Blueprint Policy and Practice Assessment Notes and Documentation Tool

## Blueprint Policy and Practice Assessment: 911 Emergency Communications – Notes & Documentation

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| **Summary of the 911 Emergency Communications assessment activities** |
| Work groups |  |
| Policy review |  |
| Case review |  |
| Community consultation |  |
| Interviews |  |
| Observations |  |
| Other activities |  |

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| Policy & Practice Assessment Notes & Documentation 911 EMERGENCY COMMUNICATIONS | How does current *POLICY* compare?Where is this element found in the agency’s domestic violence policy?If missing, explain where located elsewhere in agency policy or any barriers to including it. | How does current *PRACTICE* compare?What actually happens? Based on:* Review of call recordings and dispatch records
* Interviews with call-takers and dispatchers
* Observations in the 911 center
* Information from victims/survivors
 |
| 1. Set priority-level response for domestic assault calls.
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| 1. Elicit and relay to responding officers information about:
* Type & level of danger, weapons, types of violence used, etc.
* Exact report of what caller saw/heard/experienced
* Who is at the scene
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| 1. Collect and relay information to aid officers in apprehending suspects who have left the scene.
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| 1. Communicate effectively and respectfully with callers.
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| 1. Tell callers when a squad has been dispatched.
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| 1. Determine how and when to safely keep callers on the line.
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| 1. Respond to people having difficulty with communication.
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| 1. Safely respond to interrupted calls.
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| 1. Safely respond to children on the line.
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| 1. Communicate in a person’s first language and in ways that address limited English proficiency; provide access to language interpretation and TTY/TDD when required.
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| 1. Utilize all available databases and information sources to obtain history on suspect.
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| 1. Code calls accurately when domestic violence-related.
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| 1. Record and keep calls and related documents in a manner which allows later access by bail evaluators, investigators, prosecutors, probation, and defense attorneys.
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| 1. Foster engagement with people seeking help:
* Avoid placing the victim in a position of confrontation with the offender.
* Protect the victim from retaliation when communicating with the offender.
* Treat each interaction with the victim as an opportunity to build a partnership over multiple contacts.
* Demonstrate awareness of signs that violence may be resuming or escalating.
* Inform caller before placing him/her on hold.
 |  |  |
| 1. Conduct regular supervisory quality and compliance review of calls and practice.
 |  |  |
| 1. Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.
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| 1. Meet regularly with law enforcement, prosecution, and community-based advocates to discuss and resolve problematic cases and responses.
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| 1. Other observations in comparing current policy and practice with Blueprint Essential Elements:
* Strengths
* Other gaps
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## Blueprint Policy and Practice Assessment: Law Enforcement

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| **Summary of the law enforcement assessment activities** |
| Work groups |  |
| Policy review |  |
| Case review |  |
| Community consultation |  |
| Interviews |  |
| Observations |  |
| Other activities |  |

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| LAW ENFORCEMENTEssential Elements | How does current *POLICY* compare?Where is this element found in the agency’s domestic violence policy?If missing, explain where located elsewhere in agency policy or any barriers to including it. | How does current *PRACTICE* compare?What actually happens? Based on:* Review of patrol and investigation reports
* Interviews with patrol officers and investigators
* Observations (e.g., patrol ride-along)
* Information from victims/survivors
 |
| PATROL |
| 1. Obtain or request enhanced information from dispatch, including:
* Type & level of danger, weapons, types of violence used, etc.
* Exact report of what caller saw/heard/experienced
* Who is at the scene
* Information to aid in locating suspect who has left the scene
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| 1. Separate the parties and minimize sight and sound contact between suspect and victim(s) as safety permits.
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| 1. Communicate in a person’s first language and in ways that address limited English proficiency and literacy.
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| 1. Interview everyone at the scene (including children) and obtain contact information for all.
* Obtain detailed contact information for the victim.
* Obtain suspect’s statement if present at the scene or if s/he can be located.
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| 1. Identify and check on the welfare of all children at the scene.
 |  |  |
| 1. Document and collect all available evidence, including photographs of all injuries, the scene, broken or damaged belongings, weapons, witness statements, electronic (e.g., recordings of text messages, voice-mail, social media), indicators of strangulation, indicators of stalking.
* Do not seize telephone if it would leave victim without a working phone.
* Request the victim sign a medical release if medical treatment will be sought.
* Collect and secure evidence related to probable cause regardless of suspect’s absence from the scene.
* Note spontaneous statements by those at the scene.
* Note physical appearance and emotional demeanor of parties.
 |  |  |
| 1. Determine the existence of civil protection orders, harassment restraining orders, and criminal no-contact orders.
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| 1. Ask about and document past history of violence and stalking.
* Victim and witness informants
* Law enforcement and criminal history records
 |  |  |
| 1. Ask and document responses to the 3 Blueprint risk questions and follow-up:
2. Do you think he/she will seriously injure or kill you, your children, or someone else close to you? What makes you think so? What makes you think not?
3. How frequently does he/she intimidate, threaten, or assault you? Is it changing? Getting worse? Getting better?
4. Describe the time you were the most frightened or injured by him/her.
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| 1. When both parties have used violence:
* Assess first for self-defense; arrest the party who was not acting in self-defense.
* If cannot determine self-defense, assess for the predominant aggressor; arrest the predominant aggressor.
* Discourage dual arrest.
 |  |  |
| 1. Mandatory arrest with probable cause and any one or more of the following conditions:
* Felony-level crime
* Injury or impairment to victim
* Dangerous weapon involved
* Violation of order for protection, harassment restraining order, or no-contact order
* Victim fears imminent bodily harm
 |  |  |
| 1. Ask about and document threats to victim for seeking help or attempts to dissuade victim from seeking help.
 |  |  |
| 1. Whether or not there has been an arrest, provide assistance to victims before clearing the scene:
* At a minimum, address: medical care, transport to a safe place, notice of victim’s rights and compensation, advocacy and community resources, civil protection orders.
* Encourage victim to call 911 if suspect returns to the scene.
 |  |  |
| 1. When probable cause exists to make an arrest and the suspect has left the scene, collect all evidence, take measures to locate the suspect and protect the victims; submit an investigation report.
 |  |  |
| 1. Document patrol response and arrest decision in a report utilizing information in the Domestic Violence Patrol Report Checklist (attached).
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| 1. If there is insufficient probable cause for an arrest, write a brief report to document the complaint and the response. Do not recode a call dispatched as domestic abuse-related to a non-domestic category.
 |  |  |
| 1. If the suspect is gone from the scene (GOA), collect evidence in the same way as when an arrest has taken place and search for suspect as is reasonably possible.
 |  |  |
| 1. Conduct prompt supervisory review and (1) assign follow-up investigation when patrol has determined probable cause for an arrest or (2) forward to charging attorney without further investigation.
 |  |  |
| 1. Cases with one or more of the following receive high priority regardless of whether offender is in custody or out of custody (GOA):
* Imminent time deadline
* Significant injury or impairment
* Strangulation or stalking alleged
* Victim’s response to risk questions indicates significant risk
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| 1. In gross misdemeanor and felony cases:
* Conduct an expanded domestic violence risk assessment as warranted, starting from responses to the three risk questions.
* Evaluate for all possible charges.
 |  |  |
| 1. Be alert to and investigate types of crimes associated with domestic violence:
* Stalking/harassment
* Strangulation
* Sexual coercion/sexual aggression
* Witness tampering
 |  |  |
| 1. Promptly notify the victim when a case is declined for referral to prosecution.
 |  |  |
| 1. Determine if the suspect is on probation; if so, notify probation of the circumstances of the case, including any offenses where the suspect left the scene and has not been located.
 |  |  |
| 1. Engage with victims in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration over time, and increase access to services and protection.
 |  |  |
| SUPERVISION |
| 1. Conduct regular supervisory quality and compliance review of departmental practice.
* Patrol and investigation supervisors conduct regular review of reports and files
* Refer reports to supervisors and commanders for review, redrafting, and policy/protocol clarification
* Approve officers’ actions when exceptions to arrest policy are contemplated
 |  |  |
| 1. Provide structure for supervisors to participate in ongoing interagency monitoring, evaluation, and maintenance.
 |  |  |
| 1. Meet regularly with 911, prosecution, and probation to discuss and resolve problematic cases and responses.
 |  |  |
| 1. When an incident involves department employees:
* Investigate, make arrest decision, process evidence, and conduct follow-up investigation to ensure safety and accountability.
* Send a supervisor of higher rank than the suspect to the scene.
* Supervisor shall recover arrestee’s badge, law enforcement identification card, and weapon.
 |  |  |
| 1. Incidents involving public figures:
* Investigate, make arrest decision, process evidence, and conduct follow-up investigation to ensure safety and accountability.
* Send a supervisor to the scene.
* Take precautions to protect the victim’s safety and confidentiality.
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| 1. Other observations in comparing current policy and practice with Blueprint Essential Elements:
* Strengths
* Other gaps
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| SEE ATTACHMENT: Domestic Violence Patrol Report Checklist |

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| Attachment to Law Enforcement Essential Elements: Blueprint for Safety – Domestic Violence Patrol Report Checklist |
| Background and officers’ actions: * Time of officers’ arrival and time of incident
* Relevant 911 information, including specific details about any violence or threats in the 911 call
* Immediate statements of either party and any witnesses at the scene
* A complete description of the scene
* Note any existing protection or no-contact orders, probation, warrants, prior convictions
* Summarize actions taken by responding officers (e.g., entry, arrest, non-arrest, use of force, attempts to locate, transport, advocacy contact and referrals, victim notification, seizing firearms, rationale for self-defense or primary aggressor determination)
* Account of evidence collected (e.g., pictures, statements, weapons, other)
* Presence of risk factors (see below)
* If an arrest was not made, the reason why
* When possible, issue a squad pick-up and hold on suspects not on the scene (“gone-on-arrival” or GOA) that are on probation.
 | **For each witness and party involved:** * His/her account of events and responses to follow-up questions
* Officer observation related to the person’s account of events
* Identification, address, and means of locating the person for follow-up, including:
	+ Home address and phone number
	+ Place of employment, work address and phone number
	+ Cell phone number(s)
	+ Relationship to other parties

**For each party involved:** * Injuries or impairment, (including pain, strangulation effects, breathing, movement impairment)
* Emotional state/demeanor
* Acts of intimidation or aggression
* Presence or use of weapons
* Alcohol or drug consumption and impairment of those involved
 | **Information from the victim**, including history of violence and stalking and contact information: * Responses to the risk questions:
	+ 1. Do you think he/she will seriously injure or kill you or your children? What makes you think so? What makes you think not?
		2. How frequently and seriously does he/she intimidate, threaten, or assault you? Is it changing? Getting worse? Getting better?
		3. Describe the time you were the most frightened or injured by him/her.
		4. Have you ever been threatened or intimated by him/her for seeking help or attempting to seek help from police, the courts or others? How?
* Threats to the victim for seeking help, particularly from law enforcement or courts, and stalking behaviors
* Name and phone numbers of someone who can always reach the victim

NOTE: Record victim contact information in the confidential section of the report*.** Inform the victim that every effort will be made to protect this information, but that it is possible that the suspect could gain access via court order
 |
| Additional information related to the suspect:* GOA: details about where the suspect might be and where he/she stays when not at the address of the incident; physical and vehicle descriptions; aliases
* Suspect’s county and state of residence during the past ten years
* Whether Miranda is given and/or request for attorney and when this occurred
* Whether a custodial taped interview of the suspect was conducted
* Any spontaneous statements given by the suspect after the arrest
 | **Additional information related to the case:** * Details regarding presence, involvement, and welfare of children at the scene
* Existence of language, communication, or cognition barriers
* Medical help offered or used, facility, and medical release obtained
* Presence or involvement of elderly people or people with disabilities
 | **RISK & DANGER FACTORS**This is **not a complete list**, but for illustration.* Stalking
* Strangulation; attempts to “choke”
* Threats to kill the victim
* Victim believes or fears threats to kill
* Threats to kill conveyed to others
* Threats of suicide
* Forced sex or pressuring for sex even when separated
* Serious injury to the victim
* Carries, has access to, uses, or threatens with a weapon
* Violence outside of the home
* Increase in frequency, severity, or type of violence
* Frequent impairment by alcohol or drugs
* Victim attempting a permanent break
* Estrangements and separations
* Failure of prior interventions
* Prior arrests, law enforcement calls, and/or protection order(s)
* Obsessive control of victim’s daily activities; obsessive jealousy

**Violence with a pattern of coercion is a serious marker of high risk violence.** *For more information see Blueprint for Safety Appendix 1A: Practitioners’ Guide to Risk and Danger in Domestic Violence Cases* |

## Blueprint Policy and Practice Assessment: Pretrial Release / Bail Evaluation

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| **Summary of the pretrial release/bail evaluation assessment activities** |
| Work groups |  |
| Policy review |  |
| Case review |  |
| Community consultation |  |
| Interviews |  |
| Observations |  |
| Other activities |  |

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| PRETRIAL RELEASE / BAIL EVALUATIONEssential Elements | How does current *POLICY* compare?Where is this element found in the agency’s domestic violence policy?If missing, explain where located elsewhere in agency policy or any barriers to including it. | How does current *PRACTICE* compare?What actually happens? Based on:* Review of completed release/bail forms/conditions
* Interviews with bail evaluators
* Observations in court or pretrial release facility
* Information from victims/survivors
 |
| 1. Present a bail evaluation that includes severity and context, criminal history, risk to the victim and community as well as likelihood of reappearance.
 |  |  |
| 1. Inform the victim of limits of confidentiality; put procedures in place to protect information obtained from victim to the extent possible under law.
 |  |  |
| 1. Differentiate recommendations for bail and conditions of release based on risk, context, and severity.
 |  |  |
| 1. Contact the victim about the incident, history of violence, and wishes concerning conditions of release, including no- contact orders.
 |  |  |
| 1. Inform the victim promptly of ordered conditions of release.
 |  |  |
| 1. Supervise defendants granted conditional release, monitor for compliance with conditions of release, and respond promptly to violations of conditional release; take action based on the nature of the violation and risk and danger.
 |  |  |
| 1. Inform victim of who to contact and how to report violations or harassment by defendant.
 |  |  |
| 1. Respond promptly to violations of conditional release; take action based on the nature of the violation and risk and danger.
 |  |  |
| 1. Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, and increase access to services and protection.
 |  |  |
| 1. Communicate in a person’s first language and in ways that address limited English proficiency and literacy.
 |  |  |
| 1. Conduct supervisory quality and compliance review of pretrial/bail evaluation practice.
 |  |  |
| 1. Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.
 |  |  |
| 1. Meet regularly with prosecution, court administration, and community-based advocates to discuss and resolve problematic practices and responses.
 |  |  |
| 1. Other observations in comparing current policy and practice with Blueprint Essential Elements:
* Strengths
* Other gaps
 |  |  |

## Blueprint Policy and Practice Assessment: Sheriff’s Office

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| **Summary of the Sheriff’s Office assessment activities** |
| Work groups |  |
| Policy review |  |
| Case review |  |
| Community consultation |  |
| Interviews |  |
| Observations |  |
| Other activities |  |

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| SHERIFF’S OFFICEEssential Elements | How does current *POLICY* compare?Where is this element found in the agency’s domestic violence policy?If missing, explain where located elsewhere in agency policy or any barriers to including it. | How does current *PRACTICE* compare?What actually happens? Based on:* Review of warrant and jail notification documents
* Interviews with warrant, jail, and courtroom staff
* Observations in the courtroom
* Information from victims/survivors
 |
| Warrants |
| 1. Use widest possible sources of information to locate defendant.
 |  |  |
| 1. Obtain and act upon information from victims related to locating the defendant.
 |  |  |
| 1. Prioritize warrants based on crime level and risk and danger.
 |  |  |
| 1. When new information is received, reactivate dormant warrants and renew attempts to locate defendant.
 |  |  |
| 1. Capture and report to law enforcement the defendant’s behavior at time of service regarding threats, intimidation, risk and danger.
 |  |  |
| Jail |
| 1. Capture and report to law enforcement information regarding threats and risk and danger during booking and defendant’s stay in the jail.
 |  |  |
| 1. Provide prompt notification to victim of defendant’s impending release.
 |  |  |
| 1. Prohibit visits, correspondence, and phone calls between defendant and victim if a no-contact order is issued.
 |  |  |
| 1. Block victim’s phone number unless victim wants contact and a no-contact order is not in place.
 |  |  |
| 1. Make jail audio readily available to law enforcement and prosecution.
 |  |  |
| Court Security |
| 1. Establish procedures to obtain, accept, and act on victims’ reports of harassment or threats.
 |  |  |
| 1. Alert courtroom security to the existence of a protection order or no-contact order.
 |  |  |
| 1. Establish procedures to act upon violations of court orders or victim intimidation.
 |  |  |
| 1. Provide a secure area for victims in the courthouse.
 |  |  |
| 1. Report to prosecutors any intimidation or harassment of victim by defendant.
 |  |  |
| CROSS-DIVISION / AGENCY-WIDE |
| 1. Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.
 |  |  |
| 1. Communicate in a person’s first language and in ways that address limited English proficiency and literacy.
 |  |  |
| 1. Conduct supervisory quality and compliance review of Sheriff’s Office practice.
 |  |  |
| 1. Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.
 |  |  |
| 1. Meet regularly with law enforcement, prosecution, court administration, and community-based advocates to discuss and resolve problematic practices and responses.
 |  |  |
| 1. Other observations in comparing current policy and practice with Blueprint Essential Elements:
* Strengths
* Other gaps
 |  |  |

## Blueprint Policy and Practice Assessment: Prosecution

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| **Summary of the prosecution assessment activities** |
| Work groups |  |
| Policy review |  |
| Case review |  |
| Community consultation |  |
| Interviews |  |
| Observations |  |
| Other activities |  |

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| PROSECUTIONEssential Elements | How does current *POLICY* compare?Where is this element found in the agency’s domestic violence policy?If missing, explain where located elsewhere in agency policy or any barriers to including it. | How does current *PRACTICE* compare?What actually happens? Based on:* Review prosecutions cases of various dispositions
* Interviews with prosecutors
* Observations in the courtroom
* Information from victims/survivors
 |
| 1. Approach charging in ways that minimize dependence on the victim and maximize other sources of information.
* Post-arrest witness intimidation is very common in domestic violence cases. Know the doctrine of forfeiture by wrongdoing and prepare the case accordingly.
* Expand the focus to include illegal behavior after patrol arrives.
* Charge all relevant crimes except where victim safety, including safety of victim-defendants, warrant otherwise.
 |  |  |
| 1. Evaluate the risk and lethality factors and the context of the violence and adjust prosecutorial response accordingly.
 |  |  |
| 1. Request further investigation rather than decline a case that might be charged with additional evidence.
 |  |  |
| 1. Reevaluate the case for additional charges or amended charges as additional evidence is gathered.
 |  |  |
| 1. Be aware of potentially undercharged crimes in domestic violence cases: strangulation, stalking, sexual coercion/sexual aggression, and witness tampering.
 |  |  |
| 1. Relay charging decisions, including declining charges, promptly to law enforcement, victim, and victim/advocate.
 |  |  |
| 1. Engage with victims in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.
 |  |  |
| 1. Communicate in a person’s first language and in ways that address limited English proficiency and literacy.
 |  |  |
| 1. Engage in and document early and continuing contact with victims.
 |  |  |
| 1. Adopt process to obtain and consider input from victim and/or victim’s advocate about pretrial conditions of release.
 |  |  |
| 1. Consider each no-contact order individually.
 |  |  |
| 1. Do not threaten to or place a victim in custody to ensure witness availability.
 |  |  |
| 1. Approach cases with the understanding that the victim may not appear for trial or may recant.
 |  |  |
| 1. Do not file criminal charges against a recanting victim.
 |  |  |
| 1. Make recommendations for bail and pretrial conditions of release that reflect context and severity of the offense, the risk and danger, and safety needs of the victim and public.
 |  |  |
| 1. Unless provided by another agency, keep victim informed of bail and pretrial release conditions and procedures.
 |  |  |
| 1. Take prompt action upon notice of violation of conditional release to ensure sure and swift consequences.
 |  |  |
| 1. Obtain and take into account input from victim and advocate about plea and sentencing recommendations.
 |  |  |
| 1. Ensure access to victim’s rights protections under state statutes, including the right to restitution, compensation and offering victim impact statements.
 |  |  |
| 1. Adjust the response when considering plea agreements and sentencing with victim/defendants.
 |  |  |
| 1. Request a probationary no-contact order at the victim’s request, overriding this request only in rare cases where the suspect poses significant danger to the victim or the community.
 |  |  |
| 1. Provide information on plea and sentencing to appropriate persons and agencies including the victim.
 |  |  |
| 1. Provide probation PSI writer with already gathered information.
 |  |  |
| 1. Take prompt action to address violations of probation conditions to ensure sure and swift consequences.
 |  |  |
| 1. Conduct regular supervisory quality and compliance review of prosecution practice.
 |  |  |
| 1. Provide structure for managers and supervisors to participate in ongoing interagency monitoring, evaluation, and maintenance.
 |  |  |
| 1. Meet regularly with 911, law enforcement, court administration, and community-based advocates to discuss and resolve problematic practices.
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| 1. Other observations in comparing current policy and practice with Blueprint Essential Elements:
* Strengths
* Other gaps
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## Blueprint Policy and Practice Assessment: Victim/Witness

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| **Summary of the victim/witness assessment activities** |
| Work groups |  |
| Policy review |  |
| Case review |  |
| Community consultation |  |
| Interviews |  |
| Observations |  |
| Other activities |  |

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| VICTIM/WITNESS Essential Elements | How does current *POLICY* compare?Where is this element found in the agency’s domestic violence policy?If missing, explain where located elsewhere in agency policy or any barriers to including it. | How does current *PRACTICE* compare?What actually happens? Based on:* Review of case files
* Interviews with V/W staff
* Observations in the V/W office and courtroom
* Information from victims/survivors
 |
| 1. Inform victim that communication is not confidential.
 |  |  |
| 1. Make contact as soon as possible and maintain contact throughout the criminal court process.
 |  |  |
| 1. Communicate in a person’s first language and in ways that address limited English proficiency and literacy.
 |  |  |
| 1. Connect victims with community-based advocates who can provide assurance of confidentiality.
 |  |  |
| 1. Seek input from the victim at all stages of the process and communicate information to prosecutor.
 |  |  |
| 1. Facilitate victim’s access to the prosecutor and legal system to ensure that the victim has a voice in process and that her/his expressed concerns are communicated and considered.
 |  |  |
| 1. Explore victim’s concerns about safety and problem-solve to address question and concerns, including the implications of a no-contact order.
 |  |  |
| 1. Provide required victim notifications related to the criminal case process pursuant to state law and assist victims in exercising their rights.
 |  |  |
| 1. Ensure access to victim’s rights protections under state statutes, including the right to restitution, compensation and offering victim impact statements.
 |  |  |
| 1. Offer support, information and resources throughout the process.
 |  |  |
| 1. Arrange assistance as needed to facilitate victim’s participation in court proceedings.
 |  |  |
| 1. Facilitate victim’s connection to probation throughout presentence investigation, sentencing, and supervision.
 |  |  |
| 1. Provide for post-conviction assistance, information, and support.
 |  |  |
| 1. Engage with victims in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.
 |  |  |
| 1. Conduct regular supervisory quality and compliance review of Victim/Witness practice.
 |  |  |
| 1. Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.
 |  |  |
| 1. Meet regularly with law enforcement, prosecution, and community-based advocates to discuss and resolve problematic cases and responses.
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| 1. Other observations in comparing current policy and practice with Blueprint Essential Elements:
* Strengths
* Other gaps
 |  |  |

## Blueprint Policy and Practice Assessment: Probation

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| **Summary of the probation assessment activities** |
| Work groups |  |
| Policy review |  |
| Case review |  |
| Community consultation |  |
| Interviews |  |
| Observations |  |
| Other activities |  |

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| PROBATIONEssential Elements | How does current *POLICY* compare?Where is this element found in the agency’s domestic violence policy?If missing, explain where located elsewhere in agency policy or any barriers to including it. | How does current *PRACTICE* compare?What actually happens? Based on:* Review of PSIs and supervision cases
* Interviews with probation staff
* Observations in the probation office/courtroom
* Information from victims/survivors
 |
| 1. Establish procedures to obtain victim input regarding presentence investigation (PSI) and conditions of probation, including no-contact orders and response to violations.
 |  |  |
| 1. Conduct PSIs that search all available records and capture complete information about the current offense and defendant’s past use of violence.
 |  |  |
| 1. Incorporate history, context, severity, risk and danger in the PSI report, with particular attention to those cases involving apparent victim-defendants (i.e., where the defendant appears to have been abused in the past by the identified victim in the case).
 |  |  |
| 1. Make PSI recommendations based on context, severity, risk and danger.
 |  |  |
| 1. Attempt to meet with or contact the victim prior to first meeting with the defendant.
 |  |  |
| 1. Meet promptly with offender to review all probation conditions and obtain signed releases.
 |  |  |
| 1. Provide supervision that is appropriate to risk and danger and consistent in holding offender accountable.
* Ensure that supervision of victim-defendants does not make the defendant more vulnerable to further violence.
* Identify high risk offenders and utilize enhanced supervision.
 |  |  |
| 1. Provide immediate response to probation violations, differentiated based on risk posed to the victim and the community.
 |  |  |
| 1. Establish procedures to hear probation violations based on new criminal activity before the new charge is resolved, if the activity is associated with increased risk to victim.
 |  |  |
| 1. Provide timely and thorough notification to victims of the terms and conditions of probation.
 |  |  |
| 1. Seek information from victims about their concerns during supervision, including how to report violations in a manner that does not increase risk.
 |  |  |
| 1. Ensure programming, including appropriate domestic violence treatment, that fits risk and danger.
 |  |  |
| 1. Coordinate and share information with treatment programs; monitor compliance with probation conditions.
 |  |  |
| 1. Communicate in a person’s first language and in ways that address limited English proficiency and literacy.
 |  |  |
| 1. Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.
 |  |  |
| 1. Conduct regular supervisory quality and compliance review of practice.
 |  |  |
| 1. Provide structure for managers to participate in ongoing interagency monitoring, evaluation, and maintenance.
 |  |  |
| 1. Meet regularly with law enforcement, prosecution, and community-based advocates to discuss and resolve problematic cases and responses.
 |  |  |
| 1. Other observations in comparing current policy and practice with Blueprint Essential Elements:
* Strengths
* Other gaps
 |  |  |

## Blueprint Policy and Practice Assessment: The Bench and Court Administration

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| **Summary of the bench and court administration assessment activities** |
| Work groups |  |
| Policy review |  |
| Case review |  |
| Community consultation |  |
| Interviews |  |
| Observations |  |
| Other activities |  |

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| --- | --- | --- |
| THE BENCH AND COURT ADMINISTRATIONEssential Elements | How does current *POLICY* compare?Where is this element found in the agency’s domestic violence policy?If missing, explain where located elsewhere in agency policy or any barriers to including it. | How does current *PRACTICE* compare?What actually happens? Based on:* Review of conditions of release, probation, orders
* Interviews with judges and court staff
* Observations in the courtroom
* Information from victims/survivors.
 |
| 1. Allow prosecutors/probation to present relevant information regarding the violence, risk, context, and severity at all stages of criminal process.
 |  |  |
| 1. Determine pretrial conditions of release and bail based on risk factors present, victim safety, public safety and likelihood of reappearance.
 |  |  |
| 1. Determine the issuance of no-contact orders on an individual basis.
 |  |  |
| 1. If victim objects to issuance of a no-contact order, assess both the context and risk to victim if the no-contact order is not issued and the difficulty for victim if it is ordered.
 |  |  |
| 1. Set conditions of release and bail when suspect cannot be arrested on scene (“gone-on- arrival”) on same basis as in-custody cases.
 |  |  |
| 1. State pretrial and probationary conditions in clear/precise language.
 |  |  |
| 1. Read key conditions of probation aloud during sentencing.
 |  |  |
| 1. Communicate in a person’s first language and in ways that address limited English proficiency and literacy.
 |  |  |
| 1. Establish a process to allow victims to request modification or dismissal of no-contact orders.
 |  |  |
| 1. Provide a prompt response to violations of conditions of pretrial release.
 |  |  |
| 1. Distribute court orders, including conditions of pretrial release, no-contact orders (and any modifications or cancellations), and probation conditions to involved parties and agencies, including to victim unless provided by another agency.
 |  |  |
| 1. Order a presentence Investigation (PSI) in all cases where the original charge is a domestic violence-related offense, regardless of conviction charge.
 |  |  |
| 1. Issue a disposition that reflects risk, context and severity.
 |  |  |
| 1. Except in rare cases involving particularly dangerous defendants who place victims or the community at high risk of serious or lethal harm, do not issue warrants for victims who do not appear in court pursuant to a subpoena.
 |  |  |
| 1. Obtain victim input on pleas and sentencing.
 |  |  |
| 1. Except in very rare cases after an assessment of risk and danger, do not order a probationary no-contact order over the victim’s objection.
 |   |  |
| 1. Hear probation violations promptly.
 |  |  |
| 1. Establish procedures to order surrender of firearms based on state and federal law.
 |  |  |
| 1. Engage with victims and defendants in ways that protect victims from retaliation, prioritize safety, offer resources, build collaboration for victim safety over time, and increase access to services and protection.
 |  |  |
| 1. Establish a courtroom atmosphere that enhances criminal justice system intervention to support victim safety and offender accountability.
 |  |  |
| 1. Conduct regular supervisory quality and compliance review of court practices.
 |  |  |
| 1. Provide a structure for court administration to participate in ongoing interagency monitoring, evaluation, and maintenance.
 |  |  |
| 1. Other observations in comparing current policy and practice with Blueprint Essential Elements:
* Strengths
* Other gaps
 |  |  |