

Calling Victims Before They Call You webinar, June 2014

With Rose Thelen, Praxis Technical Assistance Provider and Kathleen Marvin, Executive Director, Tillamook Women’s Resource Center and Ashley Tilley, Praxis International webinar host

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Ashley: Hello everyone and welcome to this rural routes for change webinar, offered by Praxis International and the Office of Violence Against Women. Our [inaudible] to strengthen interagency responses to battering. I’m Ashley Tilley and I’ll be your tech support for this session. Today’s topic is calling victims before they call you.

00:21

Ashley: I’m joined by Rose Thelen, our technical assistance partner on Rural Coordinated Community Responses and regular host of these webinar. Hi Rose and welcome. In addition to Rose, we’re fortunate to be joined, by Kathleen Marvin from Tillamook County Women’s Resource Center and Stephanie Avalon from Battered Women’s Justice Project as our guest.

00:44

Rose: Thank you Ashley. We have Stephanie Avalon with us today and we’re going to be discussing the practice called Advocacy Initiated Response, which is something that advocacy programs do in terms of contacting victims before they contact us. Stephanie is a long-time colleague and friend. She and I started out working in the . . . Well, I was the late 70’s. She was the early 80’s. We were advocates and we contacted victims as a part of our criminal justice reform efforts. And so, we both had experience doing this. Now Stephanie is a resource specialist, at The Battered Women’s Justice Project, a national resource center, but continues to consider herself an advocate at heart, as do I. And we also have with us Kathleen Marvin from Tillamook County, Oregon. And she’s an executive

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director of a program where they are just beginning the process of negotiating with law enforcement and others in the community to establish this practice.

1:55

Rose: So we have a brass of experience in terms of this particular practice. Let's start out; however, wanting to find out from you, whether in fact, how many of you work in communities that provide an advocacy initiated response. And you can answer this question by . . . This is a poll, so you can put up "A," yes, "B" no, and "C" don't know. And we'll get some sort of poll. Of course, what we talk about when we say don't know is you don't know whether you're doing it or you don't know what response is either way. We're particularly interested in those who are currently provided in it. I guess we're interested in all of those variables there.

Rose: Okay looks like 33 percent are doing it. 30% aren't. And 5% don't know. That's good. Thank you. I don't see the little pie chart, but we'll keep moving here. Alright, so let's get started.

3:18

Rose: Stephanie a little rough introduction there. Welcome and if you want to say a few intro comments, feel free to do so. But we're going start out with, if you could talk with us what is this advocated initiated response.

Stephanie: Well first of all, we'll talk about what it isn't. I mean it really departs from the typical shelter response, which would be to wait for victims to contact them and that actually develops out of a . . . policies developed around it early on in the shelter movement because advocates were aware that there were a lot of potential problems labeling women as battered. And sometimes people would contact shelters and tell them about a battered woman they thought the shelter should contact. And based on the policy established, they would say 'have her call us.' So that meant you weren't calling somebody and they weren't getting a cold call from a shelter, discovering that someone thought they were battered and

needed help, which could be kind of embarrassing. And the other thing that it avoided was calling at a time that the abuser might be home.

4:44

Stephanie: But then of course, once law enforcements got involved in the situation, the information is public, not private. So with the advocacy initiated response is it is a way of contacting victims when there is law enforcement involvement. And in order to do that, you have to have the cop informing the advocate that there is a victim whose partner has been arrested. And there are various ways of making that connection and then the advocate contacts the victim. Usually they get at least a summary of what's going on. In programs I worked for, we actually had the police report, which is very very helpful.

5:33

Rose: Now Stephanie, obviously this is the critical piece because often we hear people say 'well, yeah we do advocate initiated response. We will do advocacy for women after there is arrest. And we're contracted by law enforcement.' But this one suggest that they contact . . . That the contact is made by law enforcement to the advocacy program and is not discussed with the victim. Is that right?

Stephanie: That's right. I mean the cop might say an advocate is going to call you.

Rose: Right. Right.

Stephanie: They don't. They're not asking the victim 'do you want an advocate to call you?'

Rose: Right. Right. And I think that is a crucial piece. We'll get into that as we go on in this conversation, but we've done these types of questions . . . similar sorts of discussions before. And people think they're doing it because they're available to [inaudible] advocacy, but it's not something that happens routinely every time there is an arrest. I just wanted to make that particular point at this particular

juncture. What we generally see now is what's up on the slide right? And Kathleen, you're in a program in Oregon and your current practice is what's up there on the webinar slide. Do you want to talk some about that?

7:18

Kathleen: Yes, I would love to talk about that. Well what we find is that we have several departments in our jurisdiction, in our county, and what happens during a law enforcement response is inconsistent across departments and between officers. So, some are offering information about our programs or the court-based victims programs. Others do not. Some will call us out and some will not. It's been an very inconsistent and unpredictable response.

Rose: It's usually up to the discretion of the officer or whether the officer thinks it's a good idea, or if they ask the victim and the victim says 'yes, I'd like you to contact them.' Or sometimes the officers just say 'I recommend you contact the victim right.'

Kathleen: All those things happen, yes.

Rose: And, of course, the result is what? I mean this is chewing your community, right?

Kathleen: What we found it is very few people will call us, at least not right away. And they may become, you know, engaged in systems in ways that are not very helpful to them as a result and end up calling us later, when we might've been able to help them support them. You know helping them prevent some of that.

9:02

Stephanie: I want to respond to Laura's question, whether law enforcement, she's asking in the chat . . . Does law enforcement ask for a phone number at a time that is safe? And of course, law enforcement is of course, gathering the victim's phone number. If they're doing a really good job they're also finding out

another phone number where she could be reached, like maybe her mother's number, some other good number. And the issue of safety is not really relevant when somebody, when the abuser has been arrested and taken away. It's not a concern that the assailant is going to be listening in on her conversation with an advocate or talking to her about 'why are you talking to that advocate.' In fact, even if they do find out, I mean, when you're initiating a call, you explain that it's because the police contacted you as an advocacy agency; 'this is a policy and it happens with everybody.' Every time there is a domestic violence arrest, the advocacy agency is called, and we contact a victim. In all the times, I've made these calls, I've never had a victim be indignant or angry that the call was made. In fact, the usual response was 'I understand why you'd have a policy like that. That's really good.' But they might say 'But I don't need the call.' But nobody is ever angry or upset that there is such a policy that has established this routine of reaching out.

10:56

Rose: And we'll get into some of those nuts and bolts as we go on, but I think you make some very important points. Part of what you have to do when you're negotiating this as a community advocacy program is that the defendant will be held in jail for a period of time. Some of that you may run into some difficulties with your statute or how bail is done or how releases are done in your community. And we'll get into some of that later. I was just out in Tillamook and we were working on this with the law enforcement and prosecutor's office, and that's an obstacle right there but like I say I think we can get to that as we go. I think for now . . . Why do women say no when they're asked if they want an advocate to contact them? If they're saying 'yes,' the advocate contacts them without being asked to. Why would they say no if they're asked. I mean this is kind of a confusing slide but what it means is that generally when officers ask victims 'do you want us to contact an advocacy program on your behalf?' They'll say 'no,' right?

Stephanie: And we have a chat-in response here from Erica who says they might not know what an advocate does and that is absolutely right on Erica. As an

advocate taking calls at the Battered Women’s Justice Project, I can’t tell you how many times I had to explain what an advocate does. Most people out there don’t understand it. They don’t know why. So if you’re going to refer someone to an advocate, you have to say ‘this is what they’re going to do. This is what they can do for you. And this is what you could ask them about. And this is what they should know about.’ But just in general, they have no reason to believe that. It gets even more . . . I mean they also don’t think they’re battered women. I mean people can get . . . their partners can get arrested for an assault that doesn’t put them in the hospital or leave them bruised from head to toe. And a lot of women don’t think they qualify for the term battered because they don’t think they look as bruised up as Sarah Faucet in *The Burning Bed*.

13:28

Rose: Kathleen, is that true for you? Do you know why victims would say no to something like that. I mean Stephanie, you mentioned, first, they don’t know what an advocate is and, second, they may not think they qualify as somebody who needs your services if they do. Some women think, ‘Well, I only need an advocacy program if I’m prepared to leave him, and I’m not gonna leave.’ Right? But other reasons? And feel free to chat them in to.

Kathleen: And that’s actually what I was going to speak on. Victims, survivors, often in our experience when we have served them, they hesitated to come because it was their belief that we would be wanting to take certain steps. Or that they would automatically have to work with other systems that maybe they don’t want to work with. It’s a misunderstanding of what an advocate does. And just feeling shame and taking responsibility for what happen can be a real factor in that. Being overwhelmed with so many things, just I think.

14:55

Stephanie: Oh yeah, they can easily have a million things they have to do to try to figure out who’s going to take care of the kids when they go to work, now that their partner has been taken to jail and they don’t know for how long. And they

might be busy talking to family members . . . I mean women are busy in these situations. They could be needing medical care.

Rose: In the conversations that have been held with women in focus groups, and in their recent research, it was done in Denver, women came up, there was a lot reasons why they didn't call. And a lot of reasons why when they were called, they wanted to talk to an advocate. I mean that's why there is this renewed focus on advocacy initiated response. What we hear from victim is that there is a huge need from them for them to get this information and support. You know, the guy leaves in the car with the officer and then all of a sudden there, they sit and go, 'What's next. What does the officer say about him coming out? Do I have to go to court? Am I going to be able to see him again?' And those are the very things that that call coming from the advocacy program can be a life saver. Stephanie, you've been working in The Battered Women's Justice Project and working with a number of programs around the country who are doing this practice again. Can you add some stuff here about the reasons that you know of?

16:46

Stephanie: Sure. I think one of the major reasons is the increased use of lethality assessments like the Maryland lethality assessments. In fact, one of our participants had already chatted in, 'In Bismarck they use the Maryland lethality model,' she says. The whole point of that model, and by the way we have a lot of information on it on our promising practice webpage, so if people want to learn more about the Maryland lethality assessment that's a nice starting place. But what it was basically designed to do was to connect victims to advocates because in Jacky Campbell's research over the years with the danger assessment and looking at women who are killed, it was voted more than once, that women who were killed were not likely to have been connected to advocacy programs. But the big protective factor, if women had sought services. Her danger assessment was redesigned as a tool for law enforcement to determine dangerousness or lethality risk. It reduced the question from 20 down to about 11 questions. And they immediately connect women who are at high risk to advocates who are on call. I think the protocol is that they are connecting them literally from the cop calling

from the scene and handing the phone to the women. The whole point of that is making this advocate connection, which is really great. We've talked to some programs that had never done an advocate initiated response before and they're not just calling the women who are high risk. They're calling all of them because they now have this information. They're able to do it and what they've discovered is there's been like between 40-60% increase in the use of their services. It is meeting a need.

19:11

Rose: And hopefully, it will translate into fewer women having or being murdered. I mean we can't claim that advocacy will prevent the homicide, but we also know that the resources that she needs to escape a very dangerous person is exactly what an advocacy program can provide to her. That's a very good assessment to look at. Kathleen, anything to add about that? I mean you're not looking at the Maryland assessment as much as you're looking at asking those questions that are a part of the Blueprint or risk questions, right?

Kathleen: Yes.

Rose: Those are more open-ended.

Kathleen: Yes.

Rose: So, there's some options out there. In some places, the Maryland assessment test has been critiqued because it's a yes/no checklist and it gets less into this conversation and this capacity to engage the victim in talking about her life. I know Stephanie you have been aware of that critique as well. Whatever you do, I think the point is this is a very critical component to look at in terms of doing your CCR. There was recently a study. I know that Stephanie on The Battered Women's Justice Project and we had her in our Rural Routes to Change as well . . . The authors from this 2012 study of advocacy initiated response are pretty much the science that says this works, let's do this. So tell us something about what you know here, Stephanie, about this research.

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21:02

Stephanie: Okay. Again, this is a promising practice that was posted on our website last year. It's still up—describing how the city of Denver, Colorado responds to domestic violence. And they started their project called the triage project back in 2006. It involves the collaborative multi-disciplinary team that seeks to identify and assess risk-factors for on-going severe domestic violence. And it provides active and immediate outreach to support victims and achieve rapid containment of the offenders. They use outreach by community-based advocates who initiate contact and that ensures that the domestic violence victim receive all the information on protection-orders, safety-planning, and so forth really within a very short time of the incident. The study that was done an NIJ study directed by Ann DePrince at the University of Denver and it showed that early-victim focused contact promotes engagement with the criminal-justice system by increasing the likelihood that victims are invited to participate actively in their cases by systems-professionals and the likelihood that women would go to court. It also shows in the study that women received that they have benefited from this outreach. Because a lot of folks had been concerned that it would seem intrusive to initiate this kind of contact, and in contrast to that worry or concern, the study shows that women actually had less stress in their lives and felt like they benefited from the contact. So it completely disproved any concern that this would be disempowering to women, quite the contrary.

23:04

Rose: I think it's important here because what was done was that the victim-witness and the kids did one of two things. Either they told the victims about the community-based advocacy program and encouraged them to call or they told the victims that the advocacy program would be calling them. This is the victim-witness people. What they discovered was that the women who were contacted by the advocate, the contact was initiated by the advocate, that they showed this increase well-being, reduced psychological distress, and they actually showed better outcomes. In look at it, they thought the biggest piece was, in addition to

the fact that they were contacted instead of making the call themselves, was this whole idea that they had a confidential advocate. It shows the value of that because you know Kathleen you mention this piece of being ashamed. Well, this is a person who is going to contact her and anything that is said to her is not going to go anywhere. It's confidential. That made a big difference to the women involved. It's interesting in this particular study, and I encourage everybody to look at it, but the women of color, the impact, the positive effects were more pronounced for women of color for when they were contacted by an advocacy program than for white women. But all across the board, regardless of race, creed, ethnicity, etc., there was this profound and pronounced impact so it's pretty much what I'm using a lot of times to support the need to do this. When we started working to reform the criminal justice form, many years ago, this was like we mentioned before a traditional part of what was done. The advocates were assumed that they would be going out and calling the victims, going to their homes in some cases. They'd be making that effort and over-time it's not happening. We see that programs are somewhat hesitant to do so. If you're a community that has been thinking about this or wondering about this, do you have any reasons that you might put forward here in the chat about what makes you hesitant to use this intervention? That would be useful in terms of discussing this at this particular point. Maybe it's not a deal. I know in my conversations with people at the various institutes and conferences we hold, we hear a number of things so I think it's really something to talk about as a movement or community of advocates to think these things through. If you got anything to say here . . .

26:20

Stephanie: I see Laura responding that staff capacity is one issue. I worked in a program that was very very short-staffed and the advocate initiated response was actually done by volunteers and that solved that problem.

Rose: We had formerly battered women who would make that call. We'd give them like I think . . . it probably wasn't enough money . . . but we gave hem 30 bucks a time when they got a call. It was an easy, in our community, it was easy to raise that kind of money from a church. At that time, we didn't have many arrests

in a year so we said about 60 arrests a year. ‘We need about 30 bucks per arrest. Can you give us about 1800 dollars or something?’ There’s way of doing it and of course that takes care of the initial contact but there is the advocacy that happens the next day as well because it isn’t, as you know, just a one-shot deal where you contact them and don’t have contact with them again. You will hear that now and then and that’s where it becomes important at how you distribute your resources. Kathleen, do you have anything to say as a program working in a program right now. I know you have resource issues. How do you land on that particular issue? Did you restructure? Reorganize? Are you thinking about taking time form somebody else?

Kathleen: We have actually started working on some of that. We’re building our hotline capacity of volunteers. We have a really good relationship with our court-based program so we’re just assigning roles and creating lists [inaudible]. The information will be provided. But I think, for our program, one of the biggest barriers was that fear of potentially causing harm somehow by calling or intruding to a person’s life so that was a long-time history had been [inaudible] against probably since we were founded; we didn’t go where we were not invited kind of thinking. Those fears [inaudible] with the conversations about people don’t need to talk to us if they’re called. They’re given that opportunity. For the resource question, after meeting with partners and volunteers, and we’re in a rural community as well, so we really took how many [inaudible] this would mean for our project and program. It really seemed overwhelming at the beginning to think about it but it’s much less now.

29:35

Stephanie: We’ve had some very interesting chats about answering the questions. I just wanted to kind of run through them, so everybody knows. We had the comments about staff capacity, but there were a number of comments suggesting that advocate safety was an issuer or concern—concern that advocates would be contacted by the abuser’s family or friends, something like that. Somebody named Carmen responded from a rural area in CO and said that she had been doing it for 16 years and never had an advocate threatened in that

way. I would think there would be more likely to be a problem in a rural community where everybody knows everybody else, and they'd know who you are and what you're doing. Laura also brought up the lack of a CCR, lack of cooperative law enforcements, or identifying the perpetrator as the victim, and that's happening a lot. That's something that you would have to be aware of if you were going to be contacting victims. I think we'll be talking a bit about that later on, but these are all really valid concerns for people to have.

31:14

Rose: Right, right. And there's a list of them here too. One of the things you can do as you think of some of these things, you can always contact me, Stephanie, or Kathleen to talk about the reasons why or how they overcame some obstacles or how they thought about. Generally, what we see is those objections or obstacles to providing are overcome by the real needs that are listed here about why to do it. What's the philosophy and rationale behind it. Kathleen, do you have anything . . . you mentioned that there had been there this kind of 'we don't reach out; they come to us.' You mentioned something about the fact that you decided upon looking at it, was there anything that was most salient, in terms of saying, 'okay we have to figure this out; we can't just rest on our old philosophical assumptions? This a new way to think about it.'

Kathleen: I think most prevalent was hearing the stories of women's experience when they didn't get information about advocates here—have that contact, just how awful it was for them to sit with their fears and uncertainty. To want to make that better for women in our community.

Rose: We'll flip the head here. That's the risk piece that you talk about it. She's got a lot of risks that she's facing as a result of the intervention. Somebody chatted in, one of the more [inaudible] risk, is the victim themselves may be a risk. Doing the advocacy initiated response, there's a piece of it where you're providing the advocacy to that victim in an on-going battering relationship. In that situation, you would be directed to go and provide advocacy to the victim

descendant who is in jail. That's a huge risk. Stephanie anything on the risk component that you would like to add?

33:54

Stephanie: There are lots and lots of risks that battered women face. Those of us who are involved in intervention like to think that everything we are doing is helpful, but sometimes there are what you called intervention associated risk, one of them being the wrong person gets arrested. There are things that can happen like the police could be making a referral to child protection. Once the system is involved there are all sort of things that are out of the victim's control. Maybe she didn't call the police. Maybe she never initiated and somehow the police got called and there's a million different things that are involved in the processing of a criminal case and none of it was perhaps anything she wanted to have to do with. It's pretty overwhelming. The advantage of having an advocate talk to such a victim, is the advocate should have a pretty solid knowledge of how the system works in that particular community, and not just how it works but who the players are, who is likely to be helpful and who is likely to be not so helpful. And offer to go with women to different things that they might have to do like attending hearings and so forth. So ,it can, I really think there's a lot involved in getting. If you've been doing this for a while, you think misdemeanor it might not be a big deal . . . it's a mighty big deal who has never encountered the criminal legal system in that way before.

35:49

Rose: One of the things I was thinking as you were talking, Stephanie, is an unintended positive consequence of doing advocacy intervention, advocacy initiated response, is it makes the advocate smarter too. If you're not there, you don't know all of the things going on and you may assume what's going on, your source of information, may be coming from law enforcement themselves who have a different interpretation of what's going on. Law enforcement themselves may not know all these sorts of things are happening to the victim as a result of their intervention. For example, when I was just recently in Tillamook, and

Kathleen you can add in here, but I think they were kind of surprised what was the impact of her contacting the law enforcement for assistance. I cannot think of another victim of a crime, who may accrue more negative consequences as a result of calling for help. I mean she may lose her children. She may be turned in on a warrant. She may lose her home. In Tillamook at this point, there may be an automatic, generally a no-contact order put into place. In some parts of Oregon, there are no ways that contact orders can be lifted. In Tillamook, you can, the woman can go talk to the advocate for an hour or so and it can be lifted, but still, the guy could bail out before he even gets to the jail. And no contact order is put in place . . . And it may [not] be in place til the first appearance, which can occur as much as six weeks later. Kathleen, it seems to me, in that room where we were all talking about what happened to the victim in this process that the systems people really got on-board for saying ‘well, this isn’t what we wanted to happen. We didn’t want this to have more punitive impact on the victim than on the perpetrator. Did you get this sense too?

38:06

Kathleen: Yes, very much so. It started from other conversations of change in our community and we’ve already established liaisons between the departments who really start looking at, as implement this, and we’re getting more information where people will have a formal system within the work to begin to problem-solve these issues.

Rose: And I think one of the things the advocacy initiated response does is it puts the woman more in the driver seat, in terms of, what are our efforts as an advocacy or CC advocacy program, or as a CCR in our community. If we are about victim safety and that’s our primary objective, well then this is a way to find out and walk along side with her and understand what is the impact of our joint and individual interventions. Is that something you see as well too Stephanie, in your work?

Stephanie: Oh yeah! And the other thing is you get the ability not to just to walk along side her and have things happen to her. But what I always thought was the

most fun as an advocate was to know that something different happened because the advocacy had occurred. Because what we typically did was communicated to the court what the victims wishes were regarding different possible choices that could be made. For example, about whether or not to issue a no-contact order. If you knew that something typically is going to happen . . . because you've been in court and you've watched and there's no victim there and no input. You can see what happens on a routine basis. You can tell them 'If you don't do anything, this is likely to happen . . .' Where I worked the guy would usually be in jail until the next day. He's had arrangements and is being released with probably minimal bail. And you can convey to the court, if she wants, that for example, she's filing an order for protection in the morning and she wants them served before he's released from jail. Or that . . . perhaps if he pleads guilty, of what she's interested is if he gets some sort of counseling. There's a lot you can talk about with women. Things will happen in court differently then how they would happen if there's no input.

40:56

Rose: Very good. For me too, I'm really sensitive to wanting to make sure that we don't establish hierarchies of who has worse, in terms of, the systems in which we operate. The woman in a domestic violence situation comes from a position where she is being controlled by her partner, right? And so, a lot of times what we see is the community wants us to get with these women and tell her how to think about this. You, as advocates, you meet with her and you tell her that she's being battered and you give her an hour lecture and maybe we'll lift the contact order. In reality, there's gonna be, this makes it more of a give and take; we tell you what we know, and you tell us how this is working for you. We'll work together to make some changes ideally and that's of course where you come into saying 'Okay, let's solve this together.' I'm going to skip over a couple of slides here. So, you'll have those slides. If there are questions you have about them feel free to contact us about it, but I wanted to get to some of the nuts and bolts of what's going on here. Let's talk about this. First things first. We're going to walk through some of these steps here. Stephanie, talk to me about this. Is this pretty much how you think of it? The initial call comes from law enforcement. You mentioned

in Baltimore law enforcement can call from the scene and use their own phone and hand it to the victim?

Stephanie: Yeah, and actually . . .

Rose: Is that a recommended practice.

Stephanie: Well, actually that's how they do it with the lethality assessment programs. That's what they do for the high-risk cases where someone is scoring on a very high lethality scale. My guess, I don't know this for sure, is those phone calls are relatively brief. You really need a longer phone call when the cops have cleared the scene. I've always usually called shortly after or we had people call . . . We used volunteers when I worked in a rural county. The volunteers called after the police left and they talked to the woman about what was going on and so forth and then they would tell her . . . because they couldn't; they didn't get enough calls and they weren't as familiar with the court scene, they would tell her that I would call in the morning. In the morning, I would call back 'I know that Nancy talked to you last night,' and I would talk more about what would happen in court. The volunteers told me they just didn't feel comfortable providing that information when it wasn't something from their experience. What they did was basically more of a supporter call and then they said the questions you're having will be answered by Stephanie in the morning. I would call then and interestingly a lot of women would say they weren't pressing charges. I spent a lot of time explaining to people that they weren't pressing charges and charges were being pressed because of how the laws have changed. But the contradiction there of course is their cooperation would be needed if they wanted prosecution to actually be successful. Or women would say often times that they wanted the charges dismissed, and I know people who would just convey to the court 'She wants the charges dismissed.' But, it's one thing to just take that at face value. It turns out, if you say 'well, talk to me a little bit about that. Why do you want the charges dismissed? You discover really quickly that women usually thought he wasn't going to get out of jail or that he was going to serve some lengthy period of time, and that the consequences were going to be really really dire. In the communities I worked in, it was highly unlikely that there would be a jail

sentence. The bigger problem was if the woman wanted him to be kept in jail, he probably wouldn't. And then the court . . . they'd say, 'he got arrested and that's enough, but if he does it again I want to see it prosecuted.' What they didn't know was, from the court's point of view, the next time would be the first if this case got dismissed. So, they treated. . . if you thought you were going to get a sever consequence, it wouldn't happen for a first offense. It wouldn't be viewed as a second offense if it had been dismissed outright at the first time. All of those explanations of how do things really work . . . The other things people would say sometimes is really interesting because we discovered that we would be talking to the women and then the prosecutors would call them. And the prosecutors would say to us, 'how come when you talk to her she wants x, y, z, and when I talk to her she wants the case dismissed?' We listened in on what they were talking to the women about and they were talking to them about appearing as a witness to the trial. In a jurisdiction where trials were so rare, it was so unlikely that it would ever happen because virtually everything was getting settled . . . so, they were scaring her. They were scaring her with the idea that she was going to have to testify in a trial. And so, they got very little cooperation.

47:31

Rose: Yes, that's a good point. I think they were being discouraged subtly and not so subtly. So, some of what you talked about is not going to happen on the hotline call. I would add, in addition to support however, it's good to have your hotline advocate equipped with some frequently asked questions about what's next in the court process. Is he going to be let out of jail? Does she have to go to court? That kind of question.

Stephanie: I really think hotline advocates should spend a little time observing [inaudible] court so they know what it looks like and can just say 'this is what happens.' No case takes more than three minutes for examples.

Rose: Kathleen, you're going to split your duties here between the hotline advocate and the next day your advocate. You don't call them legal advocates; everybody does this function in your office but . . . you have the beauty of

working with a very good victim-witness program so some of these things that you'll be sorting amongst you, can you talk a little bit about that?

Kathleen: Well, a little bit. We have only begun to talk and have a conversation about it, but we do plan to really start that out and make it very clear what each of our roles will be. Our office will be making that first call and advise, getting information about what exactly to expect from the victims-assistance program the next day and on-going. We will most potentially support people through the court process but in different roles.

49:31

Rose: It's an interesting opportunity for the victim, the court advocates, and the community-based advocates to put their heads together and say 'what's our distinct roles here, relative to a case? How can we collaborate?' In some places, it gets a little, I hate to say it, sometimes it can get a little competitive as opposed to collaborative. You've got an ideal situation where your victim-witness person is all on board for getting that victim as much as advocacy as she can get from every possible resource, so we'll be working with you and me to put together a protocol that says, 'here's how we work together on a case.' I'm looking forward to that. Some of these duties, I mean, we have sample procedures, protocols, forms, etc. for advocacy programs, and it looks like there's a bunch of people online who are doing these advocacy initiated responses as well. To that end, anything that you have in your possession that outlines what you do with an advocacy program and also the agreement that you would have with your law enforcement program, that might be of use to some programs on the line who are just getting started. It's recommended that there be a protocol in place, that you do a written agreement with your police department, law enforcement agency. Kathleen, you mentioned that's some of what you're involved in doing right now right?

51:22

Kathleen: Yes, after working with you Rose, we had two meeting extensions to look at the protocols, to discuss with peers about modifications to it. Now, it's

with our family attorney for review. We're moving forward pretty quickly in creating that protocol. Then we will bring it to you to get your input as well.

Rose: There was one person who mentioned a difficult situation with their law enforcement and obviously you're going to need to be able to negotiate with them about making sure that their law enforcement agencies contact you, but be sure that what you do, you will put into writing so that's it's clear that this is the agreement. We have sample protocols on our websites that you can take a look at to get some information from and adapt it to your own community, and that's what Kathleen is talking about, starting out with what we call a sample working agreement. Why replicate the wheel if there's something already in place? Is this what is being done in other parts of the country too? Stephanie, I know you worked with Baltimore. Did they get a protocol too, that established what both entities would be doing, law enforcement and the advocacy program?

53:03

Stephanie: Yeah, they did. This was quite a while ago but before they actually had the, were doing the lethality assessment program. It was kind of laying the groundwork for it. And they really hadn't had a really good relationship with . . . that particular program hadn't had a good relationship with the police. Sometimes there's just not much trust. But what we're finding across the country is that as police are doing these lethality assessments and connecting women with advocates they're gaining more respect for what advocates are doing, because they didn't know anything about it before. In part of the training for using the lethality assessment model, includes explanation of the benefits of having advocacy programs involved in women's lives. Probably like a lot of folks, they might've just thought it was either sheltered or not sheltered. And there's many other things that advocates do. They don't really want to be doing advocacy themselves. Their job as a cop is to collect evidence and make arrests and do all these other various things and the added difficulty of . . . they don't know themselves what's going to happen next. Like what most people were telling where I worked when they wanted to know something about the charge, they

would say it's a misdemeanor, 90 days in jail. Well, that could've been why so many women thought that 90 days in jail was inevitable. When in fact, the reality was, it was highly unlikely. There are other places of course, where you might know, that the response is going to be pretty awful. You want to be able to give some accurate picture of what's going on. Another thing we found out in Colbert county was that police officers like to get some feedback about what happened, because sometimes they really did care and they wanted to know did he get prosecuted. They didn't know the outcomes to most of the cases.

55:50

Rose: Stephanie you sound a little cynical. You say some of the time. I think over time we see more and more. We started thinking back in the early 80s they didn't care and then they realized it was more about they didn't have the tools they needed to do the job that needed to be done there right?

Stephanie: Well, right. I started . . . I would invite cops to contact me later. And I'd say I would be happy to share information with you. Obviously, I couldn't share confidential information but the outcomes of the case are a matter of public record.

Rose: I want to go over this very quickly. What the officer is going to do at the scene, which probably here's another good reason to be interested and to be able to make this connection with advocates because all they got to do is let her know that an advocate is going to be contacting them and that the victim doesn't have to talk to the advocate if she doesn't want to. In some places, officers feel like, you mentioned, 'well, I'm not a good advocate. I don't know how to talk about this stuff.' So they know that piece is being taken care of. Of course, you're gonna have the officer get some numbers where she could be reached now and then later. And the contact will be made then the officer will make the contact with the advocacy programs. And then it becomes the advocacy program's job to have the procedures in place, the forms, the training, and the on-call advocate, the next day advocate. And have the institutional advocate or CCR coordinator . . . I just wanted to say at this particular juncture that what you find out, and again this is a

two-way street, you're providing them with the information you know about the system but you're also getting information from them about the impact on those system on their lives. That's a piece of great interest to the CCR. If we think we're doing something that protects her and she's safer as a result and in reality, it's making her homeless, impoverished, and she loses her children, that's something that we need to be aware of when we design our intervention. Of course, I got a role for the supervisor too to make sure you're always looking at what's going on and are we doing a good job. What's out there in the broader community in terms of how to respond. I just wanted to go through those quickly because I wanted to spend the last time that we have together for you, Stephanie and Kathleen, to talk about this whole concept of working with the identified victim in an individual incident vs working with the victim in an on-going battering relationship who may now be arrested. That's a particularly complicated issue Stephanie and I know that people are grappling with this all over the country, so tell us a little bit about this Northwest network and what they have to provide in this question.

59:25

Stephanie: The Northwest network is a group that has had . . . because they're working with bi-sexual, trans, and lesbian survivors of abuse, they're very acutely aware that they cannot . . . When a victim is in front of them or presenting herself or himself as the victim, you can't just use gender to determine who is the victim. They've had to really do some deep analysis of what is it that . . . How do you determine? How do you know that you're talking to the victim? They've done some webinars and trainings on this and anybody who's got, who's working in a jurisdiction where there's a lot of women getting arrested would benefit from looking at how to talk. Because you might be expected to be contacting men who were abusers because the wrong person was arrested. You could get a lot of guidance from this program because they've figured out ways of talking to people about determining, not just are you afraid and what are you afraid of? Do you feel dread? A conversation with somebody can really uncover what's going on. If you've got a same-sex couple, the victim is going to sound like the victim, just like people that you're used to talking with. It's not at all unusual. I mean I've been doing this work for many many years, and just recently I was contacted by a guy

who . . . is the first time I've talked to a victim in a heterosexual relationship. And he was very fearful of things he thought his partner could do in the court system and so on and so forth. He was pretty overwhelmed. He wasn't afraid of her use of physical violence, although she had been physically abusive with him, but that wasn't what he was afraid of. He was afraid of her having the upper-hand in a court situation.

1:02:13

Rose: I think the biggest problem we're facing and seeing out there, and this is one of the things that people will be unable to have first-hand knowledge of is that we're seeing the problem as more about not being able to identify when a victim is using force or self-defense, resistance in a physical sense and gets arrested in an ongoing . . . Somebody, let's say we think of as a battered woman. There's information to be had from looking at these kinds of things. Kathleen, in your jurisdiction one of the things that people were talking about was that we could start with using those risk questions, right? A lot of that will get to the problem?

Kathleen: I think everyone in the room was really . . . We had our district attorney, our victims' assistant, law enforcement, and everyone was just really committed to beginning to ask these risk questions from the beginning from the 911 call and throughout the process too. We'll be looking at how we might be able to do that.

Rose: Because there's another piece here too. Northwest is a good way of looking at how can we determine who we're talking to here and how can we figure out who does what to whom with what impact, but there's also the question of how do you talk in your community about our eligibility guidelines. And this was the place for the victim witnesses and the advocacy programs to work together very closely, because the victim witness people are going to providing advocacy to that identified victim in this particular incident. Whereas a community-based advocate, this is something that Barbara said in your jurisdiction, that it bothers her when she knows that the person in jail is the ongoing victim, but she can't

provide advocacy to her. So, she was happy that you would be going and meeting with that victim in jail. I wanted to ask people in the chat to . . . If you have worked out some of these issues about eligibility criteria or how do you figure and how do you make assessments about who gets the advocacy in a situation that's a little blurry, and if you have something like that if you would list yourselves as being potential resources that we can call upon to get some of what you've done in this [inaudible] that would be great. Now I wanted to move to the next piece, and this is something I think Kathleen, you, can talk about because you've done an excellent job in your community in this regard. Tell us a little bit about how you got buy-in from your law-enforcement people.

1:05:25

Kathleen: I think we've started with what we all love to do is to begin to meet with people and talk about what's being done and what the outcomes are showing, talk about the reasons; what might be something that would be challenging for them. It was just a lot of conversations and a lot of meetings talking about how [inaudible] to our goals and how this can help us meet them. Building some understanding and, of course, having you come to provide technical assistance really moved this process along. But all of those things that were found in the studies that we could bring forward and just having frank conversations about what people's fears and concerns were and beginning to hear that earlier on is helpful. And it does seem as though that by [inaudible] it's not within every law enforcement agency in our county but we are starting with those who are most interested in helping others join up.

Rose: And did it help to come forward with a concrete sort of let's do this, let's take a look at this, what does this protocol look like to you?

Kathleen: Absolutely.

Rose: So super! We are getting towards the end here in our conversation and I wanted Stephanie, if you had any closing comments, and then Kathleen. Stephanie any goodbye thoughts?

Stephanie: Just that I'm really happy to hear that so many more people are beginning to think about doing this because I think it's a really way to connect with advocates. We haven't talked about this at all, but I also think it's important for people in their communities to . . . when women are thinking that they should just have nothing to do with the criminal process. If they got children that criminal process might be the only way to establish that there has been domestic violence and it could make difference later on in a family court case. So, it's something that victims should be aware of what the family courts are doing and talking to women about that stuff right away. Because if she's not thinking about separating at the time when you're talking with her, she should start being aware that down the road it could make a difference.

Rose: That's such a good point. I'm glad you got that in there. Thank you, Stephanie, for your excellent experience and wisdom on all these topics. Kathleen, any closing thoughts?

Kathleen: I would just say I'm really excited to see some of the comments that are coming in and all the work that's being done. This is really new to us so it's going to be great to be learning from all those people who've gotten further along in the process and I appreciated being on this call and sharing the very beginning stages of this effort. Thank you for letting me be on the call.

Rose: You're at the beginning but your community is ready to rock, which is to your credit. I think it's going to be like wildfire so I'm happy about that.