

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

What is Best Practice for . . . Victim-Witness Services, Bail Setting, and Pre-Trial Release?

Denise Eng and Maren Woods

June 6, 2018

Please stand by for realtime caption s.

>> P lease stand by for realtime captions.

>> Hello, everyone. Thank you for joining. We will get started shortly.

>> Thank you for joining. We are now live.

>> Hello. Welcome to this Praxis webinar on what is best practice for victim witness services, bail setting and pretrial release. This is a top 10 weather day in Minnesota. I'm Maren Woods and I'm with my coworker, Denise Eng, who is in Kansas City today. Also, my coworker, Liz Carlson and where putting on this webinar on behalf of the office of violence against women and to orient you and offer an opportunity to learn about forthcoming products, guides we will produce in the next year that will focus on best practices for victim witness services, bail setting and pretrial release. I would like to pass this to Liz for a moment to orient us to the Adobe Connect platform.

>> Thank you. To all of you, thank you for joining us today. We would like to briefly touch upon a few tips and suggestions for participation today. And, to improve your participation. First of all, you will notice that there are rolling captions at the bottom of your screen. If you notice there are errors, don't be overly concerned about that. The stakes are always possible during realtime captioning. We recommend that you utilize the Q&A box to share your thinking with us, your thoughts and questions and comments at any point. The Q&A box is in the middle column that you will see on your screen and your comments will be routed to the presenters, who will respond in the audio component of the webinar. Feel free to do that at

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

any point. If you prefer to adjust the display settings of any webinar boxes that you see on your screen, you can do so by clicking on the light gray icon on the far right of each individual box and you will see a range of choices. We encourage you to utilize them. If you are utilizing your speakers for audio of the session and you notice that the sound quality is unstable or poor, remember that you can dial and by telephone, at any point. That will likely improve your experience with the sound quality. When you make the connection by telephone, all that is necessary is to turn your speakers off. If you have questions about any of these technology issues, don't be shy about contacting myself or our webinar host, TA2TA, through the Q&A box and we will do our best to help you navigate those circumstances. Maren Woods, we are ready for you.

>> Thank you. Today, we are gathered to talk about what is best practice for victim-witness services, bail setting and pretrial release. We do that because there are so many communities that received funding from the Office on Violence Against Women or other local funding sources to coordinate community responses to domestic violence. Some communities have been doing this for 20 years or may be more and others might be relatively new to the communication and relationships and policy and practice changes that characterize coordinated community response. Regardless of where communities might sit on that continuum or spectrum, for sure, the foundation of CCR is to have monitoring and accountability to victims of domestic violence and accountability to each other in complex criminal case processing. There is a set of guides called the domestic violence best practice assessment guide to assist CCR in this reflection. The detail for the community to engage a review of the system responds to domestic violence related cases, and they feature checklists of core practices to assess the current practice up against what is known as best practice and it reflects what is found in the blueprint for safety, a fully articulated CCR policy manual and procedures manual for every agency involved in the criminal legal system case processing of domestic violence cases. I will ask Denise to say more in just a bit. Today, we will provide an overview of the guide process, generally and spend a little time on that to be familiar with what is included in the guide and we will dive deeper into these points of intervention within the criminal legal system response as it relates to the victim-witness

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

services, bail setting and pretrial release conditions. Also, pretrial release supervision and enforcement. Denise, do you have any other context to share before we dive in?

>> I think we can cover it later. The thing that comes to mind is that these best practice assessments that we do, virtually, all the work praxis does is rooted in the institutional analysis process and all related to one another. I think we'll talk more about that as the webinar goes on.

>> For folks that might be unfamiliar with who Denise and I are, we are both program managers at praxis. I oversee institutional analysis programs and support communities using processes such as these, as well as the safety and accountability audit and other assessment activities and Denise oversees the blueprint for safety program, which is helping communities to adapt and implement full blueprint items in the community. We are a good team, Denise and I and we have experience working with communities on these issues. I summarized this and won't spend too much time on this, the work of a community needed -- a community response. There are lots of resources I can send out after the webinar to help give the context of what it is that CCR's are trying to do. We are trying to answer the question whether every door is open for someone speaking about safety. Are we all on the same page as separate and distinct agencies but working together in a coordinated way that centralizes victim safety and centralizes accountability for offenders while also offering opportunities to change? The best practice assessment tools have been designed, as I said, to assist CCR partners in answering these kinds of questions. We've learned a lot about how work is structured and coordinated within the criminal legal system in ways that either enhance or diminish safety and accountability. Consequently, we know much more now than we did 30 years ago or 30 or more years ago, when CCRs were first coming on the scene as the main organizing strategy to get the criminal legal system to be designed to better account for specific means of battering. The best practice assessment tools are collaborative and engaging for ways to be interdisciplinary teams to study how the criminal legal system works, identify where there are gaps producing negative outcomes for cases and also, how to reorganize work processes to better account for domestic violence. This is an overview about the praxis for those who aren't familiar with our work. We work with communities

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

and develop the safety and accountability audit process and work with communities across the country to do a full safety audit, the blueprint for safety and the best practice assessment. The core features of these methods are that it is a way to analyze how specific features are incorporated into daily work routines and it is really important that it's clear these processes are not an assessment of individuals. There are frequently audits or review types of processes that identify the way an individual worker is doing their work but that is not what this is. This is really designed to look at the structure of the work and stay focused on changing that so we can improve outcomes for more cases within the systems. Currently, we have available on our website for free download, guides that address these points of intervention, 911, police patrol response, investigation, bike patrol, or another practitioner within the system. Prosecution charging decisions and separate from the criminal legal system, we've also produced a best practice assessment guide that focuses on Child Protective Services response to child abuse and battering cooccurrence is. We are not talking about those in detail today. There are resources on our website for you to learn more. We are focusing on these three points. We will just a start here by talking about -- I'm getting confused on my slides -- the key features of a best practice assessment. They are not completed by one person in an office. There is emphasis on practitioner-advocate partnerships, including checklists and templates for the various steps along the way. It includes for the coordinator, lots of resources for you to organize and prepare the assessment process. Very detailed steps of how to map and analyze case processing and there is lots of detail and guidance for developing and producing findings and recommendations that you can take to make change within the system response. One of the distinctive things about this method, it avoids pointing fingers and blaming people or individual practitioners. Instead, it is really focused on and designed for practitioners within a particular system or with any particular response within a system, to work with community-based advocates to look at how the work is put together. That is, how it is organized around concepts, policies, practices and how the different workers and systems are linked together to do this in a coordinated sort of way. So, we will dive into some of the foundations that underpin the best practice assessment process, and also relates to the other methods that we work with communities on and have developed. It's safety and

This project is supported by grant #2015-TA-AX-K056 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions or recommendations expressed are those of the author(s) and do not necessarily reflect the view of the U. S. Department of Justice.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

accountability audits and blueprints for safety. These foundations are really critical to establishing buy-in for your interagency teams to do this work because it really represents the credibility of the process and it is based on research. One foundational piece is parallel and built in through the guidance, related to the blueprint for safety guiding principles.

Denise, I will ask you to elaborate on these principles.

>> Thanks, Maren. As Maren said, the blueprint for safety is a comprehensive approach to criminal justice case processing and we like to say that it has a plan and a method for making your CCR work as it was intended to work, so that you can look and ask yourself key questions like, what did we intend to do? Are we actually doing it and having the impact that we wanted to have? When we get the blueprint, we have a team advising us on what we thought we ought to say about what makes for effective intervention. There has been a body of research that has been developed in the past 30 years about the criminal legal system response to domestic violence crimes. If we worked with our team of researchers, we would come up with these six principles for effective intervention. Certainly in the blueprint, and in other processes that are examined with justice response, we like to remind workers to keep in mind these principles and to measure what it is that they are doing up against these six principles of effective intervention and will talk about them briefly. You can find more information on the Praxis website in chapter one of the blueprint. The first is the interagency approach. It simply means everything works better when we are all working together and when we have the same agreed-upon understanding of what this crime or violence is and how it works together for us to share information with each action built upon the actions that a previous worker did and where each worker positions the next to intervene more effectively. The second is attention to context and severity. That means not all domestic violence is the same. We need to understand as much as we can about what is actually occurring in the situation and look at how dangerous it actually is. We know a lot about what makes decent -- what makes cases dangerous based on research and experience and we need to look at that and apply it to individual cases. We also need to recognize that violence happens in a lot of different ways in relationships. And, that there is violence that is called battering, violence with the accompanying manipulation and control and violence where someone who has typically been a victim of violence exists by using violence back at

This project is supported by grant #2015-TA-AX-K056 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions or recommendations expressed are those of the author(s) and do not necessarily reflect the view of the U. S. Department of Justice.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

the attacker and that can be self-defense or illegal violence, but we need to recognize it as being rooted in resistance to being battered and there are other types of violence. People called situational violence. People use low levels of violence as a poor means of conflict resolution or it can be related to a mental health problem or chemical dependency problem or something like that. All of those kinds of violence might require responses and we need to understand what is going on so we can adjust the response to be appropriate to the circumstances. The third principle is to recognize that battering is a pattern crime requiring continuing engagement with victims and offenders. We know the same cases keep coming back. Police officers often feel frustration about going to the same houses over and over and prosecutors feel frustrated because they see offenders coming through the system. What we try to do with our intervention, using institutional analysis or the blueprint approach, is to see that the repetitive nature of this crime is an opportunity to engage with people. And, for it to be an opportunity to build a relationship that we know, based on research, victims feel they have a partnership with someone in the criminal legal system. If they have that, they are more likely to execute them in the situation and do it sooner. Consequences don't necessarily mean a harsh response but it must happen quickly and be predictable. The fifth principle is to send messages of help and accountability to victims, children and offenders. We know offenders are saying to victims all the time, they are sending messages but no one will believe you or help you. It is your fault. It's real important that others a step in to counter those messages because the offender is a powerful person in that victim's life and frames her worldview. It's really important to intervene and communicate that that person has a partnership in stopping the violence and is not totally up to her. To children, we say we are not trying to harm your parents, we are trying to help. If the children call the police, we need to say that you did the right thing and we are here to stop what is going on and make your home a safer place. To offenders, we say this violence is not acceptable to us and if you wish to change, help is available and if you don't wish to change, things will be uncomfortable. We will reduce the disparity of impact and unintended consequences. We know that the criminal legal system involvement falls differently in different people, depending on who they are and how they are situated in society. We want to be alert to that possibility and do what we can in order to reduce those disparities.

This project is supported by grant #2015-TA-AX-K056 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions or recommendations expressed are those of the author(s) and do not necessarily reflect the view of the U. S. Department of Justice.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

>> Thank you, Denise. These principles are embedded into the checklist when you are doing policy review and they are embedded in the checklist when you analyze case files to determine practice and there is a lot more -- there's a lot more information where we will send out links after the webinar for the guiding principles for safety. Another piece of foundational information related to the best practice assessment and other institutional analysis methods, is the focus on the way the work is coordinated. I don't come to work today -- every day, although I would like to think so, I don't do whatever I want today. I don't decide I will use slides for this webinar or not do these things. My work is organized by the organization I work for and influenced by funding sources and influenced and driven by what those in the community need and want to know about and the same thing is true for practitioners who work with and very complex institutions. Over the course of the development of these accountability audits and in the many, many audits that have been conducted, we've seen these same methods over and over, to really influence the way the front line work is structured and produced. Denise, what else would you say about the foundation, the foundation feature of the assessment methods?

>> What I would say, is that when you learn about what these methods are, that you would really find that any problem that you have, or gap that you find in your system, is rooted somewhere in one of these eight methods. It might be because people are poorly linked together and information is in passing effectively from one prison to the next. It could be an administrative practice where a form you fill out leaves out crucial information or that kind of thing. The other thing I would say that is my background is advocacy and when I did direct advocacy, what we would often do, we would see a problem emerging in a particular agency and we want to train everybody. Training is a key thing we had on our minds and a lot of people have on their minds when they see there is a problem. They want to train the law enforcement agencies. We do this crate training and then everybody goes home and does the same thing tickets because we didn't change the other seven methods. I think that another thing I would say, is it's really important to not have overreliance on training but we need to fix those other methods and train people for that.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

>> Yes. These complex systems were designed, originally, to account for domestic violence or battering. It is up to us, as advocates. As long as these big systems exist, it seems like they will continue to do it for quite some time and we need to work with them to really focus on structuring the work through these methods that creates lasting change. It's not just about changing the hearts and minds of one individual. While that is important, it is about embedding into the checklist they used to write their patrol report or gather information to make decisions and that sort of thing. That is also embedded in the best practice assessment process. This summarizes everything we've been talking about. These complex systems aren't designed to account for battering and we need to coordinate that work to account for battering in order to produce these enhanced safety and accountability outcomes for all victims in all families. In the assessment steps, and I will post to remind you, if you have questions, please feel free to chat them into the Q&A. We will address content questions and Alisa will address technical issues you might have. Please feel free to chat in your questions. Now, we will go through some of the steps in the process because a lot of this you can learn about and review in the guides, themselves. So that we all have a sense of what is involved in each of these steps, we will have a little bit more detail. The three best steps include organizing and preparing, mapping and analyzing case processing, findings and recommendations. Step one involves identifying and assigning a coordinator for the process with the interdisciplinary team based on what point of intervention you are analyzing. You select from a couple of different options for structure and timeline to complete the assessment. There are different configurations, depending on the size of community. Whether a small, rural community or a larger, urban jurisdiction. There is confidentiality agreements and then, there is direction to the coordinator to gather the policy and case files the team will review. Step 2 involves mapping and analyzing case processing and this has three subsets. There is the inter-agency mapping exercise that has been very critical to get the team on the same page for how the system is actually processing cases. Then, there is the in-depth case file review using the checklist of best practices and the in-depth policy review using a checklist of best practices. This is at the heart of the assessment, particularly the assessment that the team is responsible for. Step 2 A is mapping the steps involved in processing a case. Mapping is an exercise using the expertise of team members to

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

understand each official step in the response by diagramming how a case goes through the system. How it comes to the attention of the system in the next steps that happen when the system is involved. Mapping exercises like this help us to understand how the victim's experience with violence becomes a case that an institution is processing. The question is, why do we map? We map so we can understand each other's expertise and perspective and experience about how the system is processing cases and reuse it to identify questions that the team might have about how case processing happens. A lot of times when teams go through the mapping process, they realize not everyone knows all the steps to process a case. It helps to identify gaps or questions or themes the team will want to answer when they do the case file and policy review and it uses ongoing references throughout the assessment activities that the team will fill in the blanks for as you learn and have further conversations. A lot of times people ask what the mapping piece looks like and I will flip through some sides quickly to give you an example. I will say that in August we are having a webinar specifically on how to facilitate a mapping exercise like this so we won't spend a lot of time on how to do this activity. I want to give you a sense of the various mapping exercises. This was done on a whiteboard. They used the same room for their meetings and added to it through each meeting and then left it here. This is handwritten mapping and there was color coding that the team did to indicate texts that might be implicated that they would want to review and linkages and that sort of thing. It could be this simple. It could also be more sophisticated, let's say, using flowchart mapping or flowchart software, such as this, Santa's workshop. You can study this later, after the webinar because I know your kids will be interested in how this happens. [Laughter] here's another map we've used with training context in how to do mapping and analyze case processing. The context is really small and for this purpose, it is not instructive for the steps, but to demonstrate or illustrate the different ways you can do mapping. Here, we have the victim-witness case processing map. I'm going to ask you, Denise, to take us through a little bit with more detail, how a team would produce a map like this. This could be handwritten on flow chart paper or the white board or you could draft it that way and the coordinator could put it into a flowchart map. Talk to us about the team creating a map like this.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

>> I have to say that mapping is one of my favorite exercises to do when I work with a community. It is always interesting to hear people come together and to talk about their work. Usually, there are moments where people say, I didn't realize that was how that happened, or that was what happened with this when I passed it off or that you have this information that could have been useful to me. I find them to be really, really interesting and useful exercises. You always want the interagency group and for purposes of the best practice assessment, we usually recommend people do this in teams of 5-7 people because it is intended to be an abbreviated process. Certainly, like when you map the victim-witness, you would need the victim-witness staff person or people there. You would want someone -

- I should say this map and this best practice assessment for victim-witness is specific to victim-witness staff who work and the prosecutor's office and in some, connected with law enforcement agencies. This is specifically for those communities where victim-witness is connected to prosecution. You would want to prosecute or present for this and you might want law enforcement. You might want probation. Someone who will be intersecting with the work that victim-witness does and you want to make sure you have community-based advocacy at the table, as well. I usually start by asking people to tell how a case first comes to your attention. So, you flesh that out a little bit. At what point in case processing did it come to you? How did it come to you? Did you get a folder or email notice with information? What is the first thing that you do. Then, start to map out the big steps and the substeps underneath it and usually paying attention to what information people have available to them and what they are trying to elicit to others and what they are documenting and what they share with others. It's useful to think about what forms or tools people use at different points in case processing and try to get copies of those throughout your process to see how people capture information. Who are they linked up with and passing information on to? Who might be using the information that they are not aware of?

And, questions like how and at what point in case processing do victims connect with advocacy. In victim-witness, it is really important that victim-witness and community-based advocacy have strong relationships and be working to gather. They are crucial, both are, but they have different purposes. Sometimes victim-witness call themselves advocates but then there are distinctions and it's important that there is a partnership. You want all of that to

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

come out as much as possible in your mapping to help you figure out where to look to get more information and what other questions you have, and so on.

>> Great. Lots of teams have done this mapping exercise, such as this and it eliminated a lot of gaps by virtue of doing the mapping. Gaps in knowledge, gaps in linkages for information sharing and anything that creates system delay has meaning in the lives of the victims. And, working to hold victims accountable. This mapping exercise can be really useful to you on your CCR teams. There's lots of directions in the assessment guides for doing mapping exercises like this.

>> You know, one of the comments I wanted to make is about the mapping examples that you showed. I think they're really good examples of a lot of different things. I'm always partial to the one you saw on the whiteboard because it is always kind of messy and it reminds me that case processing can be kind of messy. I often like to think of the map as a tool to help the community uncover what comes next. Some of the others are really good examples. For example, teaching. You can show someone how cases are processed and then you have the example of that. The one with the victim in the center is a really good example of the myriad of points where there is something happening in a case and you have the victim in the center who may not understand much of anything about what is happening because they are not oriented to that system. You point out it's not really designed for her. Mapping can illustrate a lot of different things and there are many ways to capture it.

>> Thanks for adding that. It made me think of some communities that have gone through an assessment process and they ended up using the maps that they created at the beginning and throughout the assessment activities, as exactly that -- a training tool not only for system practitioners, but primarily for advocates where helping victims navigate these really complex systems. It can be a crucial tool for advocacy. In addition, it points out the burden that could be placed on a victim if we are overreliance on her to advance each of these steps. Really, these steps should be moved and accomplished by the system. The burden is taken off of the victim to make these things happen. Again, I totally agree with you, Denise. The whiteboard mapping is very real and probably a more real expectation, particularly for smaller communities. It would be on a whiteboard or a big sheet of paper. The mapping

This project is supported by grant #2015-TA-AX-K056 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions or recommendations expressed are those of the author(s) and do not necessarily reflect the view of the U. S. Department of Justice.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

piece or the flowchart piece is very optional, although some communities will want to use that sort of thing.

>> I will pause to see if there are questions about mapping activities or maybe somebody listening has done such a mapping exercise. Please chat that in when you would like.

>> This process is similar for the other two-point in the system that we are covering around bail setting and conditions of release as well as pretrial supervision. We don't have maps of that today. The process is very similar for both of those points of intervention, as well.

Seeing no comments or questions in the Q&A, we will move along, Denise. We will go to step 2 B, analyzing case files and records. After you've done the initial mapping exercise, it's time to dive into the case file review and depending on the focus of your assessment, you might listen to 911 calls or read patrol or investigation reports. You might review prosecution files or bail setting assessments. Regardless of what point of intervention you are focusing on, the best practice assessment guides offer you a checklist. It is a focused review and you don't have to invent the analysis of the police report or the 911 call, it is guided by this checklist of best practices and involves a thorough listening or reading of the case file or records and it helps to show what practices are evident, what is being employed in the particular case file and what practices might be missing. And, a link to what might have been discovered in the mapping processes to say, what is the same, what is the case file reflecting and are there other disconnects? That's how you build a map through the assessment process. We will get into some of the checklists, the themes, for these three points of intervention -- three points of intervention. As Denise pointed out, currently, the god will address the victim-witness services that are associated with the prosecutor's office. The practices would be those associated with a law enforcement agency and with our focus on this, at this point before we dive into this, I want to point out that at the beginning of the webinar, there were handouts that you could link and download and they formed the basis of the practice identified in the checklist. That is pulled from the blueprint for safety essential elements and detail and with explanation for why these are considered best practices. I encourage you to look at those resources after the webinar for more information. For today, we will sample a couple of things that the checklist would guide you

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

to review when looking at your case files. The first one is related to risk and danger. Risk and danger, because it is embedded in the blueprint for safety, the guiding principles, you will find it as a theme for the checklist for all of the points of intervention within a set of guides.

Denise, I wonder if you could walk us through the features of the checklist that would be related to risk and danger for victim-witness services.

>> Yes. Thank you, Maren. One comment I want to make, the term best practice -- I think -- sometimes, it is a little offputting or makes people nervous. It is often a term of art and people are not always sure what it means. But, I think we can have a pretty fair amount of confidence that we have captured best practices in these guides because they really are the result -- not just of the research I've already referenced -- but also, now, almost 40 years of experience in working in the criminal legal system. When we did the blueprint for safety, we tried to collect every single policy we could find around the country related to domestic violence case processing and we really combed through all of it and sorted through it and talked with researchers and focus groups to capture the best we could about what intervention is effective and helpful and that is contained in these guides. Related to that, it's not unusual -- not just the criminal legal system -- but in any legal institution, for workers to get a list of assignments each day or a job description or list of activities they are supposed to do and the accountability they have is to the checklist or the list of tasks. What we try to do as the best practice assessment and other strategies such as the blueprint is to expand the thinking of people about recognizing that the work that they do has real-life implications for people whose lives are taken up by that institution. Some of the themes in the victim-witness checklist or best practice assessment guide that we have called out our to do some kind of assessment for risk and danger. We want everyone who handles a case to be thinking about risk and danger. One of the reasons for this, is that for example, we know that victims have a willingness to disclose information, it is fluid and a complex decision to figure out whether or not she will disclose a particular piece of information at a particular time. We also know that risk is variable and it's really important for every person who handles a case to be tuned into that. To be always alert to information about risk and danger and to ask about safety, to ask about history, it's really really important. We also know that there is an awful lot of violence that occurs that might not be captured by official records

This project is supported by grant #2015-TA-AX-K056 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions or recommendations expressed are those of the author(s) and do not necessarily reflect the view of the U. S. Department of Justice.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

and that can be important information in us asking -- and assessing risk and danger. It's important that advocates, specialists, coordinators -- however they are named in your community -- are being very clear with the victim advocates. Victim-witness person in the prosecutor's office, one of their primary tasks is in service to the case and in service to the prosecutor. It's really important to clarify that with victims in advance because it's important for the victims to not think they are sharing information with a confidential advocate if that is not the case. The victim-witness specialist is generally required to share information with the prosecutor. It's another example of why the victim-witness specialists need to work with community-based advocates because they need access to someone who can help facilitate the case or understand what is happening with the case and needs access to a confidential advocate. Another point is about victim engagement. The victim-witness specialist is uniquely positioned to do this because that is their job, to help coordinate that. They have access to good information and are well-positioned to communicate with prosecutors about what is happening with the victim's situation and well-positioned to contact the victims right away. The sooner someone in the criminal legal system has contact with the victim, the more engage the person will feel and the more likely they are to participate and the more likely to understand what is happening. It works better for everybody. We also think it's really important to make sure that we work in the first language of the victim. Prosecutors are required under Federal law to be doing everything that they can to ensure that victims are communicated with in their first language and victim-witness people are the front lines for that. We also want them to make sure that they are seeking input from victims at all stages. Sometimes victim-witness people see their job is explaining what's happening to victims and we think best practices not just to explain what's happening, but to ensure that the victim has a pathway to getting her voice heard within that system. The victim may not be able to say I want the charges dropped or I want X negotiation rather than Y negotiation. It's important that the victim is heard in that process or that the needs be adequately considered throughout the process. And, what the prosecutor is thinking is communicated clearly and that there is a 2-way communication, not just informing victims of what happened. It's also important to offer concrete help in terms of transportation, childcare, communication with employers. Considering safety -- does the victim need a safe place to

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

wait while in court, for example, and that sort of thing? And finally, because they are system based, they have a unique position to be able to ensure that the victim's wishes are made central to managing the case. The victim-witness can also be helping to link victims with probation, for example, postconviction. The victim can have some input into what conditions are for probation that somebody has to follow. We are really wanting to make sure that communities don't have a blanket no contest policy and we do what we can to encourage that they don't have a blanket no contact order. There are reasons why that might not be helpful for people and we want to communicate that in the victim-witness can really help with that. To help find an appropriate batterer intervention program, and for example. We want victim-witness to be positioned to help people for preparation, during the trial and then postconviction with as much support as possible.

>> It's worth noting that this is just a sampling of some of the practices included in the checklist that would guide your case file review. I wonder, Denise, if you can comment or paint a picture. What files are you looking at within victim-witness services to assess for these things? What I know about institutions is that if it is not documented in some sort of text, it didn't happen. Even victim-witness service specialists are required to document these things. Can you give us one example of what the team might look at to assess for these things?

>> I can think of a couple. One of them is the victim-witness advocate or specialist might have a separate file where they keep certain documents like a police report, a criminal complaint or warrant application and, perhaps, a communication log. You might want to look to see what kind of communication is occurring, how often and what the nature of it is. This could be a quick story, but I was in a community and what we heard was that the victims of violence were never hearing from the prosecutor's office, almost never. The advocate happened to be in the victim's home and saw an unopened letter from the prosecutor's office on her kitchen table. When they looked at the letter, they discovered that it was really based in state law about compliance with victim rights notifications. Oftentimes, that victim-witness person is tasked with executing the prosecutor's obligation to notify the victim of their rights and they send out a formal, official sounding letter with

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

the information that most people get. We also want to see what the nature is of that communication. We decided the advocate would sit down with them and rewrite that letter. The way the communication occurred would have more meaning for the victim and that is an example of the advocate of the victim-witness person fulfilling the obligation with the steps of the job to communicate. The way in which the communication occurred wasn't really relevant for that victim. You should see copies of things like letters in the file.

>> Thank you for that specific example. I want to pause here to answer some questions that came up in the chat. Is a mapping process involving an actual individual's experience or case? That is a good question about what drives the mapping peace. Any comments on that, Denise?

>> I don't think you have to necessarily have a specific case in mind. Oftentimes, it will call up ways of thinking about how the practitioner has handled the case. One thing I will say, one of the reasons why it is important to put things together like text analysis and looking at text against a checklist and mapping, is that oftentimes in mapping, you hear from practitioners what they intend to do, what they are organized to do and what their job says they are supposed to do. Sometimes, what they do is a variation. You may scenes -- you may see somebody say they need the victim letter, at some point. Until you look at the victim letter, you don't know what the meaning of that is. You don't necessarily need a specific case in mind, but rather, what is the first step you take in what is information you have? How do you pass this on and who gets involved, that kind of thing.

>> Thank you. The other question is from Kelly, who has been using the best practice assessment process and is finding it is going slowly, as they are building the map, as aid team. In part, the team has been meeting for one hour at a time and she has other options and is asking for suggestions on how to handle that. I will quickly respond and say we can provide you more individual support after this webinar. Overall, if you are doing once per month meetings for one hour, the assessment process will take a long time and you will lose momentum and continuity of what you are finding. I agree with your recommendation to your team to shift to doing a series of longer meetings to get through the mapping process more quickly. The mapping process, in particular, shouldn't take more than one, 3-our

This project is supported by grant #2015-TA-AX-K056 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions or recommendations expressed are those of the author(s) and do not necessarily reflect the view of the U. S. Department of Justice.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

meeting, overall and probably not even that much time. Would be difficult to accomplish in just one hour, depending on the focus of your assessment. We will give you more individual support with that. And on the next point of intervention for the coming guides, it is bail setting and conditions of release. This is just on the side, a sampling of the detail that will be included in the checklist. For now, Denise, I would love for you to pick one of the bullet items to comment on this with specifics of bail setting and conditions of release. It starts with claims of using wide ranges of information sources. Can you comment on this in the file relative to that?

>> Certainly, you want to know what is going on in the case, currently. To the extent you can get past police reports and something that will help you get information about history and context -- because, the current case tells you what that person is probably charged with. In order to really understand what is happening, it's very, very important to do what you can together information about past violence, as well. Weather patrol reports or bail evaluations and then talking to the victims -- it's also that of already said much of the time, past violence isn't necessarily captured in the official record, anywhere.

>> That is super important and a big part of the checklist. It includes regular contact with input. Not only bail setting, but further on around the supervision and enforcement. Related to differentiating recommendations, these are some of the things we work on in the system reform, to make the system a little more refined and nuanced, versus violent analogies. A blunt force instrument, let's say. We are trying to make them more responsive to the unique conditions within each case.

>> I would say that it is closely related to the third list, related to contact orders, versus no contact order and that is the principle of recognizing that not all violence is the same. We have to differentiate the severity and the danger. Oftentimes, and bail setting, a community will use a validated instrument, such as the Mosaic. If you don't know what that is, folks can prove -- contact us and we will provide more information. That is important to understand what is happening and to recognize that a blanket policy of requesting a no contact order is often not useful. The reason that communities do that, the prosecutors do that and judges do that, is because, first of all, they believe they are concerned with safety and they tried to

This project is supported by grant #2015-TA-AX-K056 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions or recommendations expressed are those of the author(s) and do not necessarily reflect the view of the U. S. Department of Justice.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

keep people apart. There can be all sorts of economic impacts with families that are separated suddenly and victims may not want a no contact order and they will initiate contact themselves, which undermines the integrity of the process and interferes with victim autonomy. We want everybody to look at each case individually to understand as much as you can based on conversations with the victims and all the other sources listed in that column to come up with some recommendations regarding bail setting and conditions of release. I also want to say that there is a lot of national discourse right now about the use of money bail, in particular. We know that is disproportionately involving poor people with issues raised about the effectiveness, anyway. Now, the blueprint doesn't prohibit the use of money bail but certainly we would want to be looking at how that bail is set and the impact on people when money bail is set as well is the impact of conditions of release on safety and accountability.

>> As the inter-agency team, if you go through the records contained in a case file within the function of the system of setting bail and identifying conditions of release, you are looking for evidence in the case file that they did seek victim input. And, that they did assess for risk and danger and they did look at previous records, if any. At every opportunity they were looking to be guided by what the victim wanted and needed in addition to balancing the pieces about risk and danger to the community, possible coercion and that sort of thing. That's what you are looking for in this actual documentation.

>> That's right. There are some communities that don't have a formal bail evaluation process and it will be hard to get your hands on that sort of a case filed. Somewhere, the prosecutor is the main person that would have a role in that and the judge pretty much has a lot of authority over it. Recently, I looked at a form that someone used that was very minimal. In other communities, it is very extensive. If you are in a community that doesn't have a formalized process, it is tougher to grab a hold of it. You may need to enter other stuff because it may not be in the case file.

>> Rate. Thanks for that. The next is a sampling of the assessment guide checklist related to reviewing case files for pretrial release supervision and enforcement. This is after the offender has been released. There is specific guidance about what to do immediately after

This project is supported by grant #2015-TA-AX-K056 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions or recommendations expressed are those of the author(s) and do not necessarily reflect the view of the U. S. Department of Justice.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

the hearing, or after he has been released and ongoing supervision and enforcement while the case is proceeding. Can you pick a couple of things to highlight, Denise?

>> Sure. One of the things I would highlight, is that like bail evaluation, former Belo evaluation, some communities don't have a formal pretrial release unit or person who actually does pretrial supervision. If that is the case, someone is subject to court and you may need to be looking at some case files and court files. Court files are often public record and of the prosecutor's office you have to negotiate access. You want to make sure there is a document and a verbal communication with the defendant about the conditions of release and what the requirements are and if they have to go and meet with somebody or if there is a no contact order or what may happen if there is a violation. Secondly, victim engagement is an important. Someone, preferably a pretrial release officer, to communicate with them -- or they can call the prosecutor's office to make sure the victim knows what to do if the conditions of release are violated. There may be a no contact order or the defendant is ordered to remain a way from a certain address. The defendant may have a problem with drugs or alcohol and they contributed to violence and the victim sees them at the bar and wants to report those violations, that the victim knows what to do. Also, whoever is responsible for that, it can be -- communicate to victims and offenders that if there is a violation that doesn't get a response, they can communicate to people that the court order doesn't need very much. You want to look in the case file to see if you can find any violations that have been reported and what happened as a result of that. Then, we want to look for what happens with violations. If you have a pretrial release unit and are looking at these cases, there should be some kind of diary that notes communication with offenders or victims and if there were violations reported, what kind of action was taken. Every violation doesn't necessarily require that someone comes back to court. It may be related to risk and danger or who has input into that or whether there would be a treatment provider or a battery intervention or what agencies were communicated with. You may need to see some sort of log in the prosecutor's office or check with your law enforcement agency to see if there are reports of conditional violations.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

>> I encourage people to chat in questions. I also want to say, again, that the blueprint for safety, the annotated version, explains the context Denise offers us when we think about these specific practices. It can be helpful to you to think about how on whether you might work with your community to address these interventions. Step C 3, analyzes policies. I won't say a lot about the process for that. It's in the interest of time and that detail is offered within the content of the guide. This is the type of information on the checklist for conducting your policy review. These principles, and you will get familiar with these, some specific procedures we know our core and foundational for effective community responses. They relate to qualifying criteria for cases, documentation, risk and danger and addressing the specific response when they are a victim of ongoing battery. It may be in reaction to the violence or for self-defense sorts of things. It may be related to supervision or inter and intra-agency monitoring. To demonstrate this process and how to, how you would review a policy, we have a sample policy right here on this slide for victim-witness services. This could be something that you see within your community, for what guides the work of the victim-witness services specialist. It could provide this with detail for different communities and different levels of formal policies or procedures. Let's say that in our community, this is our policy. The victim-witness services makes a good faith effort to contact the victim, provide information on non-charged cases, as requested. It is for the cases where the offender was not arrested and that victim-witness specialist would offer resources and support to the victim and his or her family. They dispense and share information related to the court process and victim rights. This is the victim with financial concerns, resulting from the information and pretrial release issues during the process. They assist with victim witnesses. These are some of the things we've seen in the case file of your checklist, as well. They provide support and they look whether victim services can play a role. If you were to analyze that policy up against one of these points in the policy review -- let's take monitoring -- just pretend like you were on the interagency team. What would be your questions to ask about this policy, related to monitoring?

>> One of the things I would look at are things like if it says make a good-faith effort to contact the victim as soon as possible after charging. I would be interested in knowing what a good faith effort means. What is that standard? Is that sufficient? I would be looking for

This project is supported by grant #2015-TA-AX-K056 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions or recommendations expressed are those of the author(s) and do not necessarily reflect the view of the U. S. Department of Justice.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

how that is demonstrated in the file. 'S good faith effort that I called her love it no message at home or on her cell phone or sent a letter? Is that a good-faith effort? Did I try to generate other resources? What is the expectation? I might think about things like dispensing information, including explaining victims rights. Is that passive one may communication of the victim-witness person telling the victim what happens? Or, is it a more engaged process of helping victims exercise those rights? I would want to look at how the victim-witness person documents their actions in relation to each of these points. Does that make sense?

>> Yes. Absolutely. The documentation can also serve as a way to monitor the overall outcomes within victim-witness services and that is something I would be looking at. I'm looking at the checklist that says there should be direction in this policy related to data collection and information sharing. I'm not seeing that within the sample policy. There isn't anything specifically documenting this kind of information so we can track and report outcomes, overall, on a semiannual or annual basis. Right?

>> Right. A couple of other things could be in the policy that I think we would encourage people to have, related to that. Whoever is supervising the victim-witness people, the optimum number of people, there might be a director or coordinator. If not, may be a prosecutor or supervisor. We might want to encourage them to poll a handful of cases every six months or every three months and we would look at them to see how the staff people are carrying these things out. It might be useful to do that in a way where you sit down with inter-agency people. You might get your law enforcement people and others and look at them together. It's relatively rare that things are written into policy. Through the blueprint and the best practice assessment, we know that we get much better outcomes if people are working together and sharing information in that way.

>> Right. Sometimes, if there isn't a policy, you may review a job description and look at the job description and the guiding text or stand in policy for what is guiding that person's work. You might review the job description and you might see there is no direction around reviewing cases or doing specific data collection. If you look at the supervisor's job description, there might not be anything in there about reviewing cases on a regular basis.

This project is supported by grant #2015-TA-AX-K056 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions or recommendations expressed are those of the author(s) and do not necessarily reflect the view of the U. S. Department of Justice.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

Those are the types of things you would look at and a sample of what you might look at during the policy review. So, no questions in the Q&A but we have a couple of minutes. If you have burning questions, feel free to ask them now and we will try to answer them before the end of the webinar. I do want to move us through to some of the available resources to you, to support this kind of work in your own communities. Before I do that, I will stay -- I will say step three, report findings and recommended changes. We won't spend a lot of time because it is in the guide. You can study in the context of the guide. For communities that have done these sorts of work, best practice assessment work, they have really experienced concrete outcomes and policy changes in the community. This is a couple of examples of the concrete changes people have made. They've developed and implemented follow-up questions 911 operators when answering domestic violence related calls and they've had improved consistency and risk assessments through the patrol response and that kind of thing. This is the ultimate goal and what we are looking for, changing the way the work is structured to improve outcomes for everyone who encounters this system. The other piece the process does is it gives a really concrete way for community-based advocates and system practitioners to engage with one another to help improve outcomes in our community. A lot of times, we hear people and communities reflect on the process. They say we didn't know each other's work well when we started and we didn't have the greatest relationships. We were floundering and not knowing what to do with one another when we got together. This process gave us a concrete way to make our meetings with one another and our work together have meaning and impact for the people that we serve in our system. I love all of these concrete things and I really love the overall piece about having a new way to work together.

>> In conclusion, we are embedding safety for victims and accountability for offenders with opportunity for change. Of your community goes to the best practice assessment process, you will make changes within your system. There is no way to do this work without experiencing some change. Seeing no other final questions or comments -- and we have a few more minutes -- please feel free to chat them in. I just want to point out some resources that are on the website and I will send out links after the webinar, probably for these specific things. The existing guides up on our website address 911 patrol response, charging

This project is supported by grant #2015-TA-AX-K056 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions or recommendations expressed are those of the author(s) and do not necessarily reflect the view of the U. S. Department of Justice.

Please note: This text was generated during the in-session webinar closed captioning and is less accurate than an official transcript. We apologize for any confusion created.

decisions, Child Protective Services, forthcoming guides to discuss the interventions we discussed today. And, additional resources to get familiarized with the process. It includes a couple of videos, short videos about the overview of the process with some tips on building a team or establishing the interdisciplinary team that does the work of the assessment. We have the checklist of things you may have done on your own. We have a checklist with sample reports communities have written after they completed the assessment process and we have the archive of webinars that we've put on specifically about the assessment guide. We encourage you to peruse the library of resources if you think your community might be interested in that. Here are some upcoming dates for upcoming trainings. This is the latest in assessment activities that you can mark your calendars for and plan to attend. We love to see you back toward the end of the summer and maybe later this fall. Denise, closing comments?

>> I want to thank everyone for listening. I hope it was helpful and I want to add that we have a blueprint for safety Institute coming up in St. Paul in July and that if people are interested, they can register to attend. Our institutes are small and immersive institutes. If you are interested -- if you're interested, it could be useful to explore right away.

>> We will include information about the Institute on the follow-up emailed. Thank you for pointing that out.

>> With that, we will end right on time today, 3:15. Thank you for the support behind the scenes and thank you to all of you for your time and attention on this glorious spring afternoon. Have a lovely rest of your day. Goodbye. [Event concluded]