

Appendix 3K

Training Memo—Victim Engagement and the Law Enforcement Response to Domestic Violence

Why is victim engagement important?

How victims are treated in domestic abuse–related cases has much to do with the possibilities for collaboration between victims and interveners in advancing victim safety and offender accountability. Most domestic violence crimes are part of a pattern of ongoing violence, intimidation, and abuse that requires ongoing intervention. Cooperation with the legal system often has complex and dangerous consequences for victims, which need to be recognized and countered if victims are to view intervention as meaningful and something they can fully support. Patrol officers, investigators, and other police personnel can engage with victims in ways that set and reinforce a tone of support and protection. In the words of one investigator:

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

What is involved?

1. Whenever possible, minimize the victim's need to confront the offender.
2. When using information provided by the victim, protect her/him from retaliation.
 - ✓ Do not tell the suspect what the victim has told you.
 - ✓ If circumstances allow, do not tell the suspect you have spoken to the victim.
3. Treat each interaction with the victim as an attempt to build collaboration over multiple interventions.
 - ✓ Treat each contact with the victim as an opportunity to build a continuing relationship.
 - ✓ Be patient with victims who may be hostile and less than appreciative of your efforts. Over time and if treated well, most victims will participate in a collaboration to stop the violence.
 - ✓ Ensure that the victim knows who you are and how to contact you.
 - ✓ Encourage the victim to report all contact, abusive behavior, or violations by the suspect.
 - ✓ Inform the victim of the importance of keeping a record of mail, voice mail, e-mail, text messages, and other communication and contact from the suspect or others acting on the suspect's behalf.
4. Be mindful of the complex and often dangerous implications of cooperation with the legal system for victims.

- ✓ Inform the victim of the availability of periodic “welfare” checks at her or his residence by officers.
 - ✓ Request that the victim report any threats against her or him for cooperating with the investigation.
5. Problem solve as to how the victim might enhance safety as the case proceeds through the legal system. Be aware that the fundamental purpose of battering is to control what the victim says, thinks, feels, and does. Victims are rarely in a position to “tell all,” although they may do so in unguarded moments. Take great care to not endanger victims with what they have shared about the offender, the abuse and their situation.
- ✓ If the victim is willing to talk about the full scope of abuse and violence, ask for details and record all credible reports of violence, coercion, intimidation, and acts of abuse.
 - ✓ Inform the victim of community services that help support and enhance safety.
6. Engage in dialogue with the victim rather than treating her or him as a data point.
- ✓ Ask open-ended questions. Open-ended questions produce more information than narrow questions.
 - ✓ Provide the victim with the phone number of a domestic violence advocacy program for safety planning and services.
 - ✓ If the victim or witnesses do not speak English, contact appropriate interpreter services.
 - ✓ For follow-up interviews and contact, utilize interpreter services who speak the victim’s language or other appropriate interpreter services. Do not use neighbors or family members.
7. Avoid unintentionally replicating or reinforcing the actions of the abuser by offering clear alternatives to messages that the victim is crazy, at fault, unbelievable, and unable to make decisions and that the abuser is unstoppable.

Victims have said that the following messages, when offered by a police officer, have changed things for them and helped counter the messages of abuse:

- ✓ You don’t deserve this kind of treatment.
- ✓ What he (or she) is doing is a crime and he needs to hear that from us, from the police, courts, judges, people he might have to listen to.
- ✓ It is our responsibility—the police and the courts—to investigate and respond to crimes. Don’t let this get turned around on you. This is not something you are doing to him (her). It’s what we are doing because of what he/she is doing.
- ✓ You and your children shouldn’t have to live with this, with the fear, upheaval, violence. You deserve a life without all this.
- ✓ The reason we bring these cases into the criminal court is to try to get some control on the offender and give him a chance to turn things around. It’s up to him. If he can stop all this he’ll be fine; if he keeps it up the courts will get tough on him.
- ✓ You know him/her. It’s going to take all of us working together to really stop him.