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

![Diagram: Complexities of Risk and Safety](image-url)
Intervention Risks

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

- 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 case Processing

Advocacy

Current practices

Best practices

What victims need

What victims get

Steps in Processing a Criminal Case

911 call

Investigation

Booking

Holding or Releasing Suspect

Pre-trial Negotiations

Arraignment

Bail/Release

Charging the Case

Trial Preparation

Trial

Sentencing

Monitoring/ Enforcement
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: