**Examples of How Best Practices are institutionalized in the Criminal Justice System’s Response to Domestic Violence**

|  | Laws and Case Laws | Policy, procedures, protocols, formsP-policy; RWG -report-writing guide; S-Supervision, PR-Protocol/ working agreement |
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| Law Enforcement  | * Warrantless probable cause (PC) misdemeanor arrestsfor domestic assault within 12 hours
* PC arrest where there is a “significant romantic or sexual relationship”
* 72 hour protection orders issued by law enforcement
* Interruption of a 911 call = gross misdemeanor
* Stalking is a gross misdemeanor, aggravated stalking is a felony
* Criminal enhancement for prior convictions or there is/has been protection order
* Written report on arrests and non-arrests
* Victim provided with “victim rights cards” with advocacy contacts
* Detention rather than citation in arrests
* Arrest for violations of protection order (PO) exclusion clause
* Jail holds for DV arrests until arraignment
* Jail makes reasonable attempts to notify victims of release of DV offenders
* Jail notifies arresting agency when releasing
* Officers share reports with DV programs, when requested
* Written DV policies, created and evaluated with DV programs, that include self-defense and predominant aggressor determinations
* Petitioner not in violation of PO by admitting excluded respondent into residence
* When not arresting, victim provided immediate assistance, including medical treatment and “victim rights cards”
* Fed VAWA legislation requirements regarding guns
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 | * Officers must be dispatched in DV cases (P, S)
* DV calls assigned high priority (P, S)
* Victim not asked whether she wants suspect arrested (P,S)
* Dual arrests discouraged (P, S)
* Self-defense investigations required (P, RWP, S)
* Predominant aggressor determinations required (P, RWP, S)
* Arresting victims on petty warrants discouraged (P, RWP, S)
* Interview all witnesses at scene (P, RWP, S)
* Time of dispatch, arrival (P, RWP, S)
* History and risk questions asked (P, RWP, S)
* Discourages use of family, friends or neighbors as interpreters (P, S)
* Check on welfare of all children at scene (P,S)
* Use of report-writing guidelines (P, S)
* Supervisory oversight for reports (P, S)
* In non-arrest cases,
* Investigations support going forward with case without victim cooperation (PR, S)
* Law enforcement contacts advocacy program to provide *Advocacy Initiated Response* (PR, S)
* Designate liaisons in dv program and law enforcement to respond to complaints (PR, S)
* Share arrest and non-arrest reports with dv programs (PR, S)
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| **Prosecution**  | * Victim notification for bail hearings required
* Require victim input on plea negotiation and sentencing
* Relevant victim input required at pre-trial release
* For safety reasons, disclosure of victim or witness’s addresses and phone number not required
* Prosecutors must have policies developed & evaluated with DV programs with provisions regarding dismissal, deferral, victim subpoenas, evidence-based prosecution, and others.
* Forfeiture by wrongdoing clause & exceptions to hearsay rule increases admissibility of evidence under certain conditions
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 | * Block victim’s phones from jail at victims request
* Make 3 calls to victims before releasing offender
* Contact DV program when unable to locate victim
* Design alternative response for victims who fight back
* Build case understanding victim will likely not fully participate
* Evidence-based strategies
* Forfeiture by wrongdoing
* Do not drop because victim doesn’t want to testify
* Work with DV program and hire victim support staff
* Prioritize fast track disposition
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| **Advocacy/CCR Coordinating Agency Practices** | * Identify and document current response problems and potential best-practice solutions
* Coordinate meetings to set goals, activities, address problems, policy development
* Coordinate tracking, monitoring, evaluation activities—provide reports
* Provide Advocacy-initiated response asap after arrest
* Provide legal advocacy, maintain contact with victim throughout case
* Review police reports
* Contact liaisons with response concerns in individual cases/ address systemic issues
* Involve victims in CCR effort
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| **Other Key Points in the Criminal Justice System Response to Battering** | * OP Violations of can also be contempt of court
* Minimum 3, 10, and 30 day sentence for misd., gross misd. and felony violations of Po’s, respectively
* Notify victim when sentence mod is being considered
* 2- year probation for dv
* Increase length of probation for misd DV offense to 2 years
* Conduct P.S.I. on all domestics
* Crime to own a gun if convicted of DV
* Victim impact statements are confidential
* Counseling for all convictions of OFP violations
* Enhancement of penalties for repeat offenders against same victims
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 | * Agree on bail schedule on DV cases to gain consistency
* Use supervised release to monitor suspects in DV cases
* Contact or no-contact based on victim
* Request
* Stopping violence primary rehab goal.
* Use jail to gain compliance.
* Avoid couples counseling (rare exception)
* Special D.V offender programs; account for (a) victims fighting back; (b) specialized groups, i.e., Spanish speaking, Native men, lesbians etc.
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