

Planning and Conducting a Best Practice Assessment of Community Response to Domestic Violence

Criminal Justice System Response: Victim-Witness Services

Produced by Praxis International



Another Praxis International Tool for Change-Oriented Advocacy
Supporting survivors' efforts to secure safety, recovery, rights, and autonomy while also working to reform the social institutions, public policy, and community norms that support battering and other forms of violence against women.

Planning and Conducting a Best Practice Assessment of Community Response to Domestic Violence

Criminal Justice System Response: Victim-Witness Services



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Praxis International is a nonprofit research and training organization that works toward the elimination of violence from the lives of women and children. Praxis' methods of Institutional Analysis, Safety and Accountability Audits, and Domestic Violence Best Practice Assessment have been used by communities across the country to examine the responses to domestic violence and sexual assault in the criminal and civil legal systems, advocacy programs, supervised visitation, child protection, and child welfare.

Find additional tools for assessing institutional practices in response to violence against women at: <http://praxisinternational.org/institutional-analysiscommunity-assessment-2/>

Acknowledgements

We are indebted to the many battered women and their children who have shared their experiences with us through conversations, from focus groups to chance encounters, and through the calls, reports, and case files that have captured fragments of their stories. We hope that we have been true to that standpoint in thinking about ways in which public safety can be most responsive to their needs and most effective in supporting safety and accountability. We thank the more than seventy communities that have conducted *Safety and Accountability Audits* over the past twenty years and the many advocates, dispatchers, police officers, prosecutors, victim-witness specialists, and probation agents who have offered insights into their work and been willing to try new approaches. In particular, we have relied upon and learned from the pioneering work of Duluth, Minnesota, and, more recently, the City of Saint Paul and Ramsey County, Minnesota.

This guide was developed by Praxis International in partnership with the Office on Violence Against Women, U.S. Department of Justice, and was supported by Grant No. 2015-TA-AX-K056, awarded by the Office on Violence Against Women. Points of view in this document are those of the authors and do not necessarily represent the official position or policies of the U.S. Department of Justice.

Contents

Introduction.....	5
Approaches to Evaluating Practice	9
How to Use the Best Practice Assessment Guide.....	11
Step 1: Organize and Prepare	13
Task 1: Assign a coordinator	13
Task 2: Select the assessment team	14
Task 3: Select a structure and timeline	15
Task 4: Develop and implement a confidentiality agreement	16
Task 5: Gather and organize policies and case files to review	16
Step 2: Map and Analyze Case Processing.....	23
Organizing Mapping and Case Record and Policy Analysis	26
Step by Step: Mapping Domestic Violence Case Processing	28
Step by Step: Analyzing Case Records	30
Step by Step: Analyzing Policies.....	33
Step 3: Report Findings and Recommend Changes.....	35
Appendix	39

Introduction

For the past forty years, communities across the country have been defining and implementing reforms in the criminal justice system response to domestic violence. Initiated by the battered women's movement, attention to violence against intimate partners has become commonplace among police, prosecutors, courts and probation agencies, joined by community advocates, victim services organizations and batterer intervention programs. The landscape of community response looks very different in 2019 than it did in 1980. There is an expectation of coordination and collaboration. Working relationships between advocates and police are a matter-of-fact in many communities. Key intervening agencies often have written policies and protocols in place. State legislatures have enacted laws that require certain actions and accountability by entities in the criminal legal system. Since 1995, the Violence Against Women Act has provided grants that support a wide range of activities that emphasize “a coordinated community response from advocacy organizations in partnership with the criminal justice system [as] critical to reducing violent crimes of violence against women and enhancing victim safety and offender accountability.”¹

Many communities can now look back on a coordinated community response (CCR) that spans thirty years or more. Still others are relatively new to the linkages, communication, relationships, and policy and practice changes that characterize a CCR. Regardless of where a community sits on this continuum, the ever-present question is: How are we doing? Are we making things better or worse? Are we centralizing and strengthening safety for victims? Do our efforts enhance or diminish

¹ Program Overview, Improving Criminal Justice Responses to Sexual Assault, Domestic Violence, Dating Violence, and Stalking Grant Program, Office on Violence Against Women. Access at <https://www.justice.gov/ovw/page/file/922506/download>.

offender accountability? What about the accountability of community agencies and systems for their response? What is the best approach to...?

The Domestic Violence Best Practice Assessment (the Best Practice Assessment) Guides have been designed to assist CCRs in answering such questions at particular points in the criminal legal system response to domestic violence crimes: 911, police patrol, police investigations, prosecution charging, victim-witness services, bail evaluation and pretrial release recommendations, and pretrial release supervision and enforcement.² This guide details best practices in **victim-witness services**.

The entire set of guides draws on the accumulated experience of communities that have completed a *Safety and Accountability Audit (Safety Audit)* over the last twenty years³ and the more recent development of *The Blueprint for Safety*.⁴ *The Blueprint for Safety (Blueprint)* is a coordinated justice system response to domestic violence crimes that positions this complex system to respond more quickly and effectively and enhance its capacity to stop violence, reduce harm, and save lives. *The Blueprint* is a distinct blend of approach, document, and process that together fully articulate the idea of a coordinated community response. The guides distill communities' experiences with *Safety Audits* and the *Blueprint* principles and policies into specific guidelines for practice in the response to domestic violence.

² <http://praxisinternational.org/institutional-analysiscommunity-assessment-2/best-practice-assessment-guides/>

³ Over 100 Safety Audits have been conducted since 1995, examining diverse aspects of institutional response to domestic violence, including the entire range of criminal justice system interventions in domestics, from 911 through conditions of sentencing; civil orders for protection; advocacy; child protective services; and supervised visitation and safe exchange.

⁴ In 2010, St. Paul, Minnesota, developed the Blueprint for Safety (Blueprint), subsequently tailored for broader adaptation by Praxis International.

The guides are built around best practices that reinforce the essential characteristics of intervention in domestic violence that maximizes safety for victims, holds offenders accountable while offering opportunities to change, sets an expectation of agency and practitioner accountability to one another and to victims and offenders, and seeks to make the system as protective and least harmful as possible. These characteristics include:

1. Adhere to an interagency approach and collective intervention goals.
2. Build attention to the context and severity of abuse into each intervention.
3. Recognize that most domestic violence is a patterned crime requiring continuing engagement with victims and offenders.
4. Ensure sure and swift consequences for continued abuse.
5. Use the power of the criminal justice system to send messages of help and accountability.
6. Act in ways that reduce unintended consequences and the disparity of impact on victims and offenders.⁵

⁵ *The Blueprint for Safety*, Chapter 1, “Foundations of Effective Intervention.”

Approaches to Evaluating Practice

A CCR or individual agency responding to domestic violence crimes can use various methods to evaluate and inform its intervention practices. This process is not the only tool available and may not be the best fit for your agency or community. The Best Practice Assessment presented in this guide is one approach on a continuum of evaluation methods. It is a relatively quick review of the response to domestic violence-related cases, using checklists of core practices. The core practices reflect what is found in *The Blueprint for Safety*, a complete policy and protocol manual and process that embeds a best practice response to domestic violence within each and throughout all criminal legal system agencies. The Best Practice Assessment involves a relatively narrow scope, small number of participants, limited data collection, and little direct consultation with victims of abuse. It relies heavily on a guided review of the official records, such as victim-witness case files and documentation of communication with victims.

For communities that may be interested in a more in-depth examination or a complete policy and protocol overhaul of their criminal legal system response to domestic violence, a *Safety and Accountability Audit* or *The Blueprint for Safety* may be a better fit. To help you decide which approach is the best fit for your community, please review the grid, found on the Praxis website, that summarizes which method is the best for certain community characteristics:

<https://praxisinternational.org/wp-content/uploads/2019/08/DVBPA-Approaches-to-Evaluating-Practice-Aug2019.docx>

How to Use the Best Practice Assessment Guide

This guide has been prepared for those who are planning or coordinating an assessment of **victim-witness services**. With its companion guides, a CCR has available to it ways to examine best practices at seven key points of criminal justice system intervention: (1) 911 call-receiving and dispatching, (2) patrol response, (3) police follow-up investigations, (4) prosecution charging decisions, (5) **victim-witness services**, (6) bail evaluation and conditions of release, and (7) pretrial release supervision and enforcement. Your community or agency may be interested in only one of these areas or it may want to examine multiple points of intervention. Select tools and materials according to the parameters of your review.

Regardless of the focus of your assessment, it can be helpful to have some familiarity with the broader content of recommended practices for 911 through pretrial release supervision and enforcement, which can be gained via reviewing the assessment guides referenced above and the materials specific to each point of intervention. The areas of practice included in the guides—911, patrol, investigation, charging, victim-witness advocacy, bail setting, and pretrial release—are highly interconnected. Responding patrol officers count on accurate details and descriptions from dispatchers and call-takers. Investigators can expand on the information and evidence gathered at the scene, but often cannot recreate or retrieve what 911 and patrol might have missed in the initial response. Prosecutors rely on each practitioner who precedes them to ask the right questions and gather the right information in order to support charging decisions, bail evaluation, pretrial release recommendations, supervision, and enforcement that best support victim safety and offender accountability. Victim-witness specialists need current contact information for victims and witnesses, as well as original and

supplemental information about incidents, in order to quickly communicate with victims, make notifications of court appearances and give any needed instructions or explanations, and conduct ongoing safety planning. Practitioners involved in bail evaluations, making recommendations regarding pretrial release, or supervising defendants on pretrial release can incorporate victim safety and offender accountability when they have access to law enforcement and advocacy information that presents a clear picture of any danger and safety concerns. The Best Practice Assessment provides the opportunity for an inter-agency group of practitioners to analyze their responses together to enhance the broader system's response to domestic violence.

The guide includes general tasks and tools related to the broad steps involved in conducting the assessment:

1. Organize and prepare.
2. Map and examine case processing.
3. Report findings and recommend changes.

It includes time estimates and agendas for a process that can be completed in three to six months, from initial planning to recommendations for change. It includes a specific checklist for each point of intervention addressed in the guide, plus templates for organizing and reporting the results of the assessment. The workbook includes instructions and tools for analyzing case records, analyzing agency policies, and preparing findings and recommendations.

Step 1: Organize and Prepare

Task 1: Assign a coordinator

A coordinator will still be needed to oversee the organizational details and logistics. Coordination tasks include scheduling meetings, collecting policies and case material to review, and reporting out the results of the assessment. The coordinator is also a member and facilitator of the assessment team.

The coordinator's role will likely require about fifteen days of time over the three- to six-month duration of the assessment. This includes time spent as a team member, as well as overall coordination of the process. The tasks of coordination can be fulfilled by a temporary reassignment of one person or can be shared between two or more members of the team. The key requirement is that someone is responsible for organizing the process and preparing and communicating with the work group. The coordinator may come from the agency that is the focus of the assessment; this connection will help expedite gathering the agency's policies and files for review. Where a more established coordinated community response entity is using the self-assessment, the CCR coordinator or someone from the community-based advocacy program might fill this role. If the assessment includes two or more areas, the coordination will require additional time.

The coordinator will:

- ✓ Read the self-assessment guide and become familiar with the tools and instructions.
- ✓ Collect pertinent laws and agency policies and protocols.

- ✓ Identify and gather agency “case files” (e.g., prosecution case files and separate victim-witness files, if they exist) for the work group to read.
- ✓ Schedule and facilitate work group meetings.
- ✓ Provide the work group with necessary copies and materials.
- ✓ Keep a written record of the work group’s discussions and findings.
- ✓ Prepare findings and recommendations to relay to the agency head(s) and the CCR, if applicable.

Task 2: Select the assessment team

The Best Practice Assessment assumes that a small group of practitioners will do the work. The process was designed to benefit from the dialogue, reflection, and discussion that is possible with a small set of experienced practitioners, rather than relying on the limited perspective of one person.

The assessment team or work group consists of five to eight members, or more, depending upon local needs. While the team could include only personnel from a single agency, we recommend that it include experienced, skilled practitioners and some level of interagency representation, plus at least one member who is a community-based advocate for victims of domestic violence (see Step 1 - Attachment 1). This advocacy perspective is critical in a process that does not involve any direct consultation with victims of abuse, such as the focus groups that are characteristic of a Safety Audit or *The Blueprint for Safety*. Similarly, a degree of interagency involvement helps to examine the particular process under review in relation to how it impacts what happens before or after it. For example, an assessment focused on **victim-witness services** would ideally include representation from victim-witness services; the agency where the victim-witness coordinator is located, i.e., law enforcement, prosecution or probation; a

community-based advocate; any practitioner involved in victim-witness services in a particular jurisdiction, such as social workers or specially trained volunteers and at least one additional system practitioner such as a prosecutor or police officer.

The team will need to meet three to five times over the course of the assessment, for a total estimated time commitment of approximately five days, depending upon how the work is structured. If the assessment is applied to more than one point of intervention—examining charging and plea agreements/sentencing recommendations, for example—the size and configuration of the work group will need to reflect that scope (see Step 1-Attachment 1). A single interagency work group could be used, or several groups, each specific to one of the key points of intervention under review. The broader in scope, the more likely it is that the assessment will require more time.

Work group members will:

- ✓ Prepare by reading policies, protocols, and case records, as provided by the coordinator.
- ✓ Attend all scheduled meetings, according to the option selected for completing mapping and case-processing activities.
- ✓ Complete all assignments to review case files or other documents.
- ✓ Use the assessment worksheets to take notes on each assigned case.
- ✓ As a group, articulate findings and recommendations that will be relayed to the agency head(s) and the CCR, if applicable.

Task 3: Select a structure and timeline

Will the team complete all of its work together during a series of four or five day-long meetings? Will team members complete assignments on their own and review what they have learned during a series of shorter meetings? Will the group meet one morning each week until the

assessment has been completed? Selecting an approach early on will make it possible for work group members to set aside the necessary time and to lock in a schedule of activities. The specific structure is less important than the commitment to follow through and complete the assessment in a timely way. This guide recommends a process (see Step 2: Map and Examine Case Processing) built around four to five meetings, with specific tasks to accomplish in each meeting. The length and frequency of those meetings can be adjusted to best fit local needs. The assessment could be accomplished in about a month's time or be conducted over a span of six months.

Task 4: Develop and implement a confidentiality agreement

The assessment team will examine agency case files and will identify areas of practice that need to be revised or discontinued, some more urgently than others. Most likely the team will use police reports, prosecution files, letters or other documents for communicating with victims and any non-confidential communication logs used by victim-witness specialists that are un-redacted. The team is also likely to have some degree of interagency composition. Because it will have access to detailed information about specific cases, individuals, and practitioners, it is crucial that its members agree to a set of ground rules governing how information will be treated and when and to whom it will be released. Step 1 - Attachment 2 is a template that can be used to develop a confidentiality agreement for the assessment.

Task 5: Gather and organize policies and case files to review

This is one of the coordinator's primary assignments. The extent to which this material is compiled and well-organized has much to do with how

readily the team can complete the assessment. Each team member should have a folder or binder that includes:

- **Policies and protocols governing the agency’s response to domestic violence**

Include relevant policies and protocols screening forms, checklists, risk assessment tools, or similar items. For example, if the assessment concerns victim-witness services, team members should have a copy of any policy or tools used by victim-witness services, police, and prosecution for communicating with domestic violence victims, any risk assessment and safety planning tools used by these practitioners, working agreements with community-based advocacy programs, and any forms to log communication or create reports. Include any agency guidelines or criteria for reviewing cases and any forms or decision-making trees used to evaluate risk or tailor safety planning, and standard communication with victims (victim rights and compensation brochures, form letters, etc.).

- **A sample of case records relevant to the scope of the assessment**

For example, if the team is examining victim-witness services, provide the team with police reports, prosecution case files, and any relevant victim-witness-created documents such as letters, brochures, communication logs, risk assessments, and safety plans.

- **A set of case analysis worksheets for the case records under review (one worksheet per record)**

The Appendix includes detailed best practice worksheets and instructions for each primary type of record that an assessment team might review: police reports, prosecution case files, and any relevant victim-witness-created documents such as communication logs, risk assessments, and safety plans. Team members use the worksheet as a guide to identify practices that are included or missing in the response. Each team member will have one worksheet per individual report or case file under review.

In organizing the case record material for the team, the coordinator(s) will compile a set of records for each team member according to the following options for the case record analysis (see a full description of each option in Step 2: Map and Analyze Case Processing):

Option 1

Copy all of the reports or files included in the review for each team member. Each member will complete an in-depth analysis of all case records.

Option 2

Copy all of the reports or files included in the review for each team member. Each member will take a preliminary look at every case record but shall pay detailed attention in each case only to specific sections of the worksheet, as assigned.

Option 3

Copy records for two cases for all team members; copy a different, distinct set of cases for each work group, according to how the team has been split up. For example, one work group of two team members gets one set of ten police reports, prosecution files, and any relevant victim-witness-created documents such as letters, brochures, risk assessments, safety plans, and communication logs; another work group gets a different set of ten police reports, prosecution files, and relevant victim-witness-created documents; everyone sees files and assessments from two of the same cases.

Assessment organizers will also need to decide in advance whether or not to redact the case material that is distributed to the team and if so, to what extent. “Redact” is a legal term meaning to make documents unidentifiable to a specific person or place. In any examination of policy and response to domestic violence cases, masking the identities of the

people involved (victims, suspects, children, and practitioners) can help take the focus off of particular individuals or personalities and shift it to the practices involved. Redacting can be time-consuming and costly, however, particularly if it involves lengthy reports.

Each assessment project will consider local needs and decide whether or not and to what extent to redact any case material. The Best Practice Assessment assumes that the case records the assessment team works with will not be redacted. The confidentiality template (see Step 1 - Attachment 2) has been designed accordingly, with its emphasis on keeping case information confidential and secure and not identifying or discussing any person named in the case outside of the team's meetings. The exception to using un-redacted material is that anything used in a report or presentation or setting beyond the team's internal discussions must first be redacted.

Step 1 - Attachment 3 is a guide to assembling the types of case records to include in the Best Practice Assessment along with recommendations for the sample size and any special considerations in using the material.

Step 1 - Attachment 1

Scope and Team Configurations of the Best Practice Assessment	
Scope	Team Members
<p>Note: This is a suggested configuration. A team’s membership and size will reflect the scope of the assessment and local needs. One team member will be the designated assessment coordinator. See companion guides and tools for team configuration suggestions for assessments that include multiple points of intervention.</p>	
<p>Victim-Witness</p>	<p>One or more of each of the following: victim-witness specialists (e.g., working within a law enforcement agency, prosecutor’s office, or probation department; any practitioner involved in victim-witness services in a particular jurisdiction, such as social workers or specially trained volunteers); community victim advocate (e.g., working within a community domestic violence or sexual assault program, emergency shelter, or culturally-specific program); representative from the agency where victim-witness is located; and at least one representative from the following: patrol officers, investigators, prosecutors, pretrial release officers, and probation officers.</p> <p>Why this mix? Victim-witness specialists are in the position to address the routines, policies, and protocols under review. Victim-witness specialists rely on information from law enforcement, prosecution, pretrial release services, and probation to help them carry out their duties. Therefore, these criminal justice practitioners can ask questions that help identify ways in which their functions can be better linked to victim-witness and to strategies that are less reliant on direct victim involvement.</p>

Step 1 - Attachment 2

Best Practice Assessment: Sample Confidentiality Agreement

The Best Practice Assessment of the [agency name(s)] response to domestic violence will involve reviewing case records and other documents. To ensure the integrity of the process, respect the role of individual agency employees, and protect the privacy of community residents, assessment team members agree to the following:

1. The material collected and distributed to team members is intended only for use in conducting the Best Practice Assessment and to inform the team and policy makers on the need for changes in intervention practices.
2. Team members will keep any materials containing case information confidential, in a secure location, and will return materials to the assessment team coordinator as requested on designated dates.
3. Team members will not identify or discuss any person named in any case materials, except as necessary within assessment team meetings.
4. Team members will not remove any non-public forms, files, or other records containing personal identifying information.
5. Team members will adhere to agreed-upon procedures for releasing information about the assessment to agency administrators.
6. Team members are not authorized to release or discuss any details of the assessment to anyone outside of the [agency name(s) or CCR name].

Team Member Signature: _____

Print Name: _____ Date: _____

PLEASE RETURN THE SIGNED ORIGINAL TO [designated contact]

Step 1 - Attachment 3

Assembling Case Records in the Best Practice Assessment: Victim-Witness Services	
Scope	Case Record Type and Suggested Quantity
Note: Complete an analysis of the lower number of records listed first. If time permits, or if questions emerge that require examination of additional cases, add cases to the review in increments of five to ten.	
Victim-witness services	✓ 15 to 50 sets of victim-witness case files, including any communication with victims, including letters, brochures, communication logs, or other documentation.
Prosecution	<ul style="list-style-type: none"> ✓ If victim-witness services do not keep separate case files, review 15 to 50 sets of prosecution case files. ✓ Include cases that were initially charged but later reduced or dismissed, deferred prosecution or other diversion cases, and cases that resulted in a criminal conviction (split the sample).
Police reports	✓ If victim-witness services case files (or prosecution case files) do not include them, team will also want to review the corresponding police report OR warrant affidavits, or other information available from law enforcement at the time of pretrial release

If the scope of the assessment includes more than one area of practice (e.g., 911 through victim-witness services), to the extent possible, utilize records for the same set of cases and follow them as they proceed from one point of intervention to another. For example, depending upon the scope of the assessment, analysis of a case that first appears as a 911 recording might also include the patrol reports, investigation reports, prosecution file, risk assessment, safety plan, and any communication with victims associated with that case.

Step 2: Map and Analyze Case Processing

Discovering how domestic violence cases are taken up at the point of intervention under review is at the heart of the Best Practice Assessment. Here the assessment team seeks to clearly understand how the response is organized and to what extent recommended practices are in place or missing from that response. Three primary tools are involved:

1. **Mapping** the steps involved in processing a domestic violence case

Mapping involves a group discussion that utilizes the expertise of members of the team who are most familiar with the process under review. For example, if the assessment is looking at victim-witness services, then community-based advocates, victim-witness specialists, police, and prosecutors are the primary information sources. If the jurisdiction has additional practitioners besides prosecutors and probation officers involved in victim-witness advocacy, such as social workers or specially trained volunteers, they also may be needed to outline the process. Whatever the focus of the assessment, the role of the other team members is to ask questions that will help develop a thorough understanding of how domestic violence cases are taken up for official action at that point. Mapping is particularly useful in understanding the steps involved in the official response to the case, how practitioners are prepared and guided in their response, whether and how they are linked with other interveners, and how they pay attention to the context and severity of abuse.

2. **Case record analysis**

Analysis of the official account or “case file”—the investigation

report or prosecution file—happens via reading a sample of case records against a checklist of recommended practices. The team examines a sample of reports or files according to the parameters of the assessment, reading individually and then pooling the results to complete an analysis of gaps in practice. Case file analysis helps the team gauge the extent to which recommended practices are in place, understand how interveners are paying attention to the context and severity of abuse, and examine the extent to which domestic violence is understood as a patterned crime requiring continuing engagement with victims and offenders.

3. Policy analysis

Policy analysis is the final tool to help the assessment team discover the extent to which current practices reflect best practices. Policy regulates what practitioners must do and the boundaries of their discretion and responsibility. The team will be looking at whether and how policy has been constructed to reflect principles, procedures, linkages, and monitoring that are consistent with best practices. By addressing policy analysis towards the conclusion of information-gathering activities, the team will get a more complete picture of what practitioners assume is happening in domestic violence cases (mapping), what is actually happening (case record analysis), and where and how policy needs to change to produce a response that reflects best practices as completely as possible.

NOTE: Sometimes communities will find that there is no such written policy that directs practitioners' work in this area. If that is the case in your community, analyze state statutes and rules of court and other such macro-level regulations.

This process of mapping and critical case record and policy analysis occurs over a series of meetings, with some variation in length and number according to how the team organizes the case file analysis. Two options for organizing this phase of the work are presented in the following grid. While the assessment has been designed to be completed within no more than five sessions of data collection and analysis, in planning and organizing your own project you are free to expand on that number according to local needs. An assessment that centers on a single point of intervention, such as **victim-witness services**, will be the best fit for the suggested time frame. An assessment that reaches across multiple agencies will require additional time.

Organizing Mapping and Case Record and Policy Analysis

Option A

The assessment team meets initially to map case processing. Members complete the analysis of case records outside of the group and meet briefly several times to check in on their progress and address any questions that have come up. They meet a final time in one-day meeting to sum up what they have discovered and make recommendations.

Schedule:

Meeting 1

- Time: half-day
- Tasks: Map case processing; identify follow-up questions and assign one or more questions to each team member; distribute case materials and worksheets; orient the team to the case file analysis process.

[Assessment team members analyze case material on their own in between scheduled meetings.]

Meetings 2 through 4

- Time: 2 hours each
- Tasks: Check in on case record analysis; discuss cases completed since the last meeting; follow up to questions generated by the mapping; address any questions; complete the policy analysis.

Option B

All of the work is completed in a series of one-day meetings. Assessment team members map case processing, read and discuss case materials, analyze agency policies, and prepare findings and recommendations in these meetings.

Schedule:

Meeting 1

- Time: 1 day
- Tasks: Map case processing; distribute case materials and worksheets and orient the team to the case file analysis process; analyze case records together.

Meetings 2 through 4

- Time: 1 day per meeting
- Tasks: Analyze case records; read and discuss each case assigned for the meeting; report on follow up to questions generated by the mapping; complete the policy analysis.

Meeting 5

- Time: 1 day
- Tasks: Report out on results of case record analysis, identify gaps in recommended practices, and recommend changes.

Meeting 5

- Time: 1 day
- Tasks: Complete analysis of case records and sum up results, identify gaps in recommended practices, and recommend changes.

Note: Adjust the number of meetings up or down according to local needs and the scope of the assessment, complexity of the case records involved, and pace at which the team can complete the case file review.

Step by Step: Mapping Domestic Violence Case Processing

1. Select a format to record the mapping that can be brought to each subsequent team meeting for reference and revision as more information becomes available; for example:

- a. Flip chart paper that can be taped together as needed
- b. A long, wide sheet of paper taped to a chalk board or wall
- c. Electronic copy board that captures and prints the map

NOTE: Step 2 - Attachment 1 illustrates a sample case processing map. Your map does not need to be printed, however, and most likely you will not have the time to take that extra step. The map will be just as useful to the team, and perhaps most useful, if it is a kind of poster that can be carried to and displayed at each meeting.

2. Read any applicable policies and protocols for the point of intervention that is being mapped.
3. Direct questions to the team members who are most involved as practitioners at the point of intervention under review. For example, if the assessment concerns victim-witness services, direct questions to the victim-witness specialist(s).
4. Start with this question: How does a domestic violence incident first come to your attention? Diagram the initial point of contact and first step in case processing.
5. Ask: Then what happens; what's the next step? For each step, ask the following kinds of questions to develop specific details about case processing:

- a. What happens at this point?
 - b. Who is involved and how?
 - c. What kinds of policies or protocols govern this step?
 - d. What kinds of forms or reports are involved?
 - e. Where do those forms and reports go; who gets copies, and how?
 - f. What kind of inquiry into the type and severity of violence occurs?
 - g. What kind of messages regarding help for victims and offender accountability get relayed?
6. Encourage questions. Mapping benefits from the team members' participation, experiences, and perceptions.
7. Identify key themes and questions that need to be answered.
- a. Prioritize questions and identify who to contact for more information.
 - b. Assign each team member one or more questions to address and report back on at the next team meeting.
8. Bring the map to each team meeting. Use it as a point of reference when discussing case files and make additions or changes as new information becomes available.

Step by Step: Analyzing Case Records

Prior to reading the first police report, prosecution file, risk assessment, safety plan, letter, communication log, etc., each team member will have received a set of case files, worksheets, instructions, and any applicable policies and protocols related to the point of intervention being studied. As discussed previously in this guide (Step 1: Organize and Prepare), assembling this material is one of the assessment coordinator's primary tasks.

Decide early which of the following approaches to the case record analysis the team will use, as each option impacts how the case records will be assembled:

Option 1

Each member of the team reviews all reports or files and completes all sections of the worksheet for each case. The advantage of this approach is that all members of the team are seeing all cases and paying attention to the full range of recommended practices included on the worksheets. Everyone has a common base of information to bring to the discussions.

Option 2

Each member of the team completes a preliminary review of every case record but completes only specific assigned sections of the worksheet in detail. Each member becomes a kind of expert in paying attention to those aspects of practice. During the group discussion of each case they pool their analyses to develop a complete assessment of the response. This approach can be particularly useful with case records that involve lengthy documents, such as investigation reports, or multiple reports, such as prosecution files. Everyone has a basic overview of the case but does not have to cover the same level of detail with all aspects of practice. Each team member can focus attention on the assigned areas, rather than all of the elements.

Option 3

All team members complete a full review of two case records and discuss

them together in order to become familiar with the process and develop a common base for the analysis. Then the team splits up into two or three smaller work groups, with a different set of cases assigned to each group. This approach can be a way to include more cases in the review while still providing a level of common grounding for the process and ensuring that at least two members of the larger team are familiar with any one case. Because all members have not completed at least a preliminary review of all case records, however, and therefore do not have a rudimentary understanding of each case, discussions can be more cumbersome and incomplete.

1. Review the instructions and become familiar with the worksheet(s) that will be used to guide the analysis. Worksheets and instructions specific to the following areas of practice are included in the Appendix: Victim-Witness Services Workbook.
2. Read the first report or file without stopping to take many notes on the worksheet or jumping into the analysis.
 - a. Read as if you were reading a story of the events.
 - b. Let the words do the talking.
 - c. Highlight what catches your eye in relation to the overall response and ways in which victim safety and offender accountability are enhanced or diminished.
3. Work through the case record a second time, now paying close attention to whether and how it reflects the practices listed on the worksheet (use one worksheet per case).
 - a. If sections of the worksheet have been divided among the team (see Option 2), pay primary attention to the sections assigned.
 - b. Check off all practices that are evident in the call, report, or file.
 - c. Note what is missing.

- d. Use the notes column to record additional observations, questions, or examples related to the case and the practitioner's response.
 - e. Complete the case review summary at the end of the worksheet.
4. Repeat steps 3 and 4 for each case record assigned.
5. Review and discuss each case with the full team.
 - a. Use a copy of the worksheet to record the results of these discussions and summarize the case analysis findings.
 - b. Have this summary available when the team meets to sum up and report findings and identify needed changes.

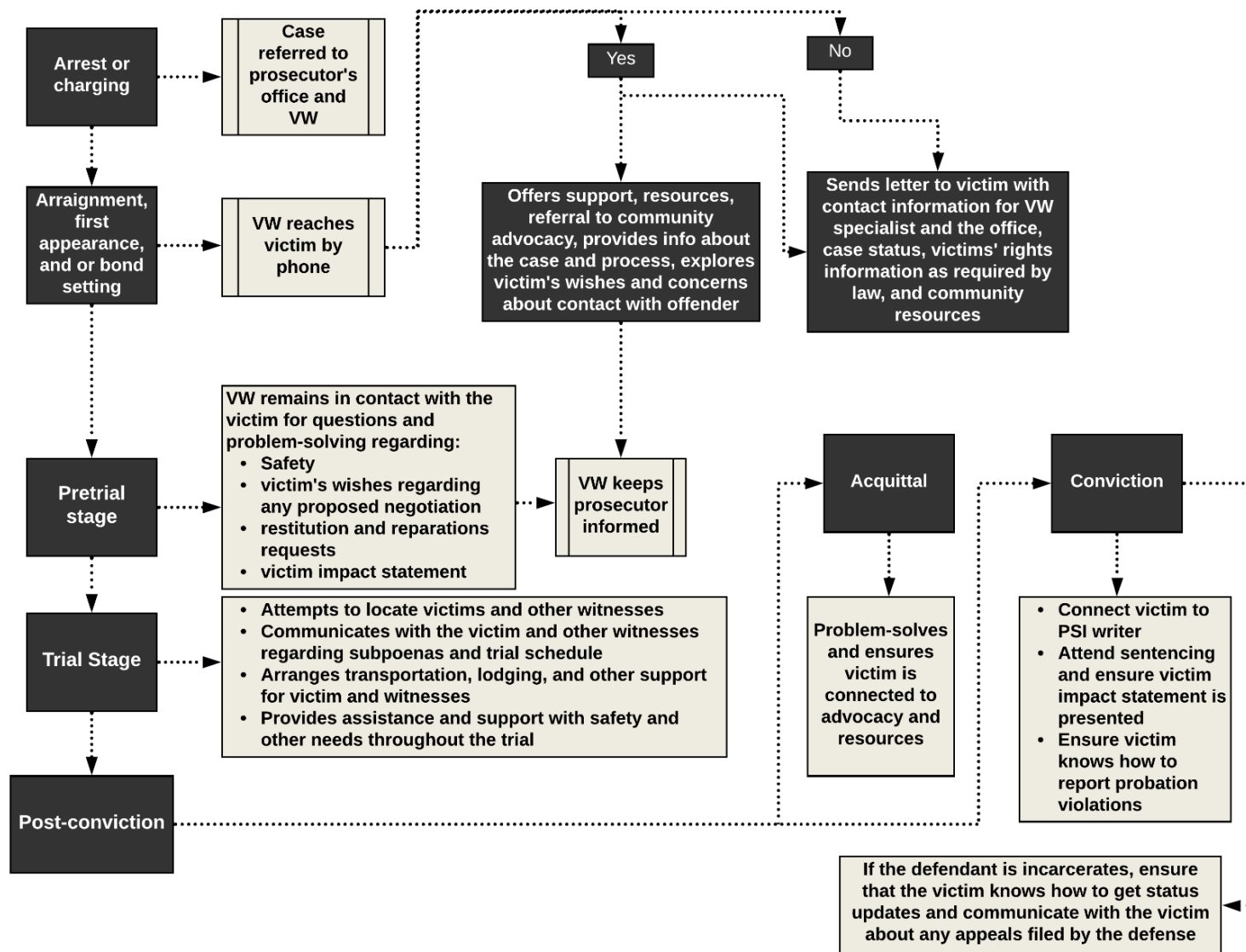
Step by Step: Analyzing Policies

The first question to ask is whether or not there is written policy governing victim-witness practice. If the answer is no, then one of the assessment team's recommendations will be for the agency and/or coordinated community response to develop policies and related protocols based on best practice standards. If the answer is yes, the team will include an analysis of the policy or policies in the assessment.

1. Collect all relevant policies for the point(s) of intervention included in the assessment and provide a copy to each team member.
2. Utilize the policy analysis checklist included in the workbook (See Appendix).
3. Divide the assessment team into three. Assign one of the following sections of the policy checklist to each member or small group:
 - a. Principles
 - b. Procedures
 - c. Monitoring
4. Each member reads the policy and completes the assigned section of the checklist. If the team has been divided into work groups of two or more members, each small group reviews the assigned section together.
5. Convene as a full team to review all sections of the checklist and discuss the policy.
6. Compile a preliminary list of recommended policy changes. The team will revisit and revise this list in concluding the assessment (see Step 3: Report Findings and Recommend Changes).

If your Best Practice Assessment includes both points of intervention, investigations, and charging, repeat the process outlined above with each applicable policy.

Step 2 - Attachment 1: Case Processing Map - Victim-Witness Services



Step 3: Report Findings and Recommend Changes

The assessment team draws on its map, case analysis worksheets, and policy checklist to prepare a summary and report of what it has learned and to make recommendations for change. This is not a formal or complicated report, but an account of key findings, using the corresponding template for the area of practice under review (see Appendix). The summary provides the reference point for identifying needed changes in practice, as well as highlighting where the existing response is consistent with best practice recommendations. At the conclusion of the Best Practice Assessment, agency administrators—those charged with making and implementing changes in an agency’s work practices—have available in one place a concrete, documented account of what is in place and what needs to change.

1. Prior to the meeting, team members review all of their worksheets and notes. This includes a thorough review of the findings template and its instructions. Coming to the discussion well-prepared will help the process move as smoothly and quickly as possible. Team members should have available:
 - a. Case processing map (posted in the meeting room)
 - b. All case record analysis worksheets
 - c. Policy analysis checklists
 - d. Findings template
2. Divide the findings template into sections and the team into pairs or small groups.
 - a. Assign several sections of the template to each group.
 - b. Each group designates a note taker to record their discussions on the template.

3. Each group completes the list of findings for its assigned sections (Part 1 - Column A on the template).
4. Reconvene as the full assessment team and, review the findings, section by section.
 - a. Each work group reports its conclusions for its assigned sections.
 - b. Other team members ask clarifying questions and suggest additions to the findings for that section.
 - c. Affirm that team members are in agreement on the conclusions in each section.
 - d. Identify any areas of practice where the team is not in agreement or where additional investigation is necessary in order to reach any conclusions.
 - e. **NOTE: Because a practice is not evident in the case record does not necessarily mean that it does not happen.** It may happen but not be documented. Refer to the case processing map and policy analysis to see whether there is an expectation or requirement for the practice. Team members may have additional information from their own experiences that address the practice in question. The team may want to recommend an expanded assessment that would include additional interviews and observations with practitioners.

It is the coordinator's responsibility at this stage to keep an account of the team's findings and recommendations for change that can be shared with agency administrators or others in the coordinated community response, as applicable. Use a blank findings template to chronicle the discussion for later distribution, according to whatever agreements govern the assessment.

5. Return to the pairs or work groups and complete any recommendations for change (Part 1 - Column B on the template).
6. Divide the team into three and assign one section of Part 2 - Policy Changes to each person or small group.
7. Reconvene as the full team and review the recommended policy changes.
8. If the assessment team is authorized to prioritize its recommendations and further develop a plan for change, complete Part 3 of the findings template.
9. Use the findings template to provide specific feedback to the appropriate agency on its response to domestic violence cases, including examples of best practices that are in place, as well as recommended changes.
10. Convene a meeting of the assessment planners, team, and agency administrators to report on and discuss the assessment's findings and recommendations.

Constructing a Plan for Change

The Best Practice Assessment has been developed to be particularly useful to communities that find it challenging to allocate the time and personnel required to conduct a more extensive examination of the investigation and prosecution response to domestic violence. In that vein, the findings template has been designed to also serve as the plan, with the addition of a timeline and assignments to specific staff or work groups, to take the next steps in implementing the recommended changes.

Appendix



BEST PRACTICE ASSESSMENT WORKBOOK

Victim-Witness Services

Instructions for Completing the Case Review Worksheet

1. Complete one worksheet per case file. (Assessment team members should receive a blank copy for each case file.)
2. Read the case file first without stopping to take many notes on the worksheet or jumping into the analysis.
 - a. Read as if you were reading a story of the events.
 - b. Let the words in the report do the talking.
 - c. Highlight what catches your eye in relation to the overall response and ways in which victim safety and offender accountability are enhanced or diminished.
3. Read the case file a second time and then turn to the worksheet.
 - a. If sections of the worksheet have been divided among the assessment team members, pay primary attention to the sections assigned.
 - b. Check off all practices that are evident in the case file and note specific examples.
 - c. Note what is missing.
 - d. Use the notes column to record additional observations, questions, or examples related to the case file specifically and to victim-witness services generally.
 - e. Complete the summary at the end of the worksheet.
 - f. Read the report as many times as needed to thoroughly address the practices included on the worksheet.
4. Repeat all steps for each case file assigned.

Case Review Worksheet: Victim-Witness Services

Case #: _____

Best Practices in Victim-Witness Services in Domestic Violence Cases	Notes NA = Not applicable in this case NP = Not possible in this case (explain)
Instructions: Check practices evident in victim-witness services; note specific examples.	
1. Victim and witness identification	
<input type="checkbox"/> Identify and obtain contact information for victim and witnesses.	
2. Initial communication	
<input type="checkbox"/> Communicate in a person’s first language (including American Sign Language) and arrange for interpreter services and/or translation of materials.	
<input type="checkbox"/> Make contact as soon as possible and maintain contact throughout the criminal court process.	
<input type="checkbox"/> Inform victim that communication is not confidential. Refer to confidential, community-based advocacy program.	
3. Risk and danger assessment	
<input type="checkbox"/> Explore safety concerns with the victim and problem-solve to address questions and concerns.	

<p>Best Practices in Victim-Witness Services in Domestic Violence Cases</p>	<p>Notes NA = Not applicable in this case NP = Not possible in this case (explain)</p>
<p>Instructions: Check practices evident in victim-witness services; note specific examples.</p>	
<ul style="list-style-type: none"> ○ Connect victim with community resources including confidential advocacy, shelter, and social services ○ Explore safety concerns regarding appearing in court ○ Communicate information about risk and danger to the prosecutor 	
<p>4. <i>Victim engagement and collaboration</i></p>	
<ul style="list-style-type: none"> <input type="checkbox"/> Seek input from the victim at all stages of the process and communicate information to prosecutor, including the implications of a no-contact order. 	
<ul style="list-style-type: none"> <input type="checkbox"/> Facilitate victim’s access to the prosecutor and legal system to ensure that the victim has a voice in process and that her/his expressed concerns are communicated and considered. 	
<ul style="list-style-type: none"> <input type="checkbox"/> Provide required victim notifications related to the criminal case process pursuant to 	

<p>Best Practices in Victim-Witness Services in Domestic Violence Cases</p>	<p>Notes NA = Not applicable in this case NP = Not possible in this case (explain)</p>
<p>Instructions: Check practices evident in victim-witness services; note specific examples.</p>	
<p>state law and assist victims in exercising their rights.</p>	
<p><input type="checkbox"/> Ensure access to victim’s rights protections under state statutes, including the right to restitution, compensation and offering victim impact statements.</p>	
<p><input type="checkbox"/> Assist the victim in preparing a victim impact statement and ensure statement is presented to the court in accordance with the victim’s wishes.</p>	
<p><input type="checkbox"/> Arrange assistance (travel, child care, interpreter services, etc.) as needed to facilitate victim’s participation in court proceedings.</p>	
<p><input type="checkbox"/> Facilitate victim’s connection to community-based, confidential advocacy.</p>	
<p><input type="checkbox"/> Facilitate victim’s connection to probation throughout presentence investigation, sentencing, and supervision.</p>	

<p>Best Practices in Victim-Witness Services in Domestic Violence Cases</p>	<p>Notes NA = Not applicable in this case NP = Not possible in this case (explain)</p>
<p>Instructions: Check practices evident in victim-witness services; note specific examples.</p>	
<p><input type="checkbox"/> Offer support, information, and resources throughout the process.</p>	
<p><input type="checkbox"/> Inform the victim of community services that support and enhance safety.</p>	
<p><input type="checkbox"/> Provide for post-conviction assistance, information, and support (information about appeals, help the victim prepare for release by assisting with obtaining a restraining order, providing referrals to shelter or community advocacy, etc.).</p>	
<p>Victim-Witness Services - List gaps in best practice</p>	

Add pages if needed

Instructions for Completing the Policy Analysis Worksheet

1. Read the policy and highlight all of the items related to the section of the checklist that has been assigned:
 - a) Principles
 - b) Procedures
 - c) Linkages and monitoring
2. Check off all elements that are found in the existing policy and note how the policy ensures that response. Cite specific policy sections and language that support the response.
3. Use the checklist to identify policy gaps when preparing section two of the findings template.

Policy Analysis Worksheet - Victim-Witness Services

Policy title:

A. Principles	
<i>Does the policy ensure a response that:</i>	<i>How does this happen?</i>
<input type="checkbox"/> Adheres to an interagency approach and collective intervention goals?	
<input type="checkbox"/> Builds attention to the context and severity of abuse?	
<input type="checkbox"/> Recognizes that most domestic violence is a patterned crime requiring continuing engagement with victims and offenders?	
<input type="checkbox"/> Seeks sure and swift consequences for continued abuse?	
<input type="checkbox"/> Messages of help and accountability?	
<input type="checkbox"/> Reduces unintended consequences and the disparity of impact on victims and offenders?	

B. Procedures	
<i>Does the policy ensure a response that:</i>	<i>How does this happen?</i>
<input type="checkbox"/> References applicable laws, definitions, and authority?	
<input type="checkbox"/> Provides criteria and procedures for sorting cases into appropriate levels of response according to context and severity of abuse (i.e., different levels of response for different levels of dangerousness and risk)?	
<input type="checkbox"/> Guides practitioners in documenting actions and information about the case in ways that decrease reliance on memory and improve the thoroughness of case information?	
<input type="checkbox"/> Accounts for how victims use violence in response to battering by an abuser?	
<input type="checkbox"/> Recognizes and guards against increasing victim vulnerability to consequences and retaliation if they participate in confronting and holding offenders accountable?	
<input type="checkbox"/> Recognizes an offender’s likelihood of battering in future relationships?	

<input type="checkbox"/> Provides mechanisms for documenting the pattern and history of abuse when and wherever possible?	
<input type="checkbox"/> Reinforces a swift, timely response focused on victim safety?	
<input type="checkbox"/> Recognizes the ways in which abusers use children to control adult victims of abuse?	
<input type="checkbox"/> Understands that protection of the adult victim parent is critical to the welfare of children?	
<input type="checkbox"/> Provides effective mechanisms to ensure victim notification, access to advocacy and victim services, and safety planning?	
C. Monitoring	
<i>Does the policy ensure a response that:</i>	<i>How does this happen?</i>
<input type="checkbox"/> Links practitioners to those who intervene at the next points of intervention?	

<input type="checkbox"/> Specifies how and within what time frame case information is shared, and with whom?	
<input type="checkbox"/> Includes mechanisms for tracking practitioner compliance with policy and for recording exceptions to the policy?	
<input type="checkbox"/> Includes steps to ensure compliance and address non-compliance?	
<input type="checkbox"/> Provides continuing education and training for practitioners on an on-going basis?	
<input type="checkbox"/> Establishes a process of record sharing and external monitoring?	

Instructions for Completing the Findings Template

1. Review all of case analysis worksheets and notes and the policy analysis checklist.
2. Split Part 1 of the findings template into sections and divide the sections among the assessment team.
 - a. Assign several sections of Part 1 to each person or small group.
 - b. Each person or group records their discussions on a copy of the template.
3. Each person or small group completes the list of findings for the assigned sections (Part 1 - Column A on the template).
4. Reconvene as the full assessment team and, review the findings, section by section.
 - a. Each person or group reports its conclusions for its assigned sections.
 - b. Other team members ask clarifying questions and suggest additions to the findings for that section.
 - c. Affirm that team members are in agreement on the conclusions in each section.
 - d. Identify any areas of practice where the team is not in agreement or where additional investigation is necessary in order to reach any conclusions.

NOTE: Because a practice is not evident in the case record does not necessarily mean that it does not happen. It may happen but not be documented. Refer to the case processing map and policy analysis to see whether there is an expectation or requirement for the practice. Team members may have additional information from their own experiences that address the practice in question. The team may want to recommend

an expanded assessment that would include additional interviews and observations with practitioners.

5. Return to the pairs or work groups and complete any recommendations for change (Part 1 - Column B on the template).
6. Divide the team into three and assign one section of Part 2 - Policy Changes to each person or group.
7. Reconvene as the full team and review the recommended policy changes.
8. If the assessment team is authorized to prioritize its recommendations and further develop a plan for change, complete Part 3 of the findings template.
9. Convene a meeting of the assessment planners, team, and agency administrators to report on and discuss the assessment's findings and recommendations.

The Best Practice Assessment of Victim-Witness Services Response to Domestic Violence: Findings and Recommendations Template

Part 1:

Date assessment completed: _____

Best Practice in the Victim-Witness Services to Domestic Violence	Findings:	Recommendations:
1. Victim and witness identification		
<input type="checkbox"/> In the patrol incident report, identify and obtain contact information for witnesses.		
2. Initial communication		
<input type="checkbox"/> Communicate in a person's first language (including American Sign Language) and arrange for interpreter services and/or translation of materials.		
<input type="checkbox"/> Make contact as soon as possible and maintain contact throughout the criminal court process.		
<input type="checkbox"/> Inform victim that communication is not confidential.		
3. Risk and danger assessment		
<input type="checkbox"/> Explore safety concerns with the victim and		

Best Practice in the Victim-Witness Services to Domestic Violence	Findings:	Recommendations:
<p>problem-solve to address questions and concerns.</p> <ul style="list-style-type: none"> ○ Connect victim with community resources including confidential advocacy, shelter, and social services. ○ Communicate information about risk and danger to the prosecutor. 		
4. Victim engagement and collaboration		
<ul style="list-style-type: none"> ❑ Seek input from the victim at all stages of the process and communicate information to prosecutor, including the implications of a no-contact order. 		
<ul style="list-style-type: none"> ❑ Facilitate victim’s access to the prosecutor and legal system to ensure that the victim has a voice in process and that her/his expressed concerns are communicated and considered. 		
<ul style="list-style-type: none"> ❑ Provide required victim notifications related to the 		

Best Practice in the Victim-Witness Services to Domestic Violence	Findings:	Recommendations:
<p>criminal case process pursuant to state law and assist victims in exercising their rights.</p>		
<p><input type="checkbox"/> Ensure access to victim’s rights protections under state statutes, including the right to restitution, compensation, and offering victim impact statements.</p>		
<p><input type="checkbox"/> Assist the victim in preparing a victim impact statement and ensure statement is presented to the court in accordance with the victim’s wishes.</p>		
<p><input type="checkbox"/> Arrange assistance as needed to facilitate victim’s participation in court proceedings.</p>		
<p><input type="checkbox"/> Facilitate victim’s connection to probation throughout presentence investigation, sentencing, and supervision.</p>		

Best Practice in the Victim-Witness Services to Domestic Violence	Findings:	Recommendations:
<input type="checkbox"/> Offer support, information, and resources throughout the process.		
<input type="checkbox"/> Inform the victim of community services that support and enhance safety.		
<input type="checkbox"/> Provide for post-conviction assistance, information, and support.		

Part 2: Summary of Recommended Victim-Witness Services Policy Changes

Principles	Procedures	Linkages & Monitoring

Part 3: Next Steps, Assignments, and Target Dates

Priority:	Next Steps in Meeting the Priority:	Assigned to:	Target Date:
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			