also negatively affects victim safety and the ability to hold offenders accountable. For example, a simple city booking can currently take a patrol officer off the street for several hours. The technology issue arose in multiple Assessment Team activities including interviews, meetings, and focus groups.

WHAT CONTRIBUTES TO THE GAP?

- REJIS (Regional Justice Information System) makes it difficult to see important items such as criminal history and pending warrants. KCPD cannot currently see city bond conditions.
- Information in REJIS is difficult to decipher and often leads to confusion about whether or not a suspect has an active warrant.
- Officers have to book a suspect into two separate systems at a city level; this is very time-consuming and, as we learned from ride-alongs, may make them more reluctant to make an arrest on a city charge.
- If too many people are logged onto the Tiburon system, no one else can access it.
- Prosecutors have to request multiple reports including the police report, Tiburon, Intellivue, and the Steno file. It is difficult to know when they have received all reports related to a case. Missing information can hinder prosecutors in building a complete case and can make them vulnerable to damaging information arising later in a case.
- Patrol officers frequently lose internet access in the field on their laptops and hand-held devices.
- Officers are sometimes not able to "freeze" reports to make them available to prosecutors.

HOW DO WE CLOSE THE GAP?

- Upgrade the current systems or research potential alternatives that give practitioners easy access to critical information, and have the capability to allow as many users as is necessary on the system at the same time.
- Add a "bond conditions" tab to REJIS so that all practitioners can see what the court has ordered.
- Research potential solutions to link the two city booking systems so that officers need to only book a suspect into one system.

OVERALL THEMES

As the Assessment Team conducted activities and discussed them as a group, two themes emerged that were broader than individual gaps.

➤ **A SPECIALIZED DOMESTIC VIOLENCE RESPONSE TEAM HOUSED WITHIN KCPD WOULD INCREASE VICTIM SAFETY AND ENHANCE OFFENDER ACCOUNTABILITY.**

Forming a specialized DV response team is an idea that came up repeatedly throughout the course of the Assessment and has already been discussed in multiple findings in greater detail. Not only would a specialized team lead to an increase in victim safety and offender accountability, but it would also increase in efficiency and effectiveness. For instance, instead of training thousands of patrol officers on topics such as how to take crime scene photos and video in a way that is most helpful to prosecutors, it would only be necessary to train a small, specialized group. Officers on such a team would also have a more in-depth understanding of the way DV cases move through the criminal justice system, and would be better able to explain this to victims.

Models for specialized response teams exist around the country and commonly include an immediate link (and often simultaneous response) by an advocate when an incident occurs. This type of response would help victims stay safe and remain engaged with the criminal justice system while allowing more abusers to be prosecuted. As an example of the importance of advocates and officers working together, one victim-survivor in a focus group said that she had been reluctant to file charges initially, and it was only after working with an advocate for several months that she decided to make a report. She said, “the officer and the advocate helped me a lot.”

A specialized DV response team could also perform the functions of a warrant squad, devoting time to identifying and locating high-risk DV offenders. This would be particularly helpful in closing a gap at the municipal level where it can currently take a year or more before a suspect is arrested on a city warrant.

➤ **THERE IS A NEED FOR AN ONGOING COORDINATED COMMUNITY RESPONSE GROUP.**

As much as we attempt to illustrate within this report the positive outcomes that have occurred as a result of a multi-disciplinary group of professionals meeting on a regular basis over the past two years, it is impossible to quantify or capture every aspect of the Team’s work. The tangible work of the Team is outlined in this report; the intangible effects include a greater

understanding of the work of other practitioners and development of relationships among professionals in the domestic violence field. The victim advocates on the Team, for example, report that they are better able to advise victims on what to expect in the criminal justice system, helping victims stay safer and feel more confident when engaging in the system.

The progress that we've been able to accomplish through performing the Assessment and the recommendations in this report are important steps in increasing victim safety and offender accountability in Kansas City. What is just as important, however, is that a forum exists for professionals who work with victims and/or batterers to continue to share information and ideas and build strong working relationships with other practitioners.

Beyond regular meetings of a multi-disciplinary group, the Team discussed the improvements that could be made if professionals from the various agencies involved in domestic violence cases could cross-train in order to develop a deeper understanding of other systems. For example, patrol officers receive training in the dynamics of domestic violence during their time at the academy, but there is no additional training required for those who become DV Section detectives and no automatic domestic violence training for city or state prosecutors, victim advocates within the prosecutor's offices, or for other professionals who work on domestic violence cases each day.

Likewise, community-based domestic violence advocates do not receive extensive training in how law enforcement and court systems work. Advocates would benefit from a greater understanding of other systems by being able to answer questions from victim-survivors and helping them navigate the confusing criminal justice/court process. Training at the police academy and patrol ride-alongs for new advocates are two suggestions made by the Assessment Team.

Another important link between systems is that between patrol officers and prosecutors. Through the Safety Assessment process, we learned that many officers, especially those who had not been called to testify at a trial previously, do not necessarily see the police report as the crucial document that it is; it is often the only way information from the scene of a crime reaches a prosecutor, and information not collected at the scene and included in a report is usually lost forever. The Team discussed ways to help officers, particularly newer officers, learn how important the reports are, and illustrate ways that reports can be written that will enhance the prosecutors' ability to gain a conviction. Some suggestions were to have prosecutors give trainings at the police academy and/or to conduct mock cross-examinations with officers using reports they have written.

Additional Observations

There are some issues that arose during the course of the Assessment that the Team recognized as potential gaps, but that are far enough beyond our Assessment's focus that we could not confidently identify them as findings and make recommendations to resolve them. These are important enough, however, that the Team agreed they should not be ignored and would merit further exploration.

- Orders of Protection/Circuit Courts
 - Many domestic violence victims are threatened and/or assaulted with guns. When victims are issued an order of protection, the order generally triggers the federal ban on respondents' possession of firearms for the duration of the order. However, there is no mechanism currently in place to determine what weapons the respondent possesses, to remove those weapons from his or her possession, and/or to store the weapons for return when the order expires. Cities around the U.S. have begun to address this issue; Kansas City should examine these model programs to determine whether any of them could be modified to work in Kansas City.
 - Orders of protection are not consistently served within three days before the hearing due to a misunderstanding by some law enforcement and civil process servers that the order is not valid if it's served within that three day period. This inconsistency leads to confusion among victims and can leave them at risk since the order remains unserved. The professionals on the Team recommend that the order should still be served since it is a valid order and because the respondent has the option to waive the three day notice requirement.
 - The order of protection forms are available in Spanish but cannot be filled out in Spanish. This creates frustration and confusion for people, and can be a problem if they do not have anyone to translate for them. It also creates a dilemma for shelter workers who feel unqualified to translate emergency orders but must do so that the order can be filed.
 - Competing orders of protection are sometimes issued from multiple counties around the KC Metro area, making both of them difficult to enforce. For

example, a petitioner in a Jackson County order might be granted the parties' residence, but the respondent in that order might file in Clay County against the Jackson County petitioner and be given possession of the same residence.

- There are measures that should be taken to improve safety and convenience for victims at the Jackson County Courthouse, including providing childcare and ensuring that there is space for victims to be separate from abusers in court and when filing an order of protection.
- Prosecutors noted that if a respondent to an order of protection has a particularly negative reaction to being served with an order of protection, (ie. makes a threat toward the victim, tears up the order, states that they do not plan to follow the order) prosecutors are able to use that information to increase bond in the criminal case. However, they are not seeing these notations on a regular basis.
 - The Team took several steps to improve reporting of these incidents:
 - Verifying that technology allows both agencies that serve orders in Kansas City – the Department of Civil Process and KCPD – to record this information.
 - KCPD Team members are going to utilize their regular methods of disseminating information, such as the Daily Informant, to remind officers to record this information.
 - The Team member from the Circuit Court contacted the head of the Department of Civil Records and the Department is examining the procedural and/or training changes that would be necessary to ensure that useful information upon service of an order is recorded.
 - Additional attention is needed to ensure that this information is being recorded on a regular basis and is accessible to prosecutors. There should also be protocol for notifying petitioners when the respondent makes a threat toward the petitioner, and/or indicates that he or she will not follow the order.

➤ Probation and Parole

- There is currently at least a three week delay between the time that a judge enters a warrant for a state probation violation and the sheriff's office entering the warrant.
- Perpetrators on probation for a DV assault, including a Second Degree DV Assault, can qualify for Earned Compliance Credits (ECC) and have their length of probation reduced significantly. If they pick up a new charge during their probation period, their ECC credits are suspended; however, if the judge continues their probation rather than revoking it, they can earn back all of their suspended credits and be dismissed from probation requirements early.

- City Prosecutor's Office/Municipal Court/ City Jail
 - The idea of creating an after-hours municipal "night court" came up repeatedly in interviews, focus groups, and other discussions with law enforcement who saw this as a way to hold a batterer accountable immediately, ensure that the responding officer was present at court, and potentially improve the rate of victim participation in prosecutions. There are number of factors that would have to be explored to determine whether a night court would be feasible and/or desirable; determining the potential effect on victim safety is at the forefront of these concerns.
- Primary Aggressor Determination by Police
 - The Team discussed the determination of a primary aggressor on two separate occasions. After much discourse, the Team decided that we did not have enough information or agreement about this issue to include it as a finding. We did agree, though, that because it is such an important issue, it warranted inclusion in this report for further consideration.

Missouri statute 455.085 defines the "primary physical aggressor" as the person who is the "most significant, rather than the first, aggressor." The statute also states that law enforcement "shall consider any of all of the following in determining the primary physical aggressor: (1) The intent of the law to protect victims of domestic violence from continuing abuse; (2) The comparative extent of injuries inflicted or serious threats creating fear of physical injury; (3) The history of domestic violence between the parties involved."

After conducting focus groups, reading reports, and going on ride-alongs with patrol, the Team was in agreement that, of the factors laid out in the statute, the one most often considered is the comparative extent of injuries, or at least those injuries that were visible. It also became apparent that because of the technology challenges faced by patrol officers at the scene (discussed in more depth in the Findings section of this report) it is often difficult to obtain criminal history of the parties while at the scene.

The difference in opinions within the Team was related to the prevalence of errant primary aggressor determinations by law enforcement. From a law enforcement and prosecutorial perspective, patrol officers are correctly identifying the primary aggressor in the vast majority of cases. There is also a checks-and-balances mechanism built in as the DV Section sergeants review each DV report that patrol writes. Occasionally the DV sergeants will read a patrol report that they have concerns about, and they will address those concerns with the patrol officers involved. The prosecutors also reported occasionally seeing reports in which they believed the perpetrator was misidentified, and the

prosecutors were able to dismiss charges or take other action to correct the situation.

Advocates, however, report hearing from victims with some frequency that victims were arrested during at least one contact with law enforcement. This seems particularly true for victims with limited English proficiency. While advocates concede that under rare circumstances it may be unavoidable to arrest someone who is historically the victim, many of the stories from survivors who were arrested involved cases where the women appeared to be defending themselves. There is, of course, the understanding that advocates only hear one side of the story and do not have access to physical evidence.

Advocates were further concerned that, when asked on ride-alongs or in focus groups, patrol officers were not able to articulate the criteria or protocol that they use in determining who the primary aggressor is if both parties have used violence. Many relied on instinct and experience (“you just know”) and some talked about interviewing both parties to see whose story seemed most plausible and matched the physical evidence (usually visible injuries). Some discussed demeanor of the parties, with one officer stating “[Determining Primary Aggressor] is easy; it’s the person who’s still hyped up.” Another officer said that he or she spent a lot of time asking the purported victim questions and that if they changed their story, they were not a true victim. Both of these notions are contrary to what the officers learn in their Academy training about the demeanor of a person who has just been the victim of a traumatic event; it is common for a victim to appear excited or agitated and many trauma victims do not tell their story in a linear manner, and/or may remember details later.

In one focus group, an officer mentioned that, if both parties had used violence, they do their best to identify the correct perpetrator but “let the courts sort it out.” This is particularly concerning because there are a number of potential consequences to an arrest alone, including loss of employment, involvement of Children’s Division, and the increased safety risk because victims will be less likely to contact law enforcement again for fear they will be re-arrested. Prosecutors also mentioned that an arrest can negatively affect a victim’s credibility for further cases.

While the Team has no formal recommendation regarding the Primary Aggressor Determination, we did discuss the possibility of an advocacy response that is simultaneous with the patrol response (such as that which would occur on a specialized DV response team) might help police to sort out what exactly happened during the current incident, shed light on the history of violence

between the parties, and determine which party is most dangerous to the other. The Team also notes that at least one patrol station within KCPD requires a patrol sergeant to respond to the scene of a DV call if the officers on scene cannot make a determination regarding probable cause and/or primary aggressor. This is another form of quality assurance that is worth investigating for implementation department-wide.

- High Rate of Turnover in KCPD's Domestic Violence Section
 - There appears to be a significantly higher rate of turnover in KCPD's DV section, particularly among detectives, than in other KCPD units. The DV detectives provide information and support to patrol officers, and it is crucial that they provide consistent messages. Consistency is difficult to achieve, however, when the rate of turnover is high and new detectives are constantly rotating into the Unit.
 - The Team recognizes the importance of having a consistent Arrest Coordinator in KCPD's DV Unit as well. Through our process, it became clear that it is very important to have a consistent person in that role to increase batterer accountability by arresting and serving orders of protection on the most dangerous offenders, and coordinating efforts to apprehend violent DV perpetrators department-wide.
- Resources for KCPD Officers in Dealing with People with Limited English Proficiency
 - The challenges officers face in dealing with suspects and/or victims who have limited English proficiency (LEP) became apparent throughout the course of the Assessment, particularly in focus groups. The Team heard about instances where parties were not separated for interviewing due to the language barrier, which can lead to opportunities for intimidation by the perpetrator. In one case, the Spanish-speaking perpetrator was threatening to kill the victim in front of officers, but officers did not understand him.
 - We also heard stories from victims of police using family members of the perpetrator to interpret for the victim. In one instance, the perpetrator's family member was asked to interpret, and when the victim later got the report she realized that some of the information she gave was not included. Another victim reported that after waiting for hours at a police station to give a report, there was still no interpreter available and her children gave the information to the officer. She said: "My kids always had to speak for me. It was terrible to hear them say 'he did this' and 'he did that.'"
 - The potential impact on victim safety was illustrated by one survivor who said: "The first time I called the police, this officer said that when [the perpetrator]

comes, to call the police and ask to speak with someone who speaks Spanish. But this will take two hours, so if you can hide and make the call and wait but try not to get hurt.”

- The Team’s understanding is that there are few bilingual officers in the field at any given time, and that officers have access to the Language Line for interpretation, but may not be aware of that option and/or how to use it.
- The Team decided not to include a Finding about the challenges and lack of resources that KCPD currently has available in dealing with persons with LEP because of the review that the U.S. Department of Justice’s Office of Civil Rights recently conducted at KCPD and the follow up that is occurring as a result (as detailed in KCPD’s The Informant newsletter, Oct. 2014). The Team would echo the importance of addressing these issues in a comprehensive manner in the interest of enhancing victim safety and offender accountability.
- No Contact Orders (NCOs)
 - City NCOs are currently very difficult to enforce. KCPD officers do not have easy electronic access to city bond conditions and, even if they were able to verify that an NCO existed, they are not able to make an arrest for a violation of a city NCO. This creates a safety issue for victims, particularly those for whom it is not safe to apply for an order of protection, as there is nothing to keep the abuser from coming to their home or workplace or to remove the abuser if that should happen.
 - The Team recommends that Kansas City investigate the development of an ordinance to make violation of a no contact order a stand-alone charge. The ordinance should also include the requirement that city bond conditions are entered into REJIS so that KCPD is able to verify them easily. The ordinance would improve victim safety, as the perpetrator could be immediately arrested and removed, and would increase offender accountability as the police and courts would be better able to see a pattern of behavior if charges were brought for each NCO violation.
- Walk-In Reports at KCPD Patrol Stations
 - Advocates, probation and parole, and Legal Aid have all recommended that victims walk in a police report to a patrol station, but have later had the victims report being turned away without a report being taken.
 - According to victims’ accounts to practitioners, they are most frequently turned away when attempting to report an incident which may not result in a new, chargeable offense, but rather part of a series of behaviors by a particular perpetrator.

- Lack of documentation of these incidents can make it difficult to charge crimes such as stalking, which require an established pattern of behavior by the perpetrator. Additionally, if the perpetrator is already on state probation, he or she could have a violation report written that could result in a probation revocation with an incident report alone, even without a new charge.
 - The Team discussed the benefit of having a clear policy about when a report should be taken and the importance of said policy being communicated to all of the staff people who may be involved, including patrol officers, front desk staff, and investigators.
 - Walk-in reports that are taken are most often handled in the main lobby of the patrol station. The lack of privacy can be a deterrent to some victims who wish to report a crime.
 - Victims are asked to relate the details of the incident (which can be very personal in nature) loudly through a bullet-proof glass window.
 - Although there is regularly the ability to meet with an officer in a private room to give a report, this is not often offered to victims.
 - The Team discussed possibilities to remedy this lack of privacy, including hanging signage at patrol stations and offering a private room, when available, to victims coming to give a report.
 - The Team also discussed KCPD developing a simple screening form that a victim would fill out at the patrol station before giving a walk-in report. The form would alert the desk clerk to the type of report the victim is making without the victim having to say it out loud. This would help victims keep their information private and would help the desk clerks know which cases require an officer and which the clerks can take themselves. It could also be a prompt (if the screening form indicates sensitive information may be involved) for the clerk to offer a private room in which to meet with an officer.
- Detail in Patrol Reports
 - Prosecutors on the Team mentioned the importance of having detailed information in patrol reports. This information is not only important for them in determining what occurred, but also for the patrol officers as it can be used to refresh their memory should they be asked to testify about the case later. Prosecutors would like:
 - History between the parties
 - Whether children are present
 - Whether warrants or No Contact Orders are in effect

- If threats have been made to the victim and, if so, what those were
 - A description of what preceded the current incident
 - Names, dates of birth, and social security numbers (when possible) for all witnesses
 - Names of all officers on scene
 - Detailed description of each officers' role on the scene
 - Detailed statements from each witness, not "witness B agreed with witness A"
- Missouri Crime Victim's Compensation (CVC) Issues
 - Missouri CVC does not cover property damage done by abusers. This is problematic for the many victims whose abusers break the windows out of their homes and/or kick in their doors. Not only is it a safety concern because they cannot lock up their homes, but victims who rent often end up owing thousands of dollars to a landlord for repairs.
 - Missouri CVC forms are not available in Spanish anymore, making it difficult for Spanish-speaking women to access this resource.
 - Mandated Reports of Child Abuse
 - Team members who are also mandated reporters of child abuse, including police and probation and parole personnel, discussed frustration with the lack of response from the Children's Division when they hotline situations where they believe the children are in danger, but have not yet been directly abused. Their experience has been that without imminent danger, direct abuse, and/or the presence of a methamphetamine lab, Children's Division will not respond and check on the welfare of the child.

Appendix 1: Methodology

The Community Safety Assessment, developed by Praxis International, Inc., uses a local interdisciplinary team to look at how work routines and ways of doing business strengthen or impede safety for victims of battering.¹ By asking **how** something comes about, rather than looking at the individual in the job, the process reveals systemic problems and produce recommendations for longer-lasting change. The Safety Assessment is designed to leave communities with new skills and perspectives that can be applied in an ongoing review of its coordinated community response.

The Safety Assessment is built on a foundation of understanding: 1) institutional case processing, or how a victim of battering becomes “a case” of domestic violence; 2) how response to that case is organized and coordinated within and across interveners; and, 3) the complexity of risk and safety for each victim of battering. To learn about victims’ experiences and institutional responses, the audit team conducts interviews, including victim/survivor focus groups; observes interveners in their real-time-and-place work settings; and, reads and analyzes forms, reports, case files, and other documents that organize case processing. Over a series of debriefing sessions, the team makes sense of what it has learned in order to articulate problem statements, support them with evidence, and frame the kinds of changes that need to occur.

Since the Safety Assessment focuses on institutional processes rather than individual workers, there are no systematic sampling procedures. Instead, interviews, observations, and text analysis sample the work process at different points to ensure a sufficient range of experiences. Interviews and observations are conducted with practitioners who are skilled and well-versed in their jobs. They are co-investigators with the audit team. Their knowledge of the institutional response in everyday practice and their first-hand experience with the people whose cases are being processed supply many of the critical observations and insights of the audit.

Safety Assessment data collection and analysis pay attention to eight primary methods that institutions use in standardizing actions across disciplines, agencies, levels of government, and job function. These “assessment trails” help point the way to problems and solutions.

1. Mission, Purpose, and Function: mission of the *overall process*, such as criminal law, or child protection; purpose of a *specific process*, such as setting bail or establishing service plans; and, function of a worker in a *specific context*, such as the judge or a prosecutor

¹ Over forty communities nationwide have used the Safety Assessment or its predecessor, the Safety and Accountability Audit, to explore criminal and civil legal system response to domestic violence, the intersection of domestic violence and child abuse, and the role of supervised visitation and exchange in post-separation violence. www.praxisinternational.org

in a bail hearing.

2. Concepts and Theories: language, categories, theories, assumptions, philosophical frameworks.
3. Rules and Regulations: any directive that practitioners are required to follow, such as policies, laws, memorandum of understanding, and insurance regulations.
4. Administrative Practices: any case management procedure, protocols, forms, documentary practices, intake processes, screening tools.
5. Resources: practitioner case load, technology, staffing levels, availability of support services, and resources available to those whose cases are being processed.
6. Education and Training: professional, academic, in-service, informal and formal.
7. Linkages: links to previous, subsequent, and parallel interveners.
8. Accountability: each of the ways that processes and practitioners are organized to a) hold abusers accountable for their abuse; b) be accountable to victims; and, c) be accountable to other intervening practitioners.

In a Safety Assessment, our constant focal point is the *gap* between what people experience and need and what institutions provide. At the center of our interviews, observations, and case file analysis is the effort to see the gap from a victim's position and to see how it is produced by case management practices. In locating how a problem is produced by institutional practices, we simultaneously discover how to solve it. Recommendations then link directly to the creation of new standardizing practices, such as new rules, policies, procedures, forms, and training.