

Using the “Advocate-Initiated Response”: Contacting Victims After their Partner’s Arrest

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This slideshow will help participants to:

- Describe the advocate-initiated response
- Relate the history and rationale behind this intervention
- Discuss concerns of advocacy programs
- Develop protocols to use with law enforcement
- Identify preliminary steps and procedures for advocacy programs

The advocate initiated response

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

The advocate-initiated response: What is it?

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

The advocate-initiated response

- ⦿ Historically, an integral part of the coordinated community response (CCR)

Current CCRs

Common law enforcement-advocacy practice:

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

Result

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

Why Victims Say “No”

- ◎ Don't know what an advocate is
- ◎ Don't think they qualify for services
- ◎ Didn't want to bother anyone
- ◎ Past help-seeking had dubious results
- ◎ Fear of batterer retaliation
- ◎ Embarrassment, guilt, hopeless, tired

Resurgence of Focus on Advocacy – initiated Response

- ◉ Victims need of information, resources and support after a law enforcement intervention
- ◉ Ongoing feedback and assessment with victims that the advocate-initiated response was the most valuable part of their post – arrest experience
- ◉ 2012 studies on impact of victim-focused outreach following police-reported intimate partner abuse on:
 - on criminal legal system outcomes
 - on victim well being and safety

Why might programs be hesitant
to use this intervention?

Advocacy Program Concerns

- ⦿ Violation of victim autonomy and self-determination/ her privacy needs
- ⦿ Inconsistent with advocacy program philosophy and practices re victim contacts
- ⦿ Concern for victim safety if contacted
- ⦿ Negative response from victims, i.e. “most don’t want us to contact them”
- ⦿ Don’t have the resources
- ⦿ Don’t understand magnitude of heightened risk to victim from batterer and system
- ⦿ Fear resistance from law enforcement agencies

Philosophy and Rationale

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

Philosophy and Rationale

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

For each woman and her children, what risks are generated by...

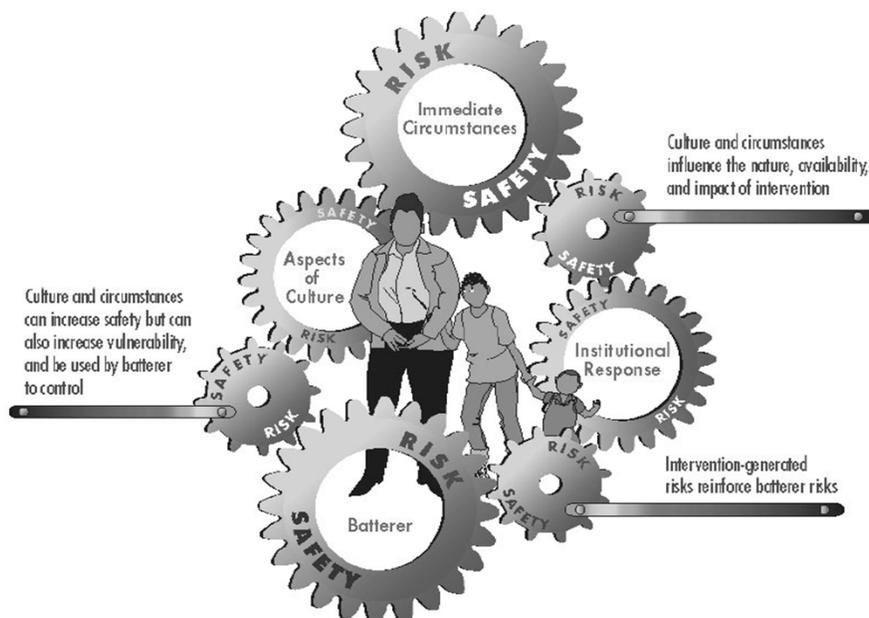


Figure 9: The Complexity of Risk and Safety 1

Intervention Risks

- ⦿ What are the intervention risks for victims as the result of a law enforcement response?

Intervention Risks:

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

Goals of Intervention

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

Deciding to Provide Advocate-initiated Response

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

Advocacy Program First Steps - Internal Agency

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

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

Hotline or On-call

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

Legal Advocate

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

Effective Advocate-initiated Response

- ⦿ Know the system
 - Case processing steps
 - What happens to victims at each step
 - What victims need at each step
 - What currently organizes the worker at each step
 - Practices that would produce better outcomes at each step

Know the system

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

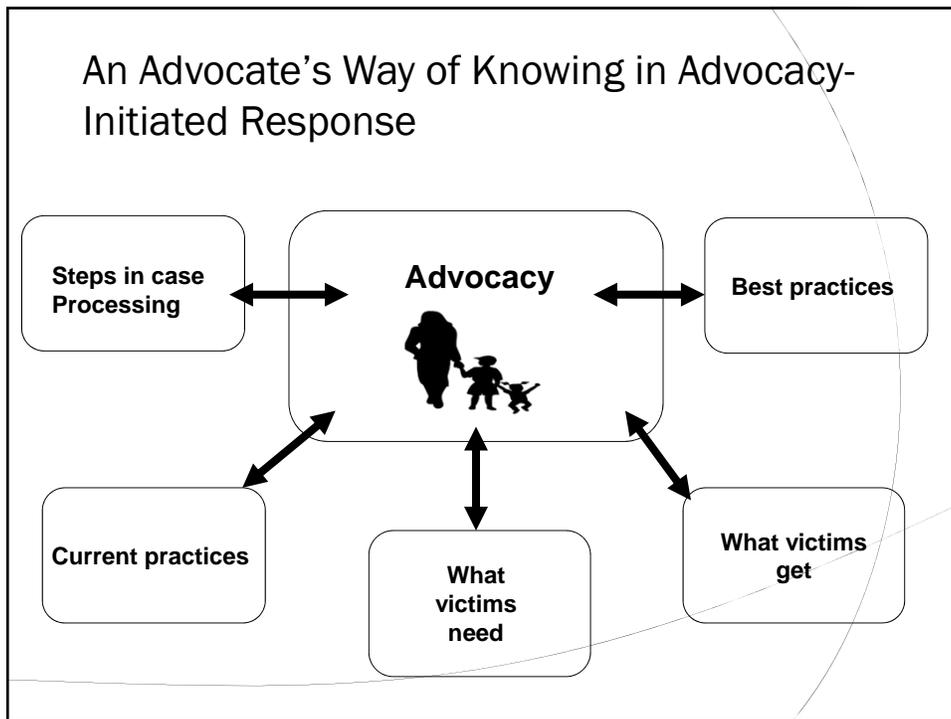
Know the System

What happens to victims?

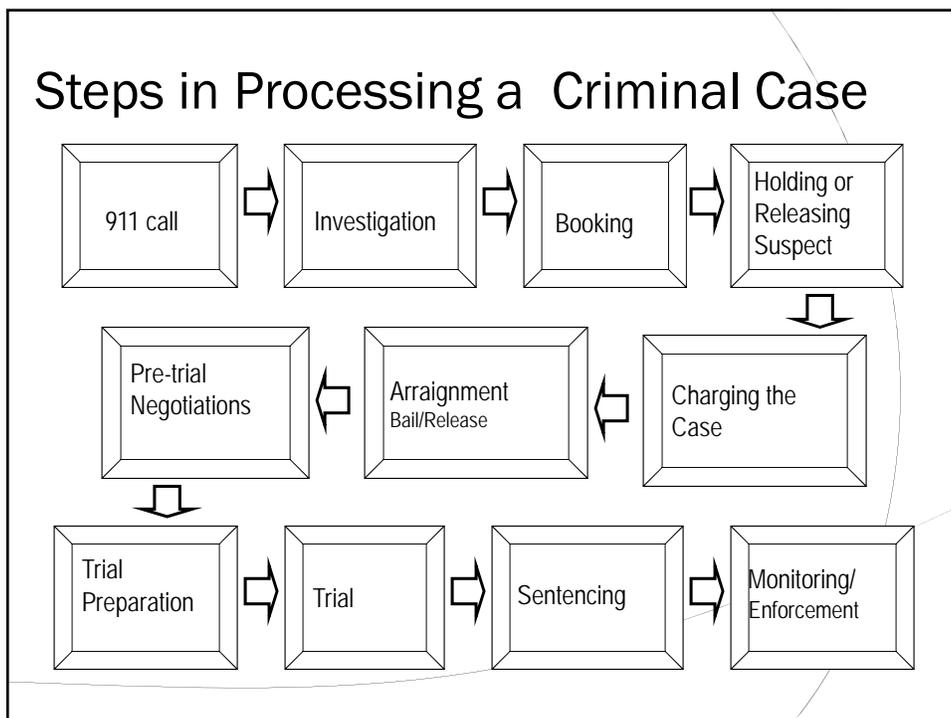
Talk to women and document their experience

- Surveys/ questionnaires
- Informal/ Focus groups
- Ongoing legal advocacy and response concerns documentation

An Advocate's Way of Knowing in Advocacy-Initiated Response



Steps in Processing a Criminal Case



Effective Advocate-initiated Response

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

Protocol Between Advocacy Program and Law Enforcement

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

Law Enforcement Practices at the Scene

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

Advocacy Program Procedures/ Forms

- ◉ For hotline/ on-call advocate
- ◉ For legal advocate
- ◉ For institutional advocate
- ◉ For supervisor

Hotline/ On-call duties

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

Advocacy Program Procedures, cont.

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

Assessing for Erroneous Arrest

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

Getting Buy-in from Law Enforcement

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

Questions/Resources

- ◎ Questions? ??

Resources

- ◎ Sample law enforcement working agreement
- ◎ Sample advocacy procedures and forms in a CCR
- ◎ Maryland assessment
- ◎ Other: