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# **BUREAU OF JUSTICE ASSISTANCE**

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**BJA**

***RESPONDING TO VICTIM SERVICES  
NEEDS: SELECTIONS FROM WHAT  
WORKS WORKING MEETINGS***

**January 1996**

**State Evaluation Development Program  
Bureau of Justice Assistance  
Office of Justice Programs  
U.S. Department of Justice**

***Prepared for Office for Victims of Crime***

**U.S. Department of Justice**  
**Office of Justice Programs**  
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**About the Bureau of Justice Assistance**

The Bureau of Justice Assistance administers the Edward Byrne Memorial State and Local Law Enforcement Assistance Program to support drug control and system improvement efforts focused on state and local criminal justice systems. The Bureau's mission, directed by the Anti-Drug Abuse Act of 1988, is to provide funding and technical assistance to state and local units of government to combat crime and drug abuse. Through funding and technical support, the Bureau assists the states in managing the growing numbers of anti-drug programs and the rapidly increasing volume of drug cases entering the criminal justice system. It also identifies, develops, and shares programs, techniques, and information with the states to increase the efficiency of the criminal justice system, as well as provides training and technical assistance to enhance the expertise of criminal justice personnel. The Bureau accomplishes these mandates by funding innovative demonstration programs, some of which are national or multijurisdictional in scope; by evaluating programs to determine what works in drug control and system improvement; and by encouraging the replication of successful models through linkages with the Formula Grant Program and other resources.

The Director of the Bureau is appointed by the President and, upon confirmation by the Senate, serves at the President's pleasure. The Director establishes the priorities and objectives of the Bureau and has final authority to approve grants, contracts, and cooperative agreements. In establishing its annual program, the Bureau is guided by the priorities of the Attorney General, U.S. Department of Justice, Office of Justice Programs, and the needs of the criminal justice community.

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WHAT WORKS WORKING MEETINGS**

**State Evaluation Development Program  
Bureau of Justice Assistance, Office of Justice Programs  
U.S. Department of Justice**

**January 1996**

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The Justice Research and Statistics Association prepared this document under the direction of Joan C. Weiss, Executive Director. The following JRSA staff compiled the information for this report under the supervision of Kellie J. Dressler, Assistant Director for Special Projects: Andrea G. Richards, Program Associate, and Jason R. Lunsford, Intern.

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## **Introduction**

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As part of a continuing effort to provide the criminal justice community with improved access to information on successful programs that are responsive to problems of drug abuse and/or violent crime, the Bureau of Justice Assistance (BJA) is pleased to present this document which focuses on the victims programs presented at eight BJA State and Local Programs Working Meetings. The State and Local Programs Working Meetings have been in existence since 1993 and have covered the following topics: (1) Rural Issues and Programs; (2) Treatment, Rehabilitation, and Education; (3) Understanding and Combatting Violence; (4) Preventing Drug Abuse and Violent Crime; (5) Successful Collaborative Programs: Improving the Criminal Justice System; (6) Youth, Drugs and Violence; (7) Innovative Courts Programs; and (8) Revitalizing Communities.

The victims programs documented in this report are primarily the result of program development and implementation activities supported by BJA's Formula Grant Program to State and local governments and organizations. Additionally, some of the programs were developed as a result of BJA funding through its Discretionary Grant Program. Finally, a few programs were established and sustained with little or no Federal funding, but are of interest to State and local planners for potential replication.



# Colorado

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## *The Emergency Courtroom: Denver County Court Protective Orders Court*

### **Statement of the Problem**

The most lethal time in domestic abuse cases is when a battered woman is leaving the relationship. This is also the most critical time for judicial intervention. In these cases, litigants in need of immediate individual attention are in a crisis situation, when a judge's decision can have life-saving consequences.

In many courts, restraining order cases are squeezed between other matters on the docket and are often heard by judges who do not want to handle these cases but do so as part of a regular rotation. This can lead to irritations due to delays and interruptions of the regular docket and can result in untrained judges making mistakes in high-risk cases. The traditional dispersment of cases to judges leads to a lack of individualized service to the already traumatized victim, as well as delay and inconvenience for other litigants.

### **Goals and Objectives**

Denver's Emergency Courtroom has two primary goals: (1) to improve judicial intervention in restraining order cases; and (2) to increase citizens' use of the courts when violence and threats are imminent.

The objectives designed to meet these goals include the following: to protect victims from violence through court orders; to reduce violence by identification of high-risk cases, safety planning, and appropriate referrals; to humanize the process by providing a smaller and more user-friendly court; and to provide referrals and easy accessibility to outside services.

### **Program Components**

Since April 1992 the Denver County Court has provided a dedicated Protective Orders Court, in which one judge presides over all restraining order cases and contempt hearings. Unlike the traditional system in which judges try to squeeze protective orders cases between regularly scheduled cases, this court provides ready access, court services, and trained personnel so that the court can intervene when violence is imminent.

The courtroom is self-sufficient and the filing process is simplified, since the vast majority of the parties represent themselves. The judge and all staff develop expertise through regular training in domestic violence matters and maintain close ties with related community agencies such as police, advocates, prosecutors, Legal Aid, and treatment providers. Ongoing training is also provided for police officers and the sheriff concerning the proper handling of domestic violence cases and restraining orders.

Volunteer victim advocates as well as volunteer lawyers and guardians ad litem participate actively in the courtroom. The following community programs work in conjunction with the court to provide services to the victims, as well as to the victims' children.

**Project Safeguard** is a domestic violence advocacy program that provides this court with victim advocates, whose function in the court is two-fold: to work with the court to conduct victim orientation, providing information on restraining orders and community services; and to assist the plaintiffs and watch for crisis situations such as high-risk victims who are indigent or have children who are victims. In such cases, the victim advocates refer clients to Legal Aid.

**Project PROP**, which stands for "Permanent Restraining Order Program," provides legal aid by linking volunteer attorneys with victims. These victims are frequently referred by the victim advocates from Project Safeguard. All services provided by the attorneys are free.

**Voucher Program** is a child therapy program for children who have witnessed violence in the home or have been victims. In this program, the court, funded by a City Council grant, provides vouchers for child treatment services which amount to six therapy sessions at \$20 each.

**GAL Program**, or the Guardian Ad Litem Program, is part of the Children's Legal Clinic, which recruits volunteer attorneys to represent child victims. GAL is the children's counterpart to Project PROP, in which all legal aid is free.

At the beginning of each day in court, parties are assisted by the staff in filling out necessary paperwork. Victim advocates conduct an orientation and inform victims of community resources that are available to them. Next, the judge speaks generally to the public about the need for calling the police if there is trouble; returning to court to have the order made permanent; and getting additional help from the community, particularly if children are in trouble. Finally, the afternoon docket is heard.

The court's philosophy is based on the belief that where the court is accessible, the public will resort to the use of the courts instead of taking the law into their own hands. Thus, the court's hours, ease, language assistance, clerk assistance, expertise, and emphasis on service all work towards making the Protective Orders Court a place where people are willing and able to go for help in a crisis involving threats, harassment, and violence.

## **Results and Impact**

### ***Performance Measures***

The Urban Institute Study provided baseline data on the impact of and factors affecting the success of restraining orders. The study assessed the impact of restraining orders in domestic violence cases and provided information useful to judges who respond to petitions for protection. This study was instrumental at the inception of the Denver County Court Protective Orders Court.

Court personnel designed a tracking system to identify outcomes of particular groups of cases. The National Center for State Courts selected Denver as one of three sites for its study of the effectiveness of civil protection orders. This study was funded by the National Institute of Justice and the results are forthcoming.

### ***Implementation Problems and Successes***

There was a problem overcoming resistance to change within the judiciary. The judge of the Protective Orders Court had to be more pro-active on behalf of victims, especially women, which could have been construed as gender bias against men.

There was a need for additional resources outside of the courtroom to refer the victims. The staff had to be trained regarding the new court philosophy. Additional security measures had to be taken to protect the victims appearing in court.

Lawyers had to be provided for the children who needed them. This was problematic because the lawyers were not experienced enough to handle these cases. As a result, the judge was making fewer and fewer referrals to them. The attorneys need training to become more skilled at working with traumatized children.

### ***Successes and Accomplishments***

The following is a list of selected accomplishments:

- an increase in the number of plaintiffs represented by a lawyer at Permanent Restraining Order hearings from 4% in 1991 to 30%;
- an increase in the percentage of police referrals to Protective Orders Court, from 56% in 1991 to 61% in 1994;
- successful staff training in domestic violence;
- training being given by the court clerk to clerks statewide;

- decreased homicides;
- development of a judicial benchbook concerning protective orders, called *The Purpose of Law is Justice*;
- featuring of the court on "The Killing Fields," a CBS 3-hour documentary reported by Ed Bradley in February 1995; and
- regular judge participation in training attorneys and other professionals about domestic violence issues.

### ***Prospects for Replication***

One key element to implementing a similar court is the judge. Judicial desire is crucial, as there is little variety in the types of cases heard. The judge must be skilled in handling domestic violence, pro se parties, crisis intervention, stress management, gender bias issues, and public speaking and writing.

The help of programs in the community, such as Legal Aid and victim advocacy programs, has also been crucial to the success of this court. It is important that any community desiring to implement a court such as this have a strong resource network in the community.

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# Delaware

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## *Victim Services in Rural Policing*

Delaware became the first State to implement a statewide Victim Center, which addresses the needs of crime victims and survivors of sudden deaths and offers services 24 hours a day, including a toll-free hotline. The goals of the Victim Center include (1) reducing the trauma of victims and of witnesses and survivors who have become victims; (2) coordinating resources through a single agency; (3) increasing positive interaction among victims, survivors, and law enforcement officials; (4) providing a smooth transition of cases into the criminal justice system when an arrest has been made; (5) guaranteeing services for victims when no arrest has been made; and (6) acting as an information and referral source.

The center is funded by a grant from the U.S. Department of Justice and is administered by the Delaware Criminal Justice Council and the Delaware State Police. The center offers short- and long-term crisis intervention, hospital and court accompaniment, follow-up contacts and home visits, referrals to appropriate social service agencies, transportation and child care for court appearances, assistance in filing violent crime compensation forms, and landlord/employer intervention. The Victim Center also engages in lobbying, which has resulted in the passage of the Victim's Bill of Rights.

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# Hawaii

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## *Multi-Agency Family Violence Program*

### **Statement of the Problem**

Over the past three years, the reported incidences of domestic violence in the County of Maui increased 63 percent, from 1,318 in 1991 to 2,150 in 1993. During this same period, the number of arrests increased by approximately 109 percent, from 278 to 580.

The growing complexity of the cases is more disturbing than the increase of reported incidences. More children are witnessing family violence, victims are increasingly re-victimized, and the cycle of violence has expanded to the point that it has a community-wide impact. This is evidenced by the increasing drain on social services, shelter services, and perpetrator treatment programs. It has also impacted the criminal justice system, police, prosecutors, courts, corrections, and treatment systems, which have all been asked to respond beyond their capacities.

Several Maui County agencies recognized that the expeditious arrest and prosecution of perpetrators of domestic violence positively impact the abuser, the victim, and the community. The police, prosecutors, and advocates realized that to protect victims of domestic violence and minimize the risk of continued abuse, they must manage incidents of domestic violence in a coordinated manner. As a result, the Maui Police Department and the Maui Department of the Prosecuting Attorney have engaged in joint projects.

### **Goals and Objectives**

The overall goal of the program is to reduce the incidence and severity of domestic violence, and in particular, repeat offenses. Toward that end, a number of goals and objectives are pursued. The first goal is to respond to domestic violence incidents quickly and effectively. This is done through the Domestic Violence Unit (DVU) within the Maui Police Department and through improved case management and processing techniques. As part of this goal, all patrol officers received domestic violence training.

The second goal is to expedite the prosecution of domestic violence cases. For this purpose, a Domestic Violence Prosecution Team was created, and a career criminal classification system was established to track repeat offenders.

The third goal is to increase interagency cooperation. A task force comprising members of law enforcement, social service, and local government was created. A coalition of police,

prosecutors, and staff members from Alternatives to Violence, a social service agency, was established to meet monthly. Interagency training/consultation among the coalition partners takes place on a regular basis. A community awareness presentation regarding law enforcement response to domestic violence incidents was also developed.

The final goal is to provide treatment and support for victims of domestic violence. Alternatives to Violence received a contract to provide crisis counseling on domestic violence calls. A Victim/Witness Counselor assists the prosecutor and the victim in domestic violence cases in court.

## **Program Components**

The Domestic Violence Unit (DVU) within the Maui Police Department is assigned a sergeant and two investigators to handle only domestic violence cases. The unit developed written procedures governing the role and responsibilities of police in responding to domestic violence incidents and conducted training to implement them. These procedures include a policy under which all cases are referred for prosecution, and arrest is mandatory if there is a complaint or evidence of physical abuse. The unit receives directly and reviews all reported cases of domestic violence, seeks out and arrests all physical abusers who initially avoid apprehension, and provides a mechanism for treatment through Alternatives to Violence services. In addition, the DVU developed an educational presentation that is provided two to three times per month to targeted communities. The unit also responds to requests for information from community groups.

The Domestic Violence Prosecution Team is assigned two deputy prosecuting attorneys, one investigator, and one Victim/Witness Counselor. The unit prosecutes only domestic violence cases. The vertical prosecution model is used in domestic violence cases so that the same attorney or team handles the case through the entire process. This unit systematically identifies all repeat offenders for priority in prosecution by tracking the number of verbal and physical abuse complaints. Priority cases are moved to the front of the docket if the situation warrants such action.

The Domestic Violence Task Force brings together members of the criminal justice, social service, and political communities to coordinate the various components involved in domestic violence issues. Representatives from the police, prosecution, judiciary, social service agencies, and a member of the Maui County Council meet on a quarterly basis to develop efforts to resolve issues within the framework of the member agencies. The task force also provides education for community groups about the efforts of police and prosecutors to reduce the incidence and severity of domestic violence.

## **Results and Impact**

### ***Performance Measures***

While it was expected that the program would reduce the incidence of domestic violence, the police also expected community education and tougher law enforcement initially to lead to an increase in the number of calls for service related to domestic violence. The volume of calls received after the program went into effect, however, exceeded what was anticipated. As the program progressed, program officials began to recognize that although their interventions might not stop the first event from occurring, it could deter subsequent events. As a result, the program's goal was redefined to focus on reducing recidivism. Program officials are optimistic, however, that in the long run, first events may be deterred as attitudes intolerant of domestic violence are established among youth.

Several performance measures were selected to determine the program's success:

- general orders issued by the Maui Police Department regarding the handling of domestic violence, the Standard Operating Procedure Manual for the DVU, and the Police Training Manual/Lesson Plan;
- number/frequency of training sessions held for the Maui Police Department and the number of officers trained;
- total arrests during the project period compared to the previous period;
- number of community awareness presentations given by DVU;
- career criminal classification system put in place;
- number of domestic violence cases brought to court during the project period;
- number/frequency of meetings conducted by the Domestic Violence Task Force and the Domestic Violence Coalition; and
- execution of a service-provider contract with the Alternatives to Violence agency.

### ***Implementation Problems and Successes***

One of the main problems faced by the program is the general tolerance of domestic violence in Hawaii's diverse cultures. It is a challenge for the police department to convince the public that domestic violence is not only a serious issue but a serious crime. Among many ethnic groups, domestic violence is viewed as acceptable behavior and not a problem requiring outside intervention.

Police officers were initially resistant to the department's change in policy regarding domestic violence. Training from the highest levels in the department down to the patrol officers was employed to overcome resistance and ensure compliance with department policy.

In addition, the police initially targeted ethnic groups for education efforts among whom they believed most domestic violence occurred. After closer examination, however, it became

apparent that their perceptions were based more on stereotypes than reality. As a result, a concerted effort was needed to market the program to an entirely different population.

### ***Successes and Accomplishments***

The police department provided domestic violence training to all officers through either in-service training or Annual Recall Training. The department also established the protocol to coordinate the efforts of all agencies interacting with its DVU. A change in the record keeping process ensured that all cases of physical violence are documented by the end of the shift during which the incident occurred. The DVU is given a copy of the report immediately.

The police contracted with Alternatives to Violence to provide crisis counseling on a 24-hour basis. During the first year of the project, 284 calls were handled by the agency. In addition, the DVU provided two to three community presentations per month during this period.

The total number of reported incidents increased 30%, in part due to the community education effort. However, their severity decreased, as indicated by the decline in physical abuse cases compared with verbal abuse cases. Total arrests for domestic violence incidents increased five percent. Repeat offenders continued to represent less than seven percent of total arrests for domestic violence.

There was a dramatic increase in the number of trials (240 compared to 14 prior to the project) and in the number of criminal actions filed (1,034 versus 870 prior to the project). The number of domestic violence cases prosecuted during the project period increased 15%. The processing time of cases from receipt to court hearing was reduced from 90 days to within three to five weeks. The conviction rate for domestic violence cases is close to 100%.

The protocol adopted by the police department has enabled more successful prosecutions even in cases when the witness is hostile to prosecution. Police officers are obtaining statements and videotapes to be used in court that are making prosecutions easier, even with uncooperative witnesses.

The recently established career criminal classification has given the prosecution team ready access to information on repeat offenders and enhanced their ability to determine an appropriate prosecution strategy.

### ***Prospects for Replication***

Considerations for replication should include the following:

- To ensure familiarity and consistency with policies and procedures regarding domestic violence, training of personnel is critical, at all levels. Personnel must be committed to the goals and philosophy of the program.

- Understanding and acceptance of the project's goals and objectives by agency management, and law enforcement and community agencies affected by the policies and procedures are required.
- The appropriate personnel to staff the project is essential. Staff must be knowledgeable and have a supportive attitude toward victims, offenders, and participating agencies.
- Communication among program participants must be regular and objective, to promote the degree of cooperation and understanding required in a community-wide effort.
- Management and senior officers must be alert to callousness or cynicism among officers, which will result in the failure of the program.

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# Iowa

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## *Batterer's Education Program*

### Statement of the Problem

According to the Iowa Department of Public Safety, the number of incidents of domestic abuse reported to law enforcement increased from 3,501 in 1986 to 6,199 in 1990. The Iowa Judicial Department reports that the number of domestic abuse civil filings rose from 188 in 1990 to 2,677 in 1993. Based on national statistics, this figure is under-reported.

In the last decade, advocates for victims of domestic abuse have increasingly viewed legal remedies as an appropriate vehicle to address domestic violence. Starting in 1979 with the enactment of the first protective order legislation, Iowa has been among the country's leaders in passing legislation mandating an increased role for the court and peace officers in criminal and civil domestic abuse cases. Comprehensive domestic violence legislation was passed in 1991 which mandated offender participation in a Batterer's Education Program (BEP). A multidisciplinary State steering committee was established to provide oversight.

The main accomplishments of the legal reform have been to define domestic violence as a crime, not a private family matter; to increase public awareness about domestic abuse; to maximize victim safety; and to allow the opportunity for many victims of domestic violence to use the law to break free of abusive relationships. The most important aspect of changing the criminal justice system's response to battering is **coordination** to secure a consistent and uniform response. Equally important is that **the community at large be engaged** in addressing domestic abuse.

Criminal sanctions for domestic assault send the important message to defendants, victims, and society that domestic violence is a crime and not a private, family matter. In addition to sanctions, a mandatory BEP referral provides defendants an alternative to violence and abuse. Since violent behavior is learned, BEP makes batterers accountable for their behavior.

In order to ensure a coordinated community response to domestic violence, it is critical to include all criminal justice system components. When law enforcement, the judiciary, prosecution, and correctional services work together, victim safety and perpetrator accountability are maximized.

## Goals and Objectives

The State of Iowa has established a comprehensive approach to domestic violence. The statewide effort includes the cooperation of domestic violence victim advocates, law enforcement, courts, prosecution, and the Department of Corrections (DOC) to address the escalating problem of domestic violence. The main goals are (1) to maximize the safety of victims of domestic violence, and (2) to ensure accountability for the perpetrators of domestic violence.

The objectives designed to meet these goals include the following:

- to fulfill the DOC legislative mandate by providing BEP to all court-ordered domestic abuse defendants;
- to ensure continuity of statewide programming by establishing State standards for Batterer's Education Programs;
- to ensure that BEP Facilitators have a thorough understanding of domestic violence issues, know how to maximize victim safety, and are able to facilitate BEP groups;
- to ensure that all State BEPs are in compliance with the "State Standards for Domestic Abuse Batterer's Program;"
- to maximize victim safety by integrating and responding to feedback provided by local domestic violence projects; and
- to create a community response to domestic violence.

## Program Components

**Legislation** The 1991 Iowa Legislature enacted the most comprehensive changes to the law of domestic abuse since mandatory arrest was implemented in 1986. The new law included enhanced penalties for repeat offenders including prior deferred judgments in Iowa or elsewhere; limitation of deferred judgment or deferred sentence for domestic abuse assault; mandatory minimum sentences for domestic abuse offenses and for violations of protective orders in criminal and civil cases; and mandatory BEP provisions in sentencing orders. As part of the changes in 1991, the Legislature specifically required the Department of Correctional Services to provide or contract for the provisions of BEPs for domestic abuse offenders.

**Statewide Steering Committee** To provide expertise and State/local coordination, a steering committee comprising DOC judicial districts, Iowa Coalition Against Domestic Violence, local domestic violence projects, county attorney, and mental and social service agency staff was

established in June 1991. The committee has developed Program Standards and continues to meet on a quarterly basis to provide program oversight and insure program integrity.

**Program Standards** Statewide standards have undergone revision. Several main elements are: requiring the use of the Duluth Men's Education Model for men and separate programming for women; requiring the establishment of local coalitions including, but not limited to, law enforcement, prosecution, judiciary, corrections, and local domestic abuse projects; establishing staff selection and training requirements; and requiring the establishment of local policies and procedures.

**Program Accreditation** A program of this magnitude which has been established in a relatively short time frame requires ongoing technical assistance and oversight to insure quality service. The Domestic Abuse Program Standards insure that programs do not work in isolation but that law enforcement, the courts, the Department of Correctional Services, local domestic violence projects, and the service providers work together to address the issue of domestic violence. The purpose of the accreditation process is to review the input of each of these agencies in program development. DOC and service providers make site visits to review programs. It is critical that each of these perspectives be involved in the accreditation process so that an accurate evaluation of system response can be obtained.

**Facilitator Training** To establish consistency and quality control, the program standards require all BEP facilitators to complete a 3-day pre-service training program. A State training curriculum and trainee handbook has been developed and printed for utilization in the training program.

**BEP Program Description** Twenty-six agencies throughout the State have responded to the need for provision of BEPs and have contracted the District Department of Correctional Services in their area to provide programming for court-ordered offenders. Service providers include community colleges, mental health centers, domestic violence shelters, District Department of Correctional Services, and a variety of social service agencies. Services are provided through offender fees, agency contributions, and Federal grants. All batterers are charged for participation in the program. Institutional programs have also been developed and are operational at seven of Iowa's eight institutions.

**Batterer's Education Program Curriculum Design** A BEP is an educational program designed to teach batterers how to stop using controlling and abusive behavior in relationships with their partners. Controlling and abusive behaviors include physical, emotional, and psychological abuse. The BEP Standards require the utilization of the Duluth Men's Education Program Curriculum in order to provide statewide consistency with the program's philosophy to: protect and keep victims safe; hold batterers accountable so they can effect personal change; reduce physical, emotional, and psychological abuse; and support a community response to end domestic violence. A separate curriculum has been developed for females which is tailored to the needs of women.

**BEPs' Databases** The DOC has developed a data collection system to monitor the participation of each offender in the program. This system collects such information as demographics, type of offense, referral source, successful program completion, and reasons offender was terminated from program. This information is collected on a monthly basis and placed in a database by the Bureau of Planning and Research. The information allows the Department to review the program implementation on a statewide basis and to troubleshoot when data reflects unusual trends in various programs.

**Community Response Model/Development of Local Coalitions** The most important aspect in changing the judicial system's response to battering is the coordination of its many actors to secure a consistent and uniform response. Policies which promote arrest, increase convictions, place legal sanctions on assailants, increase the incarceration of assailants, require education or rehabilitation for violent behavior, and protect victims from further contact with the assailant are effective only when they are uniformly and consistently applied. To this end, the IDOC standards require the development of a Community Response Model. Each judicial district is required to promote and participate in a coalition of agencies for the purpose of program planning, policy development, and oversight. A number of coalitions are now active in each judicial district. The coalitions include law enforcement, prosecution, judiciary, domestic violence projects personnel, corrections, survivors, substance abuse and social service agencies, and medical personnel.

## **Results and Impact**

### ***Performance Measures***

The following information is collected on a monthly basis and placed in a database by the Bureau of Planning and Research: number of BEPs already established by social service agencies, new BEPs each DOC Judicial District develops as a result of contracting with social service agencies, groups within each BEP to meet the demand of referrals, facilitators who are certified to facilitate the BEP curriculum, facilitators attending the statewide conference, BEPs receiving accreditation visits or BEPs passing accreditation, victim contacts, BEP groups monitored, BEP and domestic violence projects meetings, local coalitions in each judicial district, and local coalition meetings; range of accreditation scores for all BEPs; quarterly reports generated by State BEP database; level of cooperation between BEPs and domestic violence projects through accreditation visits; type of representation in each coalition; and individual performance evaluations of facilitators.

### *Implementation Problems and Successes*

Because the program is a statewide effort, problems in implementing the design were different from jurisdiction to jurisdiction. The most commonly identified problems are:

- lack of education about the dynamics of domestic violence which effects how law enforcement, prosecutors, judges, and clerks choose to carry out their responsibilities under the legislation;
- all members of the criminal justice system do not actively participate in coalitions and take responsibility for building a coordinated community response;
- laws are ignored or circumvented by recalcitrant law enforcement officers;
- prosecutors find it hard to convict without victim testimony;
- cases are dismissed, allowing batterers to gain more power in their relationship with the victim;
- gaining access to necessary court information such as police reports is difficult for some BEPs;
- accurate statistics are not being kept statewide to assess impact/outcome;
- lack of response, slow response, or noncompletion with BEP;
- courts excusing offenders from BEP participation or allowing them to participate in alternative programs such as couples counseling;
- criminal justice system budgets/resources not keeping pace with the increasing workload necessary to comprehensively address domestic violence;
- lack of written protocol for responding to domestic violence;
- lack of prosecutorial communication with victims including unreturned phone calls often resulting in the prosecutor having no idea how serious the injuries were and plea bargaining or dismissing the case without conferring with or informing the victim;
- lack of interaction with victim advocates;
- domestic abuse charges being plea bargained to simple assaults, sometimes to preclude the offender's attendance in the BEPs;

- BEP ordered for the offender but charges are reduced to preclude further penalty enhancements; and
- cyclical problem which taxes the criminal justice system's resources when offenders who refuse to comply with BEP get dismissed and are sent back to court only to be sent back to complete BEP.

### *Successes and Accomplishments*

Program successes include:

- the programs were established quickly and are now accessible statewide;
- civil and criminal filings have increased;
- referrals to BEP have increased from 339 in 1991 to 3,950 in 1994;
- programs are primarily dependent on client fees;
- increased public awareness;
- a unique opportunity for men to address this problem with a prolonged period of monitoring, encouraging success;
- access to a whole pool of victims who previously were not receiving services; and
- swift and sure response to BEP dismissal for accountability and to increase compliance.

Communities throughout the State have taken responsibility for actively working together to end violence in intimate relationships. Those coalitions diplomatically use the collective resources of the group to seek positive system change. They function as a "watchdog" to ensure that, in designing a response to the problem of domestic violence, three events occur. A **coordinated community response** is present which provides a safety net for the victim. A commitment from local law enforcement, prosecutors, and judges to enforce domestic violence laws every time they are broken is critical to any community effort to stop battering. **Mandatory arrest** occurs which takes the victim "off the hot seat" and sends a clear message to the perpetrator that he/she must stop the violence. The two-day **mandatory jail sanction** furthers the message from the community that they will not tolerate physical violence and will hold the perpetrator accountable.

The **mandatory BEP** for perpetrators is predicated on the belief that people can change and that the individual perpetrator is responsible for the change. The united community response, mandatory arrest, and jail sanction tell the offender to stop the behavior. The education group tells them how to adopt new behaviors to change the previously developed destructive pattern.

Overall accomplishments are:

- 36 BEPs throughout the State (approximately 87 groups/week);

- local domestic violence coalitions developed throughout the State;
- model protocols developed for prosecution and law enforcement;
- training developed at the local level for components of the criminal justice system;
- Statewide Steering Committee developments including: State standards in place; 20 BEPs accredited to date; standardized curriculum training manual developed; facilitator training available quarterly with over 400 facilitators trained; BEP Coordinator's meetings twice each year; and a DOC/BEP Annual Facilitator Conference;
- BEP Process Evaluation to be completed; and
- Supreme Court Task Force on Courts and Communities' Response to Domestic Abuse.

### *Prospects for Replication*

Many factors will facilitate successful replication of the program. Comprehensive legislation is recommended to guarantee an accountability model. Local community leadership and the incorporation of the criminal justice system is necessary to ensure implementation of the laws. BEP curriculum is "user friendly" and can be easily implemented. Domestic violence experts should be available through local shelters and projects.

No new agencies need to be developed. Coalitions are a collaboration of existing agencies. Local leadership is critical. Visionary leaders with tenacity, patience, diplomacy, and an understanding of how individual agendas play into the development of collaborative relationships are needed. Quality training for all players on the dynamics of domestic violence must be provided. A BEP Policies and Procedures manual must be developed. Client fees can be the primary support of the program.

Community education is critical to heighten the awareness of domestic violence issues. This knowledge dispels the myths about domestic violence. The facts then prevail to change values and attitudes which have allowed domestic violence to flourish.

There must be strong local leadership and participation from many other individuals including policy makers, health care providers, clergy, attorneys, employers, schools, and the public at large so that communities begin to develop proactive preventive strategies to address the issue.

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# Massachusetts

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## *Attorney General's Elderly Protection Project*

### **Statement of the Problem**

Nationwide studies indicate that law enforcement officers are unclear about their role in responding to all forms of domestic elder abuse, are largely unaware of legislative reporting requirements, and generally, are not trained in the detection of different forms of abuse. A number of Massachusetts police commanders have echoed a desire for more training in elder issues. They understand the need for increased attention to elder issues in view of the dramatic increase in the elderly population which is projected to continue well into the next century. Police commanders also recognize that careful and sensitive service for the elderly is an important component of any successful community policing program.

Elder victims are afraid to report abuse for fear of retaliation or the loss of services provided by the offender. Shame also prevents elder victims from reporting the abuse. In addition, police officers often have mixed feelings about intervening in disputes with the elderly or cannot detect that the victim is an elder.

Studies have demonstrated that officers with specialized training on elderly victimization consistently receive favorable ratings from the older citizens they serve. In contrast, officers lacking specialized training generally receive poor ratings from elderly citizens. This results in the elderly having a negative view about the overall effectiveness of police services. Equally as compelling, studies have found that specially trained officers solve twice as many crimes against the elderly as those officers who do not receive special training. Training can be the catalyst for better police/community interaction and more effective crime fighting.

In this context, the Massachusetts Attorney General's Office, under the direction of Attorney General Scott Harshbarger, created the Elderly Protection Project to help police officers detect domestic elder abuse and assist those victims.

### **Goals and Objectives**

The goal of the Elderly Protection Project is to protect older citizens from abuse, neglect, and financial exploitation. The project objectives are to enhance officers' skills in preventing, reporting, and responding to elder cases, and to secure active collaboration between the Attorney General's Office, police officers, and local elder protective service workers.

Training must be comprehensive to have a significant impact. Comprehensive training involves all of the actors that confront a given social problem. In the case of elder abuse, the major actors are the police, protective service workers, and the prosecutor. The first priority of the project is to strengthen the working relationship between the police and protective services.

The project also focuses on recruit and in-service training. Recruits are generally receptive to innovation and alternative techniques and represent the future of community policing. In the coming year, the project plans to provide intermediate, in-service training for veteran officers to help ensure that all officers are aware of their basic responsibilities concerning elder abuse. The project also plans to present training for prosecutors and victim/witness advocates throughout Massachusetts.

## **Program Components**

The Elderly Protection Project, in operation since February 1993, is coordinated by a Project Director with assistance from a part-time administrator. The project's training initiatives began in September of 1993. The six months prior to the start of training were devoted to developing training materials and contacts within the protective service agencies, law enforcement, and communities.

Police training by the Attorney General's Office appears to increase the project's credibility. The Project Director has taught all recruit and advanced programs, which ensures consistency of the information conveyed and eliminates the logistical burden of arranging for a completely different slate of trainers at each locale. In the advanced training, the Director is assisted by local protection service workers and a representative from the Massachusetts Alzheimer's Association and the Registry of Motor Vehicles. Following are the components of the project.

***Advanced Training.*** Advanced Training is the centerpiece of the project and corresponds to the regions covered by local protection service workers -- 27 local Protective Service Agencies in Massachusetts that are supervised by the Executive Office of Elder Affairs. These local agencies are responsible for investigating elder abuse, neglect, and financial exploitation reports generated by local police departments and other mandated reporters. The protective service agencies also provide a number of services and referrals to elders in need of assistance.

The foundation of an effective response to elder victimization begins by cultivating and maintaining a working relationship between local departments and protective service agencies. For this reason, the 16 advanced trainings were geographically arranged for workers from all 27 protective service agencies and police officers from the corresponding local departments. In this way, officers not only received training in their reporting obligations but also established contact with their local protective service agencies' representatives. Conducting training at local sites made seminars smaller, more interactive, and focused on local issues. Local sites also promoted inter-departmental alliances and a greater understanding of elder issues in each community.

**Target audience.** Individual Police chiefs were in the best position to determine who should receive this training. Their decisions depended upon the size and structure of their departments. Some executives sent their domestic violence detectives; others sent crime prevention specialists; still others saw these seminars as an opportunity for training patrol officers who expressed an interest in elder issues.

**Recruit Training.** Recruit training took place at 12 different academies. Flexibility was necessary since different academies provided different time periods for this block of instruction -- anywhere from two to eight hours -- and had different class sizes -- anywhere from 29 to 191 -- which affected the instructor's ability to use class exercises and discussion versus lecture presentation.

**Curriculum and Learning Techniques.** Depending on the level of audience expertise, the training explored the following topics: (1) the demographics of an increasing elder population and its implications for police services; (2) myths and facts about aging; (3) effective communication techniques, including background on the concerns, fears and vulnerabilities of the elderly; (4) enhanced investigation through detailed report writing and photographs; (5) financial exploitation in its various forms; (6) the elder abuse reporting law and coordination with the protective services system; (7) understanding domestic violence and its applicability to the elderly; (8) mental health issues; (9) police response to missing persons with Alzheimer's Disease; and (10) case studies in elder abuse, neglect, and financial exploitation.

Finally, the courses utilized a variety of learning techniques including lecture, testing, written materials, videotapes and overhead transparencies, discussion and case studies, and opportunities for professional interaction.

## **Results and Impact**

### ***Implementation Problems and Successes***

After the initial implementation, this project needed to determine the type of officer who would benefit the most from the training. Officers felt that the training would be most beneficial for supervisors, who are in a better position to pass on what they learned to the department.

The Attorney General's Elderly Protection Project's budget is intended to be small. The project's administrative leanness and ability to organize and conduct a series of training sessions throughout the State in a short time were considered obstacles before the upstart of the project. However, the Project Director was able to provide the training within the time limit. Decreasing police overtime and budgets made it difficult for a number of police chiefs to release officers for training. The project tried to rectify this by providing chiefs with more than one opportunity to send officers to training sessions.

One unanticipated implementation success has been the professional settings in which the training takes place. Officers appreciated being treated like professionals instead of being trained in an academy-like atmosphere. Upon completion of the training, officers were given patches and certificates.

### *Successes and Accomplishments*

The Elderly Protection Project has achieved the following:

- **Conducted 15 regional, two-day advanced trainings.** By the end of the grant cycle, this project will have completed 16 two-day trainings involving over 200 police departments and all 27 local protective service agencies in Massachusetts. Also trained were 445 officers, 58 protection service workers, and 34 other professionals.
- **Created Elderly Protection Project Advanced Law Enforcement Training Manual.** Rather than invent each training component, the project relied on established agencies for much of its training materials, especially the Association of American Retired Persons (AARP) and the Police Executive Research Forum (PERF). The project adapted those materials to its overall program. This manual may be the project's most enduring accomplishment. The manual has received excellent reviews by course participants. A number of protective service agencies have decided to use the manual as their training tool. In addition to providing a manual to each course participant, the project has distributed another 200 copies to police departments, protection service workers, and other human service agencies.
- **Conducted 12 recruit training programs.** These programs were of various lengths depending on the schedule of the particular academy. A total of 755 recruits were trained. The Academy Directors at the Massachusetts Criminal Justice Training Council facilities, the Boston Police Department, and the State Police have informed the Project Director that the recruits uniformly praised the training. A 26-page recruit handout was provided for further assistance.
- **In-service training.** The training sessions confirmed the need for all veteran officers to participate in shorter, concentrated, in-service training that describes their reporting obligations and provides insight on effective communication and investigation techniques. Developing an effective mechanism for accomplishing this in light of the decentralized nature of Massachusetts' law enforcement education represents a continuing challenge. In the coming year, the Project Director will attempt to gain acceptance of a model curriculum at a number of regional academies and conduct a train-the-trainer program that will provide a core group of trained police instructors.

The project has received very strong evaluations from course participants. In evaluations, approximately 75% of the participants gave this course the highest possible rating for content, delivery and quality of training materials, and 75% strongly believe that this training "increased [their] sensitivity to older people." Beyond statistical information, both officers and protection service workers commented that the training helped to strengthen their working relationship with each other which, in the future, should cause them to investigate and collaborate on cases in a different, more effective way. Finally, many commented that the manual will be used on an ongoing basis as a reference tool.

Plans are being discussed for an evaluation of the project. The Elderly Protection Project Advanced Law Enforcement Training Manual is available upon request.

### ***Prospects For Replication***

The Elderly Protection Project may be successfully replicated in other States for three reasons: (1) police executives and officers are interested in learning more about how to successfully serve the community's growing elderly populations; (2) protective services agencies usually are very interested in developing better relationships with local law enforcement; and (3) effective and comprehensive training programs can be developed and implemented without a substantial commitment of personnel or resources. Training initiatives would have to be adapted to the structure of police training and accreditation already present in the particular State.

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# Massachusetts

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## *Quincy Court Domestic Abuse Program*

### **Statement of the Problem**

Increasingly, domestic violence victims are turning to the courts for assistance in ending the violence and terror being perpetrated against them. All too often the courts respond with confusing procedures, untrained personnel, and a lack of community coordination. Restraining orders are routinely violated and unenforced by the courts. The result is that too many abuse victims are intimidated, overwhelmed, and denied the remedies they desperately need. Close to 2,000 domestic violence victims come to the Quincy Court each year seeking legal remedies to provide safety for themselves and their children. Given the 35% increase in domestic violence petitions over the past two years and a similar increase in the arrest of male violators, the client population is expected to double every three to four years.

Covering seven surrounding cities and towns, the Quincy Court serves a diverse population of about 200,000. The court coordinates the numerous police, corrections, and social service agencies, all facing budget cuts along with the increasing requests for assistance. The Quincy Court Domestic Abuse Program attempts to combine innovative, integrated approaches that not only provide maximum protection and accountability, but also assist victims in ending the violence.

### **Goals and Objectives**

The program has two goals: (1) to control the abuser through focused prosecution, creative sanctions, intensive supervision, and specialized treatment; and (2) to empower victims by creating a user-friendly process, an array of comprehensive direct services, and referrals to provide support and assistance.

To achieve these goals, the program has the following objectives:

- to make the process easier and assist victims in making use of the range of criminal justice interventions;
- to ensure that the cases are vigorously prosecuted, whether or not the victim is available to testify;
- to coordinate a community response, such that all parties work together to protect the victims and hold the offenders responsible for their behavior through tight supervision; and
- to ensure that victim safety is the first priority.

In this vein, the program attempts to return to court all offenders who do not adhere to court orders or who threaten continued harm to their victims.

## **Program Components**

For the victim, the program has made the process user friendly with the following: (1) a private office at the court, staffed by women specially trained to assist the victims seeking restraining orders; (2) a daily briefing session for victims on civil and criminal options, community resources, support groups, and general guidance through the court; (3) two special court sessions held daily to expedite hearings; (4) ongoing educational and support groups for the victim, separate groups for adolescents and children from violent homes, and a parenting group run by two clinical social workers from the District Attorney's Office and the DOVE shelter; (5) two specialized domestic violence prosecutors, two specialized advocates, two experienced counselors, two law students, five student interns, and three volunteers to handle the cases, provide support, and ensure system accountability; and (6) an experienced domestic violence advocate in the Probation Department who makes contact with the victims of the probationers to ensure continued safety and offender compliance.

The program has been successful in uniting the activities of the critical actors in the process including police, prosecutors, judges, probation, shelters, advocacy groups, batterers' services agencies, child protection services, and medical and mental health providers, and ensuring formal, ongoing training for a combined maximum response. As part of the coordinated community intervention plan, the day actors also participate in the Quincy Court Family Violence Roundtable, which meets once per month to identify problems and map out short- and long-range action plans. With the Police Tracking System, the victim advocates are able to immediately obtain police incident reports, whether or not an arrest has been made, so that contact with the victim can be made as soon as possible. The police advise victims to go to court 45 minutes early to avail themselves of the briefing session, explain the 24-hour availability of restraining orders, and urge them to speak to the advocates about support groups and other resources. Additionally, many of the actors assist with in-service training and community education seminars for the relevant agencies, service providers, social organizations, the military, professional groups, and the community at large.

To better control the abuser, the program has: (1) tight pre-trial probation to ensure victim protection and decrease the likelihood of witness intimidation pending trial; (2) fast-track court scheduling to ensure speedy trials; (3) routine confiscation of weapons; (4) a trained, five-person probation enforcement team; (5) strictly enforced sanctions including saturation surveillance in the community, and mandatory orders of alcohol and drug abstinence monitored through random testing; and (6) speedy revocation hearings for violators, with immediate sentencing ranging from short shock to longer term incarceration.

To increase child safety and stop the inter-generational cycle of domestic violence, the District Attorney's Office and the DOVE Battered Women's Shelter co-sponsor three Children's

Support Groups and a Parenting Group. Groups are offered for young children, adolescents, and teens involved in violent dating relationships. The focus is on safety planning, teaching the children to call "911" when in danger, how to identify warning signs, what to do if a fight starts at home or school, and related issues. Most of the children's groups run concurrently with the adult victim's support groups, thus providing child care while beginning to address the children's needs.

## **Results and Impact**

### *Performance Measures*

In an effort to increase victim safety, program staff wanted to determine what was helpful and what was not helpful about the program. A comprehensive court survey of victims was conducted, beginning in 1986 and repeated periodically, asking victims how the court could best ensure their protection and improve services overall.

### *Implementation Problems and Successes*

Obstacles existed on two levels. First, more than any other violent criminal, male abusers are the most dangerous and tenacious in their pursuit of their victims, as well as the most resistant to court control and treatment. Although police enforcement models existed, they were no models for effective sanctions and supervision of these offenders. Court personnel had to develop policies and programs, including an array of mandated treatments and surveillance. Second, most women, 60% in the initial 1986 study, had histories of significant victimization from childhood, seriously compromising their coping skills to protect themselves and their children in abusive relationships. An array of services such as support groups, assigned advocates, special court clerks, and a private office and referral services such as Al-Anon for Women, Rape Crisis Centers, and Spanish-speaking support groups had to be identified and/or created.

On a systemic level, given the extent of gender bias and resistance to change in the criminal justice system, sensitivity and reform training for all actors had to be developed and provided on a regular basis. Final challenges remain:

- to develop an abuser topology to better and more accurately predict lethality and utilize it within the constraints of a due process legal system;
- to create a new paradigm under which prosecutors and defense attorneys work more closely on family violence cases to ensure victim safety;
- to constantly ask "How can we be doing this better?" especially with regard to increasing victim safety;
- to expand safety planning for children;
- to increase community education and public awareness campaigns to re-enforce that domestic violence constitutes violent crime which must be treated seriously;

- to establish a visitation center within the county to facilitate the safe exchange of children; and
- to increase the availability of emergency and transitional housing for abuse victims fleeing danger.

One obstacle the program faced was some judges' reluctance to order batterers to attend counseling and specifically to attend a certified batterer's intervention program. This was due, in part, to the batterer's assertions that (1) they could not afford the time off work or money to travel (10 miles) to Boston for the programs; and (2) the batterer's program facilitators were too harsh in their expectations of participation, timeliness and attendance. In response, the court personnel arranged for a top Batterer's Program, Emerge, to hold several sessions per week at the Quincy District Court. This took away the need for travel and seemed to make the judges feel that it was part of the Court's intervention process, thus greatly increasing the participation rates. The on-site location also allowed staff to better monitor the program.

Too many victims were reporting repeat violence, harassment, and/or stalking by batterers even after a criminal conviction, and sometimes by perpetrators in jail. Due to embarrassment, no phone access, transportation obstacles, and fear of retaliation, some victims did not inform the court of the new offenses. With over 300 batterers on probation, generally for at least one year, staff wanted to throw out a wide net to the victims of these perpetrators. First, as part of the briefing and the informational brochures, staff began including a message that they wanted to know when any problems arose, post-conviction or at any other time. Second, a Probation Revocation Session was established to expedite the process of bringing back before the Court those perpetrators violating the terms and conditions of their probation. Third, an experienced advocate was hired to work from the Probation Department as a Victim Contact Coordinator. That advocate's job is to immediately contact the victim of a batterer on probation and familiarize the victim with post-conviction services and the availability of help, including renewed safety planning.

### *Successes and Accomplishments*

Victims overwhelmingly asked in the survey that the court increase the number of support groups being offered, both for themselves and their children. By not tying victim participation in support groups to any court involvement, even those who remain with the perpetrator are welcome and active members. Many victims begin the support group still living with the batterer and unsure as to the wisdom of obtaining a restraining order. By the end of the eight-week education section, most victims have obtained a restraining order, moved away from the batterer, and are beginning to understand that the abuse is not their fault. A twelve-week support group follows, with education networking, exposure to other victims and role models, and information on day care, job training, and other needs.

To increase the number of victims obtaining permanent restraining orders, in 1987 the court began holding daily briefings to offer intensive support and relevant information. In the first six months of briefings, there was a 14% increase in the number of victims returning to court

for their permanent restraining order. Perhaps the greatest testament to the success of the coordinated community response has been the findings of a study comparing the Quincy District Court with two surrounding counties' courts. The study found that, of the domestic violence victims coming to Quincy Court for help, 87% of them followed through with permanent restraining orders and/or criminal prosecution. A similar size court in a neighboring county showed just 34% of their victims returning for continued assistance. Even as one of the highest issuing courts (almost 2,000 restraining orders in 1994), the Quincy District Court has the lowest restraining order drop rate in the State.

Decreasing the domestic violence homicide rate has been an area of interest in the Quincy District Court service area, since the Commonwealth of Massachusetts has faced a steadily increasing number of battered women murdered by their partners. In 1986, the State found that a battered woman was killed by her husband or boyfriend every 22 days. By 1993, that number rose to one battered woman killed every 12 days, and during the first three months of 1995, every four days a battered woman was being murdered. Given the size and demographics of the court's service area, it should have produced similar statistics. However, over the last 16 years, the Quincy Court has had one domestic violence homicide in the town of Cohasset in 1979. After that homicide a death review was conducted by assembling all the relevant actors to determine what should have been done differently in that case and how victims could be better protected, in general.

Keeping in mind that conviction rate is not the best indicator of success, court personnel were determined to increase the prosecution rate as an additional means of holding offenders responsible for their actions. Since many victims were intimidated out of testifying against their abusers, staff focused on learning how prosecutors could go forward with the trial, even absent the victim's testimony. This meant police had to be trained regarding comprehensive report writing, evidence collection, and investigation of domestic violence incidents. Utilizing the one-page Domestic Violence Incident Report Form, training was held for all police chiefs and most officers to share information and inform the police that they should document the victim's statements, injuries, and demeanor at the scene, as well as take photographs of the victim's injuries. By enlisting the assistance of the Polaroid Corporation, cameras, film, and a law enforcement photography seminar was donated. As a result, there is much more information in the police incident reports, more photographs for use at trial, and increased morale of both police and prosecutors. Law enforcement now knows that the prosecutors will make every effort to bring the case forward, utilizing the "spontaneous/excited utterances" of the victim at the scene. This enables the court to hold the offender accountable, while taking the victim out of danger.

During the first quarter of 1995, 85% of the victims contacted were very receptive to the support, 10% were unreachable, and 5% declined services because they were still with the batterer. However, even the knowledge of the advocate's availability can serve as a deterrent to the batterer. This advocate has also forged a close relationship with the jail staff, resulting in much closer cooperation, sharing of information, and referrals.

Without providing specific guidance, it was unrealistic to expect police officers to produce comprehensive incident reports, complete with photographs and the necessary documentation for going forward even without the victim's testimony. Utilizing the *Family Violence Investigation Checklist*, copied from the San Diego Police Department, court staff conducted training all over the county, with mixed results. As the Quincy Police Department has received 40 hours of domestic violence training per year from the District Attorney's Office, their progress has been the most pronounced. However, police officers in general have welcomed the simple, one-page format of the *Family Violence Investigation Checklist*, which tells them exactly what information to collect at the scene. This has increased police morale and improved the police reports the court is receiving.

In an effort to bring more actors to the table, the Quincy Court Family Violence Roundtable was started. At monthly meetings problems are raised and long and short-term Action Plans are designed. For example, there was much concern about court safety for victims and bystanders because even offenders coming from jail were found to be in possession of weapons. There is now a metal detector at the front door and in the court's lock-up, as well as a protocol for court officers or police officers to accompany victims to their cars, the subway, bus stations, or to the District Attorney's Office.

Based on the fact that welfare is the primary safety net for abuse victims and that 35 states pay less than \$4,000 per year for a family of four on welfare, the Court knew that simply getting a victim on welfare was not any kind of solution. The primary reason that abuse victims return to the perpetrator is a lack of money, thus creating an obvious need to provide victims with information about job and educational opportunities. In working with a group of pregnant and parenting teens by helping each one devise an Individualized Action Plan, most have gone on to obtain their G.E.D. or high school diploma, several are enrolled in community college, and several have graduated from technical school programs. These students have named this the "What Is Your Dream?" Project.

This is being expanded to the elementary and high schools. The Florida Department of Youth Services documented in their 1994 study that children who become delinquent begin disengaging at around third or fourth grade, in part because they have no sense of future, few role models, and little confidence. Program staff are training tenth and eleventh graders to go into the third grade and conduct "What Is Your Dream?" sessions, on a bi-weekly basis. The third graders listen much more attentively to the high schoolers than they would adults, the high school students get course credit for participation, and it gives Court personnel the opportunity to train the high school students about job and educational opportunities.

A 1991 study by the American Nursing Association documented that pregnant and parenting teens were at the greatest risk for abuse in their relationships, and that teens in general experience tremendous abuse from their partners. Working with the DOVE battered women's shelter, court staff put together a teen dating violence brochure, hotline number, and support group for battered teens. An intervention program is being developed for teen batterers. Working with two top teachers at Quincy High School, the Quincy High Students Against

Domestic Violence was started. This work has taken on new meaning as in 1994 close to 80% of the civil restraining orders issued by the Quincy District Court were issued against men ages 18 to 24.

### ***Prospects for Replication***

Part of the ease of replication is that there is no separate budget for the Quincy Court Domestic Abuse Program. To develop it, existing personnel and resources were utilized. Most of the efforts have focused on transferring and training existing personnel. Personnel includes members of the District Attorney's Office, judges, probation officers, and court clerks who are all funded by the Commonwealth of Massachusetts. In addition, the program utilizes many volunteers, including Domestic Violence Victim Advocates, as well as individuals from colleges, shelters, and other community services. Abusers are required to pay for batterer and/or alcohol/drug abuse treatment and testing.

In 1992, the Quincy Court Domestic Abuse Program won a Ford Foundation-Innovations Award, and has been cited as a model program by the National Council of Juvenile and Family Court Judges in *Family Violence: State of the Art Court Programs*. In 1992, the program was featured on a "60 Minutes" episode. After being featured on the "60 Minutes" episode, the program was flooded with requests for information and technical assistance. The Court regularly hosts visiting public policy, law enforcement, and court perform from around the United States and the World. Within Norfolk County, the District Attorney's Office has expanded this model to all of the other courts.

In 1990, the Massachusetts Legislature appropriated \$150,000 to each District Attorney's Office to establish a Domestic Violence Unit and coordinate with their local courts, modeled on the Quincy Court Domestic Abuse Program. For many years program staff have willingly, as time permits, traveled all over the State and to several others including Florida, Montana, Wisconsin, California, New York, Rhode Island, Vermont, Maryland, and Washington, to provide training and technical assistance to those wishing to replicate the program. Many courts have been able to develop at least key components of the program. For example, there are currently about twenty Domestic Violence Court Roundtable operating in Massachusetts; each District Attorney's Office has specialized advocates and prosecutors; many courts have adopted specific protocols; and the probation departments are focusing on the monitoring of batterers.

The Quincy Court Domestic Abuse Program is an extremely successful model of an integrated approach to addressing domestic violence. It shows that when all parties work together, an effective family violence intervention protocol can be implemented. Further, it reinforces the message that partner abuse is a crime to be taken seriously, not a private matter to be ignored by the system. This model has won widespread praise and support in the community. It has served to toughen State domestic violence laws, calling for mandatory arrest and treatment, a state registry of restraining orders, forfeiture of weapons, state wide training, bail reform and other measures to improve the response to domestic violence.

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# Massachusetts

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## *Triad and Community Policing: The Massachusetts Model*

### **Statement of the Problem**

According to data compiled by the American Association of Retired Persons (AARP), by the year 2030 there will be 66 million Americans 65 years of age and over, nearly 22% of the entire population, up from 31 million or 12 1/2% in 1989. With the certainty of that trend's continuance, law enforcement and national elder lobbies have focused research and media attention on this section of the population.

The American public views the older citizen as highly vulnerable to and a frequent victim of criminal activity. Many seniors hold this view as well, and as a result live in a state of fear that far outweighs the reality of their vulnerability. Television and newspaper accounts of criminal activity often introduce hyperbole; the fear of possible victimization mounts unrealistically. The anxieties which accompany these perceptions reduce the quality of life for older persons.

While most studies indicate that elders are victimized less often than any other age group, the economic, physical, and psychological consequences of those victimizations are more debilitating. A purse-snatching experienced by a younger person, although serious, is not as likely to have the severe consequences that would be more likely with an elder. For an elder, limited fixed income makes replacing what was stolen more difficult; possible physical injuries resulting from the assault heal much more slowly; and emotional consequences could lead to increased isolation and a reduction of social support.

An elder victimized while in public frequently decides to isolate her/himself more completely, especially at night. This reduced vulnerability may account somewhat for the finding that those over 65 are less often victimized than other age groups. Staying at home does lessen the chance of being assaulted, but it also can reduce significantly the quality of one's interactions.

However, the home is not always a haven. Victims of elder abuse face the burden of having to choose whether to report the abuse to authorities, thus jeopardizing family members and their own ability to remain at home, or subject themselves to continued abuse. If they report the abuse, they face the question of who will care for them. If they remain at home, they wonder how the perpetrator will retaliate. If they do not report the abuse, they face continuing, and often escalating, mistreatment.

Frauds and scams increasingly target older citizens. According to Doug Shadel, economic security/consumer representative with AARP, while seniors compose 12-13% of the population,

they are the targets of nearly 1/3 of all reported frauds -- telemarketing, postal, and door-to-door -- and 60% of all health frauds. Reasons cited for the high incidence include the likelihood of seniors having considerable savings, lump-sum pensions, or insurance premiums; the strong possibility that seniors with fixed incomes are more susceptible to get-rich-quick schemes; and that they are more likely to be home, often alone, when swindlers call.

As criminal activity in society continues and fear intensifies, society and law enforcement have an obligation to address the security needs of these older citizens. The establishment of the Triad program in a community, county, and/or State is a realistic, cost-effective method of addressing those needs.

## **Goals and Objectives**

In serving Franklin and Hampshire Counties in western Massachusetts and their citizens, the Triad program has the following goals:

- to reduce criminal activity which targets older Americans;
- to alleviate seniors' fear of victimization, and build confidence in their ability to reduce vulnerability; and
- to expand collaboration between law enforcement, human service providers, and seniors.

The objectives of the program in Franklin and Hampshire Counties to accomplish the above goals are to:

- establish a community format to increase interaction between seniors, law enforcement officers, and human service providers;
- educate seniors, officers, and providers concerning each others' responsibilities and advantages gained through collaboration;
- provide education on crime prevention and personal/home safety;
- increase reporting by seniors to police of suspicious/criminal activity;
- offer seniors leadership training and the opportunity to lead; and
- improve senior awareness of services.

## **Program Components**

"Triad" is a local community policing initiative among seniors, law enforcement, and human service providers to increase safety and confidence for older citizens through education and crime prevention. In each community Triad is implemented through a SALT (Seniors and Law Enforcement Together) Council which is composed of seniors, representatives of community service organizations, and local and county law enforcement officers. Frequently involved are Councils on Aging, Home Care and senior housing organizations, protective services, AARP,

clergy, and business leaders. Law enforcement representation includes local police, the District Attorney, and the Sheriff.

Implementation of Triad consists of learning the needs of the community's senior population through the SALT Council and then working cooperatively to seek and put into place solutions to those needs. Surveys and questionnaires often are utilized to help determine the concerns of older residents. Once needs have been pinpointed and prioritized, the Council regularly convenes a forum to decide how best to accomplish the specified goals.

A responsibility of the SALT Council is to see that information that originates in the Council, or that results from its initiatives, is circulated throughout the community to assure that those who would most benefit from the information receive it. The media -- print, radio, television - - and newsletters, pamphlets, and other publications, civic meetings, community meals, and workshops become avenues for distributing information.

Locally, implementation and maintenance of a SALT Council require little money other than that which allows professionals sufficient time to meet and to fulfill the Council's agenda. When police departments have required funding to provide for a Triad officer, State grants have been helpful. On the county level, Triad in western Massachusetts operated for two years with a volunteer part-time coordinator who assisted the District Attorney and the Sheriffs. As the program grew, the need for a full-time person led to a grant application to the Massachusetts Committee on Criminal Justice (MCCJ). A requirement of the \$50,000 grant was that one quarter of the total was to be provided by the District Attorney and Sheriffs. Renewal of the grant for a second year will necessitate that one-half of the total be obtained from sources other than MCCJ.

The advantages of a SALT Council to a community are numerous. For seniors, the Council provides the opportunity to meet directly and regularly with local police officers. Citizens are more inclined to turn to the police when they know officers as people and not simply as uniforms. Consequently, police departments are more likely to be contacted by people who previously may have been reluctant to involve the police. Seniors also become more aware of services to which they and their peers are entitled and how to access them. They become more aware of criminal activities and of steps to avoid victimization.

Police officers benefit by becoming more aware of the fears and perceptions of their senior residents regarding crime and victimization. Frequently, police chiefs have expressed concern that seniors, more than any other age group, are reluctant to involve the police when it would be appropriate for them to do so. Whether many seniors are concerned that they will bother the police whom they may believe have more important things to do, or whether they are afraid of recriminations if they notify police of suspected criminal activity, older citizens frequently are hesitant to call the police. Improved communication and sharing between seniors and police officers can work to counteract that tendency. Increased respect for the department from members of the community develops as a result of the commitment that has been shown through Triad.

Human service providers gain from increased interaction and cooperation with law enforcement and from improved distribution of services. Council on Aging directors become more conscious of the needs of the seniors they serve concerning the issues of vulnerability to crime and victimization. Protective services and police departments gain an improved understanding and appreciation for what each other's tasks and challenges are. Advantages to be gained through collaborative efforts become more apparent.

## **Results and Impact**

### *Performance Measures*

Full implementation of Triad, consisting of SALT Councils in each of the 47 communities, is to be completed by July 1995. Indicators of Council effectiveness are:

- the level of reporting to police/protective services by seniors of suspected criminal activity;
- evidence of senior initiatives to plan and to implement workshops to focus on issues;
- elements of elder security: personal protection, outreach to isolated elders, vulnerability to fraud, and home/neighborhood protection; and
- enhanced senior involvement in the community evidenced by media contact, participation in workshops, and involvement with local, State, and national representatives.

Measures of the effectiveness of the program have been primarily qualitative. Interviews with police officers, service providers, and seniors have demonstrated a belief that Triad is needed, welcome, and effective. Quantitative measures have included local questionnaires and their results, newspaper and senior newsletter articles, crime spots on local radio, panel interviews on cable access television stations, and workshops.

### *Implementation Problems and Successes*

The principal difficulties encountered in implementation efforts have been "turf" issues. As the primary law enforcement organization of the Commonwealth, local police departments are committed to maintaining that position and can become defensive if another department is suspected of infringing on their territory. Open discussion between police, sheriffs, and district attorneys, and a commitment to keep chiefs informed of efforts and initiatives designed to assist, not to dominate or replace, have led to increased respect and cooperation.

### *Successes and Accomplishments*

Virtually every community to which Triad has been introduced has expressed a willingness to implement the program. This reflects both the perceived need to approach crime problems

collaboratively and the willingness to attempt it. The statements summarized below are by seniors from Triad communities in Franklin County. They are characteristic of feelings expressed by seniors throughout both counties.

"I don't feel as fearful. I feel better qualified to cope through education. It's a very valuable program. I think that the other people I've talked to feel the same way.... I think if people know we have a new kind of senior out there, that we are not as easy a prey, and they (the seniors) know ways of taking care of themselves, I really think... down the road it will be a very valuable crime fighter.... I have more confidence; I'm not nearly as timid about going out now." Dorothea Hochrein, 74.

"I'm alerted, and I tell other people what I've learned. My impulse now is to call the police right away. Before I might have thought I was just being neurotic where now I'd just call them right up. Some of the seniors are inclined to say, 'I don't want to bother the police,' where now we are being told, 'Bother us; that's what we're here for'... I feel a lot different toward the police now, much more secure." Mary Poirier, 62.

"I know I could go into the police station at any time and have someone help me and give me good advice. Or I could stop a policeman on the street. It's just more comforting, more reassuring knowing that you can talk to people. Yes, I am much less fearful.... To be able to sit each month with the police chief and a detective and to have them listen to you is great." Fran Callaghan, 82.

"I've lived here two years. I have people living right outside my door who wouldn't even talk to me; they didn't even say 'Hi...' Now they stop me and say, 'You had those (no soliciting) signs put up. We think that's a wonderful idea.' I told them, 'Don't wait to get robbed; find out how to protect yourself.' Now they're more outgoing. It (Triad) is opening people up more.... Where I used to live (New York City) we never had positive relationships with the police like we are having now." Vincent Capasso, 72.

In addition to the SALT Councils that have been implemented, a significant development of the Triad program in western Massachusetts has been the cooperation between police and sheriffs' departments to reach out to seniors who are living alone and in isolation. When police officers have been unavailable due to staff shortages and/or other commitments, a sheriff's deputy has been able to respond. Seniors have found home visits to be reassuring for several reasons:

- the presence of a patrol car in the neighborhood is a reminder of police interest and their commitment to deter crime;
- the visits help to alleviate the fear an older person can experience while living alone and can reduce significantly the feeling of isolation;

- a visiting officer can make suggestions as to what the resident can do to make his home more secure, educating the senior concerning what steps can be taken to increase safety; and
- an officer trained in detecting frauds and scams that target elders can detect signs of possible involvement and can dispense information to deter future defrauding.

Triad SALT Councils have provided a base for the presentation, dissemination, and discussion of information to counter vulnerability to fraud. With direct access to seniors, police, and human service providers, Councils have sponsored presentations that assure current and accurate information on past scams and scams that currently are operational in an area. Through the cooperative resources that the Councils provide, pamphlets can be prepared, distributed, and discussed by utilizing media outlets.

Another issue affecting older citizens on which Triad is having an impact is that of mixed population housing. As State hospitals and institutions have been closed throughout Massachusetts, community resources have been called upon to provide additional services including housing. Often housing complexes constructed exclusively for elders are being opened to younger individuals with special needs and their own personal and social habits. The Triad SALT Councils are bringing together the groups which are affected. Discussion of what is not working and what could lead to improvements is beginning.

Of issue to police officers, Emergency Medical Technicians (EMT's), and firefighters who respond to emergencies in private residences is the availability of vital medical information. For senior residents who are more likely to have particular medical conditions that could affect their treatment, the accessibility of that information is essential for saving time and lives. Several SALT Councils in Western Massachusetts have adopted an initiative from the Triad in Bridgeport, Connecticut by creating a "file for life." The plastic file has a pocket which contains vital medical and emergency information kept on an updatable form. Highly visible, the file attaches to the outside of the refrigerator door with a magnet. Officers and EMT's will know where to look for medical information including whom to contact on the senior's behalf. Efforts have begun through local Councils on Aging to have files distributed throughout the State.

Other Triad initiatives have included home and personal safety seminars and police reports on the nature of criminal activity in the community. Accurate information from police departments and from protective service agencies is helping to reduce fear and to strengthen the sense of community. SALT Councils have sponsored presentations on shopping rights, how to address conflicts between seniors and young people, street lighting shortages, telemarketing fraud and telephone technology, town by-laws concerning solicitation, the advisability of utilizing personal and home security devices, and self-defense. Some police departments working with local Councils have begun to offer training for seniors to assist officers with home security checks, with the utilization of Operation Identification to deter house break-ins, and with outreach.

Through January 1995, 30 of the 47 communities that comprise Franklin and Hampshire Counties have been introduced to the Triad program and are in various stages of implementation. In November 1994 the Northwestern District Attorney and the Sheriffs from the two counties sponsored a statewide introduction of Triad which was attended by over 200 people from Massachusetts: police officers, sheriffs, district attorneys, Council on Aging and AARP representatives, and protective service personnel. As a result, a dozen communities from neighboring counties have asked for assistance in beginning Triad, as have representatives from other States.

### ***Prospects for Replication***

The National Sheriffs' Association (NSA) provides a full-time national Triad coordinator to facilitate the creation of a Triad program in any State. NSA sponsored a national conference in October and will host a second in St. Louis in April. The conference includes workshops on how to begin and to maintain SALT Councils.

Several counties in Massachusetts as well as other States have asked for assistance in introducing Triad. Recommendations to implement the program throughout Massachusetts have come from a Governor's Task Force on Mixed Population Housing and from the State White House Conference Subcommittee on Crime and Elders sponsored by the Executive Office of Elder Affairs.

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# Mississippi

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## *Mississippi Children's Advocacy Center Project*

### **Statement of the Problem**

Although all victims of crime benefit from therapeutic support and treatment, child victims are often forgotten, either as a result of system neglect or because families do not have the resources needed to get help for their children. The trauma suffered by children at the hands of others can cause lifetime impairment including emotional, psychological, and physical problems. Of particular concern are child victims of sexual abuse who may suffer a plethora of symptoms ranging from physical complaints, difficulty forming and maintaining relationships, lack of trust, broken homes, guilt, shame, decreased self-esteem, nightmares, and numerous other behavioral problems, such as increased aggressiveness, alcohol/drug abuse, inappropriate sexual behavior and promiscuity, numbing of emotions, difficulty concentrating, school problems, running away, depression, withdrawal, and self-injurious behaviors. If these victims are treated soon after the crime occurs, the child sexual abuse victim has a better chance of healing and developing into a healthy and productive citizen. If untreated, a child victim may grow into a depressed and maladaptive person or a perpetrator him/herself.

Many child victims of familial sexual abuse fear retribution by the perpetrator or by other family members who do not believe that the abuse occurred. Thus the time when the victim needs family support the most becomes the time when the family can not cope enough to support the child. Often these factors and the stress within the family cause the child sexual abuse victim to recant his/her abuse disclosure, making prosecution almost impossible. In order to provide services for the victims of child sexual abuse, emphasis needs to be placed not only on the child, but also on the non-offending family members.

Professionals working within the system need to coordinate their victim service efforts. Often children are interviewed many times throughout an investigation by criminal justice and child protection agencies, causing the child to relive the trauma of the event(s) over and over again, typically increasing the child's fear of the system as well as his/her apathy toward the professionals involved in the case. The problem is intensified by professionals who either have inadequate interview training or none at all in interviewing the child sexual abuse victim. This creates an atmosphere in which there is a strong risk of alienating the child victim and frustrating both the child and the professional when information is not adequately obtained.

## **Goals and Objectives**

The primary goal of the Mississippi Children's Advocacy Center (MCAC) is to protect and rebuild the child sexual abuse victim. Another goal of the MCAC is to create a multidisciplinary approach to the handling of child abuse cases and to facilitate a support system for the child throughout the criminal court process. Currently the MCAC is able to provide services to the child victim and the criminal justice system in the form of free, therapy-based forensic interviews and psychotherapy.

Based on the experience of MCAC to date, it appears that there are four problem areas related to serving the child victims of sexual abuse that must be met to achieve the MCAC's goals. First, hard data needs to be collected on the victims. Hard data is defined as psychological inventories and tests that show the behavioral and psychological difficulties that the child victims are experiencing. This is typically lacking for the child victim of sexual abuse. As a result, expert testimony often relies on the expert's opinion, which may not be sufficient to convince a judge or jury.

Second, non-offending parents need to be educated on the dynamics of child sexual abuse, methods for coping with abuse, ways to deal with the child victim, and ways to handle the court system. Groups need to be formed to prepare non-offending parents/family members for what to expect from their child victim and how to better handle their own stress as well as problems that arise.

Third, the child victims need to be prepared for participation in the criminal justice system. They need to be briefed on the processes of the court system and the realistic outcome possibilities of their case, in terms that they can understand. A child who must face the system with no understanding of it can break down or recant his or her disclosure of abuse. The court system's officials and prosecutors seldom have time to prepare victims and witnesses properly.

Fourth, to prevent the child from being revictimized by the system, professionals involved in the child's case need to be educated on the dynamics of child abuse, how to interview and relate to children, and how to form and use the multidisciplinary approach to cases.

## **Program Components**

The Mississippi Children's Advocacy Center is centralized and coordinated within the community to oversee the treatment of child victims and insure that children receive counseling and support and are not revictimized by the system. This central unit provides training and support services to law enforcement, district attorneys, social workers, and other professionals involved in the process. This center uses the multidisciplinary team approach to serve the needs of the child sexual abuse victim. The MCAC was established not only to provide counseling and support for child victims of sexual abuse, but to serve as a liaison between

other professionals involved in the case, so that information is exchanged freely between professionals.

Currently, the MCAC provides services for approximately 400 children per year. Roughly 95% of these children are possible victims of sexual abuse. The therapists at the center provide forensic interviews that can be forwarded to the child protective service worker, law enforcement, prosecution, and the judiciary. These therapists provide therapy for child sexual abuse victims on a short-term basis. Within the past fiscal year, over 50% of the cases that have been referred to the MCAC have been substantiated cases of child sexual abuse, closely matching the national average. While most of these cases go to the Youth Court, only a small percentage result in criminal prosecution.

Many activities are performed under the MCAC project. Psychological hard data is collected on children who have been determined to be victims of child sexual abuse, have a supportive non-offending parent or guardian, and may testify in court. The parent or guardian fills out the Child Behavior Checklist, a Conner's Rating Scale, and a Child Sexual Behaviors Inventory. The child's primary teacher is asked to complete the Conner's Teacher Rating Scale to provide corroborative data. The child victim completes a Child Depression Inventory and a personality inventory. This data is scored and analyzed for each child, and the results are included in the child's clinical summary report. Summary data on cases is compiled and kept as a database for reference.

The psychologist at MCAC develops the curriculum and recruits members for the non-offending guardian group. Group members are accepted from the MCAC caseload and through referrals from community and criminal justice agencies. Group members must be willing to attend meetings and read all distributed materials. A questionnaire is completed upon entering and exiting the group to assess the knowledge gained.

The psychologist develops the curriculum and recruits members for the court preparation group. Child victims who are required to testify in court are selected for this group. The group lasts several weeks and includes: actual courtroom visits with the child; age-appropriate education on the court system; a forum for exploring fears about the legal process and how to overcome those fears; parent-child sessions to exchange ideas and educate parents on what they can do to support their child; and a class about what to expect on the trial day. Prosecutors, victim/witness coordinators, and judges are invited to speak to this group.

Training is provided for professionals working with child victims of sexual abuse. This training includes learning successful interviewing skills, speaking the language of children, and running multidisciplinary processes. Training is given on using the Children's Advocacy Center.

The Mississippi Children's Advocacy Center staff consists of two full-time therapists, one part-time therapist, a program director, and an administrative assistant. Collegiate-level interns in related fields are used when available.

## **Results and Impact**

### ***Performance Measures***

The areas outlined for this project are evaluated as follows:

- the number of child sexual abuse victims who have completed the data requested and the number of completed clinical reports for these same children;
- the results of non-offending guardian groups is counted and based on entry and exit questionnaires;
- the results of the Court Preparation Groups are recorded;
- the surveys assess the effectiveness of the two types of groups; and
- a summary of each training program is prepared indicating attendees and their backgrounds, along with a rating questionnaire to assess training effectiveness.

### ***Implementation Problems and Successes***

One problem with the program was a lack of collaboration. Another problem was opening the educational system to volunteer information about the children to the court system or the psychologist.

### ***Successes and Accomplishments***

The impact to date for this project has been extremely pleasing. The MCAC helped implement and participates in a multidisciplinary team in the three metro counties that make up its primary service area. Training and consulting has provided improved handling of child victim cases in the child protection and criminal justice fields. There is a fluid line of communication with area law enforcement to respond to their needs related to investigations. There are at least 25 hard data cases evaluated in a project year to meet objectives and provide a foundation for the creation of a data base.

### ***Prospects for Replication***

The program, one of 140 centers across the country, is easily replicated. To be successful, a center must meet the needs of its community. Each center is slightly different to accommodate each community, but the goal to create a multidisciplinary environment that supports the abused child is the same. A full member of the National Network of Children's Advocacy

Centers is required to make a site visit to a proposed member center, perform an evaluation, and present the evaluation findings before the Board of Directors of the Network before a center is accredited.

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# Mississippi

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## *South Mississippi Family Child Center's Child Victim/Witness Program*

### **Statement of the Problem**

In 1994 there were 17,332 reports of child abuse and neglect in the State of Mississippi, and this figure is only part of the total number of children who were victims of crime. These children must undergo the same procedures as adults who report crimes to law enforcement agencies. As a result, these victims of child abuse are frequently revictimized by the criminal justice system, which is insensitive to the needs of children and to the fragility of child abuse victims.

In addition to the problems that these children may initially encounter at intake, the services that are available to children and their families at that time are frequently overlooked. A law enforcement officer answering a call in which the victim is a child is often not aware of services which can meet the immediate needs of the victim and his/her family. Many crimes against children are not defined as "child abuse," and these victims are not afforded therapeutic and compensatory services because they have not been informed of the availability of these services.

To aid in the handling of these cases, it is imperative that coordination exist between Criminal Justice and Human Services investigators at an early stage. This collaborative community effort helps to ensure that the child victim receives all available and needed services within the community. Child abuse investigators and caseworkers are stretched to the limit in handling the overwhelming numbers of cases of crimes against children reported annually. Coordination among all involved agencies will help increase both the efficiency and effectiveness of the investigation, as well as reducing additional pain and trauma inflicted on the children.

### **Goals and Objectives**

The South Mississippi Family Child Center's Child Victim/Witness Program has three primary goals: (1) to reduce crime; (2) to improve the prosecution of child abuse cases; and (3) to ensure that the needs of the victim and his/her family are met.

The first goal, the reduction of crime, may seem lofty for a small, non-profit agency. However, it has been well-documented and studied over the past several years that the present prison and youth correctional facility population reports profound abuse and neglect in their

childhood. A child who is protected by a responsive judicial system is less likely to become tomorrow's threat to society.

The second goal of this program is to improve prosecution of cases of child abuse. It is imperative that the court be presented with a child witness that is able to testify and understand the roles of the various players in the criminal courtroom. A credible witness continues to be required for successful prosecution of crimes.

The third goal is to ensure that the needs of the victim and his/her family are met. The center continues to enhance, refine, and provide services to child victims and their families. Every victimized child who does not receive needed medical treatment, mental health care, protection, and closure (by the criminal justice system) is at-risk of becoming a threat to society.

The objectives of the South Mississippi Family Child Center's Child Victim/Witness Program are listed according to the three components of the program. The objectives of the **Multidisciplinary Team Program** are to:

- coordinate at least 600 investigations between law enforcement and the Department of Human Services during scheduled team meetings;
- provide community and professional referrals to 500 child victims of crime;
- provide documentation of team recommendations on at least 500 cases involving child victims and restaff cases periodically until all recommendations have been followed through;
- maintain case data on 800 child victims;
- attend and document 142 team meetings each year; and
- schedule an agenda and mail it to team members in order to inform members of felony child abuse cases to be staffed prior to the scheduled meeting.

The objectives of the **Court Orientation Program** are to:

- provide court education services to 200 child victims of crime and their families;
- decrease anxiety and fear associated with the criminal justice process for 300 child victims;
- provide pamphlets, coloring books, and literature on testimony and the courtroom experience to 450 individuals;
- recruit and provide training for six volunteers to work with the court orientation program;
- assign volunteers to accompany child victims to court in 200 pending felony child abuse cases; and
- provide pertinent information involving their cases to 300 victims and their families.

The objectives of the **Child Advocacy/Law Enforcement Training** are to:

- provide an assessment of the victim's and family's needs and to make appropriate referrals to community resources for the provision of treatment and personal necessities to 300 child victims within the first two weeks following a crime;
- develop a community resource book and distribute to all police officers in the service area;
- develop a standardized protocol in cooperation with all local criminal justice agencies for law enforcement officers to use in the field when answering a call in which the primary victim and/or witness is a child;
- make available and assist in using the electronically equipped child victim interview in crime investigations in 200 instances;
- provide direct training to law enforcement officers at the area academy and continue in-service training concerning juvenile justice issues at police stations within the service area;
- assist the guardians of child victims in the completion and filing of victim compensation applications;
- provide an initial assessment to ascertain the needs of the victim and supportive services in the form of weekly visits to the homes of 200 child victims of crime during their involvement with the criminal justice system; and
- provide an annual one-day conference for 500 area professionals who work within the Criminal Justice and Human Services fields.

## **Program Components**

**Multidisciplinary Team Program** The team meetings are held between one and four times a month. The actual duties performed by the Program Director and Center Director for the Multidisciplinary Team Programs are as follows:

- coordinate bi-monthly meeting in each county;
- plan with staff of each District Attorney's Office;
- prepare and disseminate weekly case dockets to be reviewed in each county;
- prepare written summaries of team meetings and disseminate summaries to each organization involved;
- maintain case summaries;
- maintain contact with the organizations involved;
- serve as a liaison between the team, law enforcement agencies, and the community;
- maintain a treatment resource list and invite therapists and law enforcement to present and discuss individual cases;

- perform victim advocacy tasks, such as the observation of criminal and family court hearings;
- participate in public awareness efforts; and
- provide an annual conference.

**Court Orientation** Each child is worked with on an individual basis as well as in group activity. The Court Education Program Director is responsible for the following duties:

- coordinating sessions with the District Attorney's Office;
- facilitating interactions among involved area professionals;
- training and supervising program volunteers;
- maintaining pertinent program data and statistical information which measures or otherwise indicates program effectiveness and will serve as a statistical data base for similar programs as initiated;
- serving in a consultative capacity jurisdictions interested in initiating similar court education programs across the State;
- developing a tracking system for all participants completing the Court Education Program for the purpose of comparison to the general population in determining long-range effectiveness of the program; and
- planning and scheduling for a child advocate to be involved throughout the continuum of services.

**Child Advocacy/Law Enforcement Training** The present procedure reflects that child victims do not come into contact with the Victim/Witness Coordinator until the case reaches the District Attorney's Office. This is sometimes months after the original trauma, long after intervention and therapy should have begun. By increasing and enhancing the child advocacy portion of this program, these problems can be avoided in the future. Additionally, this program provides training and support for the officer in the field who is often the first contact the child victim has with the criminal justice system. Program staff are responsible for the following child advocacy tasks:

- technical assistance to personnel regarding the use of the child victim interview room including how to conduct the interview;
- direct training to law enforcement candidates at the area police academies;
- development and implementation of continuing in-service programs to train law enforcement officers at their local stations;
- development, printing, and dissemination of a child victims protocol to assist law enforcement in conducting their investigation;
- intensive, in-home intervention to child victims and their families during the course of their involvement with the criminal justice system;
- preparation of victim compensation applications;
- initial visit, assessment and referral to mental health, medical, and human service agencies within the first month of the complaint;

- consultation services with law enforcement investigators actively involved in the on-going investigation of current child abuse cases awaiting presentation to the appropriate court;
- mediation between the victims and the criminal justice system, as needed;
- development of an evaluation of the program; and
- development of a community referral source book specific to the county for distribution to local law enforcement officers including all area human services, service organizations, private and public therapists, and financial resources including church organizations and other non-profit agencies that are available to provide assistance to people in need.

## **Results and Impact**

### *Performance Measures*

Statistics will be continually compiled during the course of 1995. This will enable measurement of program effectiveness. This will also serve to produce a data base for the innovative Court Education Program that has been developed for the South Mississippi area. Documentation will also be kept on all cases staffed through the Multidisciplinary Team to enable case tracking and measurement of re-victimization of child victims. A case file will be maintained to document each instance of early intervention. Statistics will be documented monthly.

The Court Administrator's Office has offered technical assistance in measuring the successful prosecution of cases involving child victims that have been staffed by the Multidisciplinary Team. These statistics will give data as to the response time and treatment time involved in all staffed cases. It is the goal and plan of a team approach to shorten response time and the length of time between the crime occurrence and trial disposition.

The Court Education Program is designed to make the process of going to court easier for child victims by educating them about the court process. Each child participant will be given a pre-test before beginning the program and a post-test at the conclusion of the program which will measure their increase of knowledge concerning the local court systems as well as the reduction of their anxiety about the pending trial. Court data will provide information on the number of children successfully testifying in court cases after completing the court education program.

The child advocacy project will be evaluated using standard measures of increases in objective understanding of their role in the criminal justice system. This measurement tool will be developed and enhanced during 1995. Subjective evaluations of decreased anxiety in both child victims and non-offending caretakers will also be used.

A questionnaire will be developed to be completed by law enforcement officers receiving training or assistance from this program. An additional questionnaire will be developed for completion by the victim and his/her family to measure satisfaction with the responsiveness and services provided by this program. Statistics will be gathered on prosecution results and time frame between report and imposition of the case by the criminal justice system. Statistics will also be kept on successful prosecutions, guilty pleas to a lower charge, and exoneration.

### ***Implementation Problems and Successes***

The South Mississippi Family Child Center's Child Victim/Witness Program evolved slowly over a period of six years. Prosecutors were reluctant to try offenders because children were considered unreliable witnesses. Child victims were so traumatized by the repeated interviews by the various agencies involved with child protection that they often were unable to testify at trial. Law enforcement officers and Department of Human Services workers felt that the courts were not interested in these crimes, and so justice was withheld. Finally there was acknowledgement that the needs of the child victims had to be discussed.

In the past five years, these two components of the Child Victim/Witness Program have been in place, but it was still noted that the victims often did not get assistance from the Victim Compensation Program. In addition, there was not sufficient follow-up to determine whether or not the child victim actually received the supportive services required to overcome his/her trauma. In 1995 implementation of the Child Advocacy/Law Enforcement Training Program was begun to ensure that children's fundamental needs are met. This year the child advocacy tasks are performed primarily in Harrison County as a pilot project.

### ***Successes and Accomplishments***

Since its inception, the Child Victim/Witness program has expanded to encompass five circuit court districts in the southern region of the State. Over 600 children have attended the Court Orientation Program, and over 5,000 felony cases of child abuse have been staffed. This program has been presented at the National Organization of Victims Assistance, the National Center on Child Abuse and Neglect, and the Exchange Foundation's annual conference. The program has also been presented at three in-State conferences, one of which was the Mississippi Prosecution Association's annual conference. The program has additionally offered a regional Child Abuse Conference for the last two years and is in the midst of planning the third.

### ***Prospects for Replication***

The Court Orientation Program is adaptable to any court system. It is a program that could be easily established by an interested District Attorney and his Victim/Witness Coordinator. This center has acted in a consultative capacity to other jurisdictions, both within and outside Mississippi, that have desired to implement such a program. Development of this program requires the cooperation of local law enforcement agencies as well as Youth Court, Department

of Human Services, and area prosecutors. It is important to build a strong network of inter-agency cooperation, and a strong Multidisciplinary Team project is an excellent place to begin.

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# Montana

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## *Victim/Witness Assistance Program*

### **Statement of the Problem**

In 1993 the Gallatin County Attorney recognized that his deputy county attorneys were unable to meet all the needs of crime victims, especially victims of violent crimes such as rape, assault, homicide, and domestic abuse. Because of their increasing caseloads, the deputy county attorneys were able to spend less time with victims, resulting in victims who did not fully understand their role in the court process, who were less prepared for court proceedings, and who were in some cases re-victimized by the system that was supposed to help them.

A grant proposal was submitted to the Montana Board of Crime Control for funding from the Edward Byrne Memorial State and Local Assistance Formula Grant Program for a half-time Victim/Witness Assistant to remedy this situation. A half-time coordinator was hired in August 1993 to assist 80 victims of misdemeanor or felony cases involving injury or threat of injury at the justice court and district court levels during the first year. Demand for the services was greater than anticipated: 105 primary victims, 65 secondary victims, and 24 witnesses received services the first year. The Bozeman City Attorney's Office requested the program, and the second year (1994-95) a grant was submitted and approved for a full-time coordinator who assists victims of violent crime in the City of Bozeman as well as in the county.

### **Goals and Objectives**

Four goals are identified for the joint city/county project. The first goal is to improve the involvement of victims and witnesses in the criminal justice system by providing a full-time assistant to serve as a liaison between the victims and witnesses and the criminal justice process. The second goal is to increase community awareness of the criminal justice system and the needs of victims and witnesses and their families, by providing education to law enforcement, judges, and other participants in the criminal justice process. The third goal is to expand the number of victims and witnesses being served by Gallatin County and the City of Bozeman through the recruitment and training of screened volunteers to work directly with victims and witnesses. The fourth goal is to encourage increased cooperation between Gallatin County and the City of Bozeman in the areas of law enforcement and the judiciary through joint sponsorship of the Victim/Witness Assistant.

To achieve these goals the Victim/Witness Assistance Program has established the following objectives:

- maintain the current Victim/Witness Assistant position full-time;
- assist the County Attorney's Office and the City Prosecutor's Office by keeping victims and witnesses informed of the judicial process;
- identify and prioritize the cases to be served by the Victim/Witness Assistant and notify all interested parties in the county of the benefits and opportunities of the program;
- assist 150 victims and witnesses in cases involving physical injury or the threat of physical injury such as homicide, assault, domestic abuse, stalking, and victims and witnesses of property crimes in cases when the services would be appropriate;
- recruit, screen, train, and coordinate volunteers as needed;
- secure an intern from Montana State University to work with the Victim/Witness Assistant to assist the Montana Board of Crime Control with developing a restitution program for victims in Gallatin County;
- train a minimum of 30 law enforcement officers on victims' issues and increase awareness of victims' needs; and
- train local city, justice, and district judges and Battered Women's Network volunteers on victims' issues and victim/witness services available.

## **Program Components**

A project team was formulated to review and monitor the program. The team has 12 members and includes the county attorney, the city prosecutor, the sheriff, a Bozeman Police detective, a county commissioner, a representative from Alcohol and Drug Services, a staff person from the Battered Women's Network, a former victim of stalking, and a homicide survivor. During the first year of the grant, the team met monthly and is now meeting every other month. This interdisciplinary approach to problem solving has led to greater cooperation between members of the criminal justice system.

A full-time Victim/Witness Assistance Coordinator is available to victims and witnesses from an office in the County Attorney's Office in the Law and Justice Center in Bozeman. Services include: crisis counseling, information and referral, criminal justice advocacy, assistance with crime victim compensation, court escort and support, transportation to court, assistance filing

temporary restraining orders, property recovery, assistance with victim impact statements, providing witnesses with a secure waiting area during court proceedings, parole notification, and advocacy for victims on all levels. Services are provided at no cost and are voluntary in nature. Referrals are received primarily from prosecutors and law enforcement officers but are accepted from any source. An ongoing prosecution is not necessary for services to be offered.

Five volunteers were trained in February and March 1994. A six-month commitment was requested, and all volunteers have continued with the program. An intern from Montana State University is working with the coordinator full-time for summer semester 1995 to help develop a restitution program for Gallatin County. The new State Restitution Officer from the Board of Crime Control is working with them to come up with a workable, creative system that will better meet the needs of victims.

A Notice of Rights and Services form was created with input from the project team and is now given to each domestic violence victim at the scene by law enforcement officers. The Victim/Witness Assistance Program receives a copy of the form. The coordinator assigns a volunteer to call the victim within 24 hours to offer services. With this phone outreach, there has been a noticeable increase in victims obtaining restraining orders and supportive services that enable them to make positive changes in their situations.

Mandatory Bozeman Police Department (BPD) training on victims' issues and the Victim/Witness Assistance Program was provided in January and March 1995. There has not been a mandatory Sheriff's Department training due to budgetary constraints for overtime for that department. Officers were invited to the BPD training sessions and a few attended. Twenty-four Bozeman police officers completed the initial two-hour training. More law enforcement training is planned for the next fiscal year.

There has been no formal judge training initiated at this time. Informal one-on-one conversations with some of the judges has been somewhat productive. More work needs to be done in this area.

The coordinator meets with the Battered Women's Network staff on a monthly basis to coordinate services. Training to Battered Women's Network volunteers is provided at training sessions twice each year.

The coordinator has spoken to a number of different groups about the Victim/Witness Assistance Program and victims' issues. There were ten public speaking engagements during the first year, and there have been 12 so far in the 1994-95 year. A number of newspaper articles have raised public awareness of this issue. A member of the Project Team testified at the legislature about her experience in the criminal justice system prior to the availability of the Victim/Witness Assistance Program, and a new comprehensive victims' rights package was signed into law in Spring 1995.

## **Results and Impact**

### ***Performance Measures***

Data is collected by the Victim/Witness Coordinator on an ongoing basis and is reported to the Montana Board of Crime Control in quarterly reports and an annual report. Data collected includes: 1) number of primary and secondary victims receiving services; 2) types of crimes; 3) contact hours spent with victims; 4) nature of contact; 5) types of services provided; 6) percentage of cases in which alcohol or drugs were involved; 7) demographic data on victims served; 8) types of training activities; 9) number of witnesses served; and 10) number of volunteer hours.

An Evaluation Form for Victims and Witnesses is mailed to each person served when cases are concluded. This includes eight questions regarding service delivery that the victim rates on a five point scale, as well as two open-ended questions and space for additional comments.

### ***Implementation Problems and Successes***

The primary implementation problem has been effective use of the volunteers. There is limited space available so that much of what they do is phone outreach to domestic violence victims from their homes. It was difficult to have sufficient time for training and supervision when the coordinator was working half-time. It would have been more productive to work the volunteers into the program once it had been operating for two years rather than bringing them in during the disorganized, beginning stage.

Another implementation problem occurred the first year when the Victim/Witness Assistant was only a part-time employee. The demand for services quickly overwhelmed the time available to provide the services, and the Victim/Witness Assistant had to be hired full-time.

Being located in the County Attorney's Office has been a mixed blessing. While the attorneys and their files are accessible, the proximity to the attorneys is intimidating to the victims and witnesses.

### ***Successes and Accomplishments***

The most successful component of the program is the Project Team, which has increased communication and cooperation between law enforcement, prosecution, and private human service agencies serving victims. It has turned into a creative forum for addressing victims' issues and ensuring that victims are allowed to take an active role in the criminal justice system. Law enforcement officers now ask the Victim/Witness Assistant for her help at the beginning of cases.

Approximately 500 victims and witnesses of crime have received assistance since the beginning of the program. This includes 295 primary victims, 110 secondary victims, and 92 witnesses.

Over 90% of these individuals were involved in a violent crime. Twenty-seven law enforcement officers have been trained on the use of the victim/witness services available and on victims' issues. Five volunteers have been recruited, screened, and trained and now provide direct assistance to victims and witnesses. At an awards luncheon during National Crime Victims' Rights Week, the volunteers with the Victim/Witness Assistance Program were recognized, and there was very positive press coverage which increased the public's awareness of this program and victims' issues.

### ***Prospects for Replication***

There have been several requests from other county attorney offices throughout the State of Montana for this program. The service has already been made available to the City of Bozeman. All of the data forms, training materials, and informational materials have been given to the Montana Board of Crime Control and disseminated when requested. Research is underway to sponsor legislation to add a victim fee to criminal charges which could conceivably pay for victim services in every court system in the State of Montana.

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# New Mexico

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## *Jicarilla Apache Tribe Domestic Violence Program*

### **Statement of the Problem**

Domestic violence is a significant problem among New Mexico's Jicarilla Apache Tribe. The Jicarilla Apaches' Tribal Domestic Violence Code defines domestic violence as all forms of familial violence including spouse abuse, child abuse, elder abuse, and abuse between individuals who may not have been married but have a child together. Before adopting the code and hiring a domestic violence clinician and client advocate, the tribal police department and tribal court did not uniformly categorize cases of domestic violence. Accurate data were not available until the inception of the Domestic Violence Program in July 1993 and subsequent implementation of the code. According to tribal law enforcement records, 134 victims of domestic violence were referred to the Domestic Violence Program from July 1993 to January 1994. Arrest records show that 70 offenders were arrested during the three-month period from October 1993 to January 1994.

The Jicarilla Mental Health and Social Services Department has tracked significant diagnostic and functional data from the community including mental health-related diagnoses and suicide data. Thirty-eight percent of clients seen by department staff were dually diagnosed with alcohol or substance abuse and a mental health problem. Sixty-three percent of the clients with mental health problems fell into the diagnostic category of family, relationship, and parent-child issues which includes domestic violence and child abuse.

An analysis of all mental health diagnoses determined that children and youth under the age of 22 represented 35 percent of the diagnostic category population for family, relationship, and parent-child issues. Additionally, children and youth under age 22 composed 19 percent of patients in the same diagnostic category.

Service providers concede that the incidence of domestic violence is much greater than program data reflect. Many incidents of family violence are not reported, and victims often seek medical services from facilities off the reservation. Furthermore, the overall high incidence of alcohol abuse within the community is an extremely salient environmental risk factor. Although the impact of alcohol abuse is difficult to quantify, health care staff consider it a major cause of injury and illness.

## **Goals and Objectives**

The main goal of the Domestic Violence Program is to establish an integrated, comprehensive, community-based, service delivery system sensitive to the cultural needs of the community. This system encompasses direct and support services that are family-focused and community-centered to enhance family functioning and reduce incidents of family violence.

The program's efficacy is contingent upon the development of multisystem collaboration that provides continuity, respect, and a single point of access for families. The program objectives are directed toward enhancing the criminal justice system, with particular emphasis on developing a supportive environment for victims. They include:

- improving the criminal justice system response to domestic violence situations;
- refining the reporting of domestic violence incidents;
- enhancing and expediting the justice system's handling of domestic violence cases;
- developing a treatment system of family-based services; and
- enhancing family functioning to decrease incidents of domestic violence.

## **Program Components**

The Jicarilla Apache Tribe administers the Domestic Violence Program through the Jicarilla Mental Health and Social Services Department. The comprehensive, multifaceted department provides prevention services at primary, secondary, and tertiary levels. Besides the Domestic Violence Program, the department operates parenting programs; a peer assistance and leadership program for youth in grades nine through twelve; fetal alcohol syndrome/fetal alcohol effect home-based services and primary prevention programs; a suicide prevention program; medical social services; and a child abuse prevention program.

Department staff consist of a director, clinical psychologist, one masters'-level clinician, one bachelors'-level clinician, four paraprofessionals, and two support staff. The Domestic Violence Program provides a variety of community-based, family-focused services including:

- revising the juvenile code and developing a protocol for handling sexual abuse cases;
- developing protocols for domestic violence and child abuse in coordination with law enforcement and the tribal court;
- providing training for law enforcement, courts, and service providers to ensure that protocols are understood and can be executed;

- providing community awareness and prevention materials to inform the public about the cycle of abuse;
- developing data collection methods to substantiate the problem and improve service delivery;
- creating accessible channels and mechanisms for reporting incidents of domestic violence;
- developing information packets for victims;
- providing relevant cultural and community clinical services to families, including individual, family, and couples counseling; a male perpetrators group; a victims support group and assistance; evaluations; crisis intervention; client advocacy; and arroyo outreach;
- coordinating services with community and State resources; and
- providing information and referrals.

## **Results and Impact**

### ***Performance Measures***

Hiring professional staff and community members to develop, coordinate, and implement the program has been integral to the creation of viable networks and effective mechanisms for systemic change. Having more accessible channels for reporting incidents of domestic violence has encouraged reporting and decreased the rate of recidivism. Early interventions and more refined data collection methods should uncover additional benefits.

The program will be evaluated using three dependent measures: community awareness, community change, and client change, as determined by a six-month follow-up. Performance indicators include:

- number of referrals to the program and identification of the referral source (i.e., court, police, self-referred, or other service provider);
- number and type of training sessions conducted and participants' evaluation of the training;
- number of articles in the local newspaper and public service announcements on a local radio station;

- client satisfaction survey, to be administered quarterly;
- new policies, protocols, and services that have been developed;
- development of a data collection system;
- client records that include precipitant factors; and
- six-month follow-up to determine recidivism and severity of abuse.

### ***Implementation Problems and Successes***

The initial number of referrals to the program was greater than expected resulting in a delay in the implementation of activities such as protocol and data collection development. Training of a community member as a client advocate was viewed by the community and staff as an integral component, however, due to the initial number of referrals, the training was not as comprehensive or systematic as originally planned. Another obstacle has been in obtaining continued funding for Domestic Violence Program staff positions. Lack of funding for the Client Advocate position resulted in the termination of this position for approximately eight months, causing other staff to assume some of those responsibilities until additional funding was obtained.

Procedures for handling domestic violence cases are complicated by jurisdictional issues which arise as a result of being on a reservation. Tribal police, BIA investigators, FBI, State police, and County police are agencies which may become involved in domestic violence disputes. The Domestic Violence Program staff have coordinated efforts with the Tribal Court and law enforcement to develop protocols for handling incidents of domestic violence. However, the attrition rate among Tribal Police necessitates ongoing training on issues related to domestic violence.

Another problem is that the Dulce Health Clinic is not open evenings and weekends. Individuals seeking medical attention after traditional work hours are either seen by emergency medical technicians or drive significant distances to Farmington, Albuquerque, or Santa Fe. These distances must also be traveled to access shelters and safe houses. There is an insufficient number of foster homes, no shelters or safehouses within a reasonable distance, and limited access to telephones. In the event an individual is taken to a shelter, there are no transitional living facilities in the community. A lack of housing within the community often necessitates victims returning home to perpetrators.

### ***Successes and Accomplishments***

The greatest success has been the acceptance of the program by the community, including the tribal leadership. The number of self-referred victims, perpetrators, and first-incident reports

has increased. Coordination and cooperation among service providers have also increased, and gaps in service delivery have been identified.

Before the Domestic Violence Program, family violence remained a community secret. The incidence of family violence was unknown, and no services existed specifically for victims or perpetrators. As a result of this program, victims report feeling protected from disclosure by the system. With support from the tribal council, the program created a training and education video on domestic violence specific to the Jicarilla Apache Tribe. Victims of abuse have volunteered to help other victims and receive training. This program has been accepted as a community effort that provides culturally relevant services.

### ***Prospects for Replication***

This model is replicable within any community, so long as all segments of the community participate in the program's development. The community must identify culturally relevant services.

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# North Dakota

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## *Stutsman County Victim/Witness Assistance Program*

### **Statement of the Problem**

"Everybody has been so nice to me and everybody is really trying to help me, but I am really nobody's job." This comment was made by a crime victim in North Dakota. Unfortunately, victims of crime often feel as though they slip through the cracks of the criminal justice system. It was evident that more needed to be done in North Dakota to assist victims/witnesses of crime. In 1986, the North Dakota Commission on Victims and Witnesses of Crime was established through the combined efforts of the offices of the Governor, Attorney General, and Supreme Court. Recognizing that victims and witnesses are an intrinsic part of the criminal justice system, the Commission's work concluded when the 1987 session of the North Dakota Legislature passed twenty-one bills that pertain to the rights of victims and witnesses of crime. The principal statute, "Fair Treatment Standards for Victims and Witnesses of Crime," and the accompanying law "Child Victim and Witness Fair Treatment Standards," focused on the rights of these individuals and placed certain responsibilities on each agency of the criminal justice system.

In 1988, Stutsman County received a substantial private donation from a local woman whose daughter and granddaughter were brutally murdered in Washington State. After receiving help from a victim assistance unit there, her wish was to make sure local crime victims were also cared for. With approval from the County Commission, a Victim of Crime Act (VOCA) grant proposal was submitted for the remaining funding, and a specialized program within the State's Attorney's Office was implemented in December, 1988 with the hiring of an advocate. In 1989 the Stutsman County Victim/Witness Assistance Program received a BJA grant which has since completed its funding cycle. However, BJA has lifted the four-year limitation on Victim/Witness programs and it is expected that the program will reapply for BJA funding next fiscal year.

### **Goals and Objectives**

The goal of the Stutsman County Victim/Witness Assistance Program is to improve the treatment of victims and witnesses of crime. This is accomplished by: (1) providing victims/witnesses with the assistance and services necessary to speed their recovery from the criminal act; (2) and supporting and aiding them as they move through the criminal justice process.

Specific program objectives include:

- insure victims'/witnesses' continued involvement throughout the criminal justice process;
- help law enforcement, prosecutors and the courts in identifying and responding to the needs and concerns of the victims and witnesses of crime;
- increase the commitment of State and local governments to do all that is possible to help victims and witnesses of crime;
- increase the range and availability of services for victims and witnesses of crime;
- expand the victims' and witnesses' opportunity to participate at all critical stages of the criminal justice process, and to ensure consideration of the impact of the crime upon the victim in all major criminal justice decisions;
- increase coordination and networking of all appropriate agencies, organizations and groups providing services to victims/witnesses of crime in order to develop an integrated community support system.

## **Program Components**

The Stutsman County Victim/Witness Assistance Program is staffed with one advocate and is a prosecutor-based program. The program is housed in the State's Attorney Office, located in the County Courthouse in the City of Jamestown. Two prosecutors are on staff, and two district judges are chambered there. Attached to the courthouse is the new combined Law Enforcement Center. Located within the Law Enforcement Center is the eight-member Sheriffs' Department, twenty-eight member Police Department, a district office of the State Highway Patrol, and two agents of the Bureau of Criminal Investigations. The advocate is considered a part of the criminal justice system, and the physical location of the program allows accessibility and collaboration with all personnel who may become involved the case. The current advocate is a licensed peace officer and former city patrol officer who receives excellent cooperation from these agencies. This greatly enhances the program, allowing it to help these agencies in their response to victims/witnesses of crime.

Referrals are received from law enforcement, the courts and/or State's attorney, hospitals, schools, and various community agencies. Approximately 40% of these referrals are victims of domestic violence. The advocate engages in a variety of activities pursuant to the North Dakota Fair Treatment Standards statute, expanding the victim's opportunity to participate at all critical stages of the criminal justice process and ensuring consideration of the impact of the crime upon the victim in all major criminal justice decisions. This may include: helping

to secure interviews of those required to testify at trial; maintaining contact with the victims/witnesses; offering emotional support and referrals to other agencies/organizations; notification of case status; familiarizing witnesses with the courtroom and courtroom procedures; and generating information and understanding of the criminal justice system and procedures as a whole. In effect, the advocate acts as the eyes, ears, and voice of the victim at each critical stage of the criminal justice process. This includes securing victim impact statements to present at sentencing and speaking to the judge in court proceedings to express the wishes of the victims. Court related services include: acting as the support person and sitting on the witness stand with child witnesses; arranging child care and transportation; and affording secure waiting areas for the victims/witnesses and their families. Assistance is also provided to those seeking disorderly conduct restraining orders and child protection orders from the District Court, in debriefing jurors after a particularly stressful case, and in preparing child witnesses for court.

## **Results and Impact**

### *Performance Measures*

The expected results are to see greater cooperation by victims and witnesses and insure their continued involvement throughout the process. The program attempts to generate a greater understanding and feeling of satisfaction about the criminal justice process in order to assist the victims/witnesses recovery from the criminal act. This is accomplished by helping the system respond more favorably to the victims rather than inadvertently re-victimize them.

The stated outcomes/performance indicators are: number of victims served; number of hours of direct services provided; types of outreach services provided; cooperation received from other agencies; and requests for presentations/training on victim services;

### *Implementation Problems and Successes*

The biggest hurdle in implementing the program was having the agencies of the criminal justice system understand what services the program could offer to them and to the victims/witnesses with whom they come into contact. There was some initial confusion about the advocate being an investigator of the State's attorney and therefore able to interview the potential witnesses. Conducting in-service training sessions about the role of the advocate cleared up this confusion. Judges needed to be educated that the position was not meant to supervise them and could help them in their responsibilities to victims/witnesses of crime. Having an advocate who was a veteran police officer and known to all parties involved did much to establish the cooperation necessary to make the Victim/Witness Program a success. Having the program as an extension of the State's Attorney's Office also increased the credibility of the program. As the program developed, the agencies became more dependent on the program to assist them in their response to victims/witnesses. Referrals are received from all agencies, including some defense attorneys. Requests for presentations continue, and

training is provided to law enforcement locally and at the North Dakota Law Enforcement Training Center.

Funding continues to remain an unstable issue. The budget reflects only salary and travel expenses for the advocate. The State's Attorney's Office handles other office-related expenses. Grants are continually sought, and the offender fee assessments are an important funding mechanism. However, without the cooperation and financial support of local governments, the program would probably not succeed.

### ***Successes and Accomplishments***

Judges have been excellent at assessing fees on convictions to help fund the program. Judges began to see the program as directly related to the court system. The disorderly conduct restraining papers, which are prepared by the Advocate, have been a successful component because they have allowed the advocate to represent the victim's wishes concerning their preferred method of conflict resolution. Jury debriefings have had a slow start, but a grant will be written this year by the North Dakota Victim Assistance Association to begin a statewide plan and develop procedures on helping jurors in high profile and stressful cases. Judges have been requesting more Victim Impact Statements before accepting plea agreements and prior to sentencing. The Advocate is also taking a more important role at bond hearings, speaking to the judge on behalf of the victims.

Law enforcement and the prosecutors believe the program assists them with their workload. A better understanding of the criminal justice process and more satisfaction with that system is seen by the victims/witnesses. Greater cooperation is achieved and, therefore, better cases are being tried in the courts.

Approximately 150 victims/witnesses are served per year by the Victim/Witness Assistance Program. Many more inquiries are received from persons currently not involved in a criminal matter but looking for referrals and/or advice.

### ***Prospects for Replication***

No area is too large or too small for this program. However, smaller communities make interagency cooperation easier to achieve. This program would be easy to implement in any agency of the criminal justice system. Office space, a telephone, and some office furniture are all that is necessary to begin. As long as the agencies are ready to cooperate and the advocate has a good working knowledge of these agencies' policies and procedures, the program should be a success.

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# Oregon

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## *Malheur County Multi-Disciplinary Team*

### **Statement of the Problem**

Traditional law enforcement and prosecution approaches to child abuse allegations often result in further trauma to victims and their families and ultimately result in unsuccessful prosecutions.

### **Goals and Objectives**

The goals of the program are resolution and healing for victims and protection of victims and the community. The objectives to meet these goals are:

- legally sound investigations;
- victim and family cooperation with prosecution;
- preservation of the family unit by maintaining the child victim in the home;
- offender accountability and acceptance of responsibility for criminal conduct;
- victim-sensitive investigation and law enforcement protocols;
- guilty pleas without trial;
- evaluation prior to sentencing for offenders;
- offender responsibility for restitution to the victim(s) and the community;
- community-based treatment which is reparative to the victim and ensures community safety; and
- reduction of recidivism.

### **Program Components**

Malheur County has a Multidisciplinary Team which includes representatives from law enforcement, the juvenile department, prosecution, parole and probation, the Children's Services Division, Adult and Family Services, Court-Appointed Special Advocate (CASA) Program, the local ministerial association, public health, mental health, an offender treatment provider, and public schools. The protocol includes investigation, prosecution, sentencing and probation policies and procedures, child fatality review, and sensitive case review. The Team meets weekly for two hours.

In the investigation protocol, investigators are required to attend special training in legally sound interview techniques and adopt the "Sixteen Steps" interview protocol. Investigators are directed to use particular procedures to ensure the comfort of the child. Investigators work as

a team and balance forensic needs with child safety and protection factors. Investigators are familiar with the treatment program and introduce the program to the victim's family and the offender in the initial interviews. Referrals are made to appropriate resources in the community, and a safety plan is developed. Offenders are required to leave the home or are arrested, if possible.

In the prosecution phase, several policies are in place to address the needs of victims. Defendants who are released prior to trial are restricted from any contact with their victims or other children. Offenders are not allowed to return to the home. Diversions, no contest pleas, and Alford pleas, pleas without admission of guilt based on acknowledgment by the defendant that the State's evidence is sufficient to convict, are not allowed. Defendants must enter a plea of guilty or admit to responsibility in a juvenile court to be considered for community programming. Offenders are not considered for community treatment after conviction at trial. Offenders must give a sound factual basis for their plea at the time of the plea. Plea bargains only bind the State to recommend probation if the offender is accepted for treatment in the court-approved offender program. Offenders must agree to pay all costs of their own and their victim's treatment and execute the treatment contract.

Persons who are pedophiles or preferential to children are too dangerous to treat in the community, and no effective treatment is available for them. Persons with lengthy criminal histories, serious drug and alcohol abuse problems, mental deficiency (personality and mental disorders, low I.Q.), and prior sexual offenses are generally not appropriate for community treatment. Evaluation for acceptance in the program must include a full battery of psychological testing. Offenders who use force, who lack a relationship with their victim, or who are in denial are not appropriate for community treatment.

The probation program includes intensive monitoring by a sexual offender probation and parole specialist. Polygraphs are required, at offender expense, on a quarterly basis. Offenders must agree to a strict "no-contact" provision which requires that offenders have no contact whatsoever with minors. Offenders must also complete a sexual history and make full and complete disclosure of all prior sexual victims. Victims disclosed in the history are contacted, if possible, and offered treatment. Most offenders begin probation with incarceration in jail, secure electronic confinement, and/or house arrest. Offenders must regularly attend all treatment groups, follow the contract and treatment plan, obey all conditions of probation, and complete any other treatment programs required, such as drug and alcohol abuse treatment. Arousal control is only offered upon completion of the clarification process. The offender prepares a clarification and delivers it to his victim, taking full and complete responsibility for his or her offenses. Preparation of a sexual history generally takes three to six months, and clarification 10 to 36 months. Strict compliance with all conditions is required, including payment of fees and court imposed financial obligations. Offenders must continue to provide for their families and abide by the no-contact provisions.

Offenders and victims are tracked through probation by the Team. The District Attorney receives input from the Team regarding release decisions, plea bargaining, sentencing, and

probation revocation. Team consensus and coordination of services to victims is generally achieved. Victims are notified of and consulted with regarding all phases of the prosecution and given the opportunity for input.

## **Results and Impact**

### *Performance Measures*

In cases handled according to protocol, the expected results are legally sound prosecutions and cooperation by victims and their families. Performance measures include an increased number of disclosures, a decrease in recantations, decreased foster and out-of-home placements, increased investigations resulting in prosecution, increased guilty pleas, fewer trials, successful completion of probation by offenders, and a lack of recidivism among offenders.

### *Implementation Problems and Successes*

This program and prosecution philosophy has evolved over time, with continual adjustments and changes. The present protocol was revised in 1993 and is undergoing revision now. This concept is being expanded to families in crisis due to a variety of factors. The Juvenile charging protocol was implemented in early 1993 and is still in the experimental stage.

Prior to 1989, the Team experienced two periods when the District Attorney's Office did not participate or cooperate with the Team, resulting in almost no prosecutions. This was probably due to the failure of the prosecutor to accept the immunity provisions necessary to effect the disclosure of all prior victims. This is generally viewed as a radical and foolhardy policy, but without it the program will not be fully effective for a variety of reasons. After 1989, the number of prosecutions increased dramatically, from less than ten a year to over thirty. In 1990, over sixty cases were prosecuted.

The program has been affected by lack of jail space, resulting in offenders absconding prior to trial or during probation. Most program failures are contact or treatment contract violations. No adult offenders have failed due to re-offense, although some failures due to failure to polygraph or absconding are most probably due to new offenses. In cases where the needs and concerns of the victim and family are addressed, offenders are more likely to enter a plea, be successful in treatment, and achieve clarification. Victims have suffered less trauma in the legal process with this approach, and the program has never failed to bring a victim through trial successfully. Victims want accountability above all else in most cases, and in many cases the guilty plea is a giant step towards healing.

With regard to offenders, their therapists cannot address treatment and community safety issues without knowing the full extent of the offenders' deviancy, arousal patterns, and deviant thought processes. Prior to using polygraph tests, offenders in the program disclosed an

average of 1.5 victims. After polygraph tests were required, the average went up to seven to nine victims.

Other implementation problems include uncooperative judges who would either incarcerate all sexual offenders or put them all in treatment; a lack of competent offender treatment programs; a lack of evaluations prior to sentencing; and mandatory sentences of incarceration which foreclose community treatment. Program staff have worked actively with other jurisdictions to overcome implementation problems.

### *Successes and Accomplishments*

Since 1989, approximately 200 cases have been prosecuted. Of the cases prosecuted, about 75% have resulted in a plea. Since 1989, less than fifteen cases have been dismissed outright. Of the cases going to trial since 1989, only four have resulted in non-guilty verdicts. Since 1989, no offenders placed in community treatment have reoffended. No persons who successfully completed the present offender treatment program have been prosecuted. Most offenders who fail the program do so in the early stages, and all have been incarcerated as a result. Confessions are obtained in about 50% of the cases, and in most cases in which the offender can be interviewed. The program's protocol was recognized by the Governor's Task Force on the Sexual Abuse of Children as a model protocol. Other jurisdictions have implemented all or part of the protocol and programs, and several are now using the juvenile charging protocol and reporting data.

### *Prospects for Replication*

This program can easily be replicated. The requirement of full and complete disclosure is necessary for both the victim and the offender to receive the best treatment possible. Inevitably, the offender will disclose far more than the victim. Child victims are often unwilling to disclose any more than necessary to stop the abuse, they may be non-verbal or disassociative, or may lack the developmental ability to understand what happened to them. Without full knowledge of what has happened to the child, the child's therapist is handicapped and spends a great deal of time trying to determine the extent and nature of the abuse, as well as the method used by the offender to gain the child's cooperation. In the case of offenders, their therapists cannot address treatment and community safety issues without knowing the full extent of the offenders' deviancy, arousal patterns, and deviant thought processes.

The primary fear of prosecutors is that an offender who has been convicted of a relatively minor crime will then disclose a much greater crime which they would be unable to prosecute. Good screening and evaluation of offenders is necessary. It is important to remember that for the most part, these are unreported crimes. They would not be prosecuted without this disclosure. Victims suffer due to lack of disclosure. Victims want accountability and appropriate punishment. They generally do not want to participate in a public trial. The reasons for this vary, but the safeguards the program employs satisfy victims. Offenders have plead guilty, are facing prison should they fail to comply, and are in a strict program. They

are required to pay for the victim's treatment, and if they fail probation, further prosecution will result. In order to break the cycle of child sexual abuse, intervention and treatment services must be offered to child victims.

In order to implement the program, all participants must share the philosophy and abide by the protocol. Judges must support the concept of community treatment and evaluation of offenders, and must not allow offenders to enter nolo contendere or Alford pleas. Judges must also support the concept that offenders who go to trial are not eligible for community treatment.

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# Pennsylvania

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## *Pennsylvania Coalition Against Domestic Violence (PCADV)*

### **Statement of the Problem**

Battered women and children are often uninformed about community and legal resources available to escape batterers and to safeguard themselves against recurring violence and enable them to achieve protected, independent lives. When battered women have evaluated their options and elected the legal remedy best suited to their needs, they often confront complex legal issues and proceedings without the benefit of counsel. Access to the courts may be constrained and outcomes deficient without the benefit of advocacy. Prosecution, court, and legal services staff have not been able to meet the demands of battered women for legal intervention. Demand has increased exponentially over the last decade, and it has far outstripped resources.

### **Goals and Objectives**

The Pennsylvania Coalition Against Domestic Violence (PCADV) is a non-profit agency that has engaged in advocacy on behalf of battered women and their children in the Commonwealth of Pennsylvania for almost 20 years. The Coalition is committed to advocacy as a principal strategy to improve the justice system and community institutions to assure that battered women and children achieve safety, autonomy, health, well-being, restoration, and justice. Legal advocacy, as undertaken by the 60 local domestic violence programs and the statewide organization, is broadly defined. It encompasses individual advocacy and systemic advocacy.

The objectives of legal advocacy are many:

- to assure that battered women are informed about the full array of legal options available to them;
- to assist battered women in developing safety plans;
- to enable timely, effective access to the justice system;
- to provide support and accompaniment for battered women as they proceed through the justice system;
- to enhance the quality of representation of victims; and

- to improve the outcomes for battered women participating in all aspects of the civil and criminal justice systems.

## **Program Components**

Individual and systemic advocacy occur in tandem. Advocates work with individual battered women and simultaneously work to reform and upgrade the legal system. Services are provided on a case-by-case basis and determined by PCADV advocates.

Advocates ask police for expedited intervention in specific high-risk households and for a system for quick response to all high-risk households. Advocates seek expanded investigation by a prosecutor into a particular crime of domestic violence, including identifying additional sources of evidence, and seek substantial reformation of the system of investigation and preparation of cases of domestic violence for plea-negotiations or trial. Advocates assist battered women in securing protective conditions on release at bail hearings and ask arraignment judges to establish protocols for the routine imposition of conditions of release in domestic violence cases. Advocates transport battered women to hearings and insist that courts provide safe, secure waiting rooms for battered women and children. Advocates familiarize individual women with the courtroom or courtroom procedures and persuade the courts or the district attorney to convene a court school for all victims of violent crime or applicants for protection orders.

Advocacy often includes assistance in preparation of petitions for civil relief, enrollment in victim notification programs, development of victims' impact and risk assessment statements, and fine-tuning practice guides for court, jail, and prosecution personnel who are responsible for processing the documents filed by victims. It also entails verifying that a protection order has been filed correctly in the statewide protection order registry so that enforcement can be effected should an individual batterer violate an order. It involves legislative initiatives to establish a statewide registry that is available 24 hours a day. Advocacy includes helping abused women determine a proposed visitation schedule and protective provisions for a custody conciliation conference and educating custody conciliators on the need for risk assessment and attention to protected custodial access in the context of domestic violence.

Advocates monitor the practice of individual judges who have been reported to be unresponsive to the applications of domestic violence victims for protective relief, offer those judges information about the impact of domestic violence, and devise domestic violence bench guides for dissemination to all judges. Advocates assist individual battered women in sensitizing the justice and human services systems to the dangers confronting them and the requisite interventions to safeguard women and their children. Advocates convene multidisciplinary county task forces of justice system personnel and social and medical providers to establish protocols and interface procedures. Advocates assist battered women in constructing and rehearsing safety plans both to assure protected participation in the legal arena and to buttress the legal protection provided by the courts.

At the State level, the PCADV engages in many activities for systemic reform. PCADV is working with the Administrative Office of the Pennsylvania Courts to develop data systems and uniform rules to fully accommodate reforms in the civil protection order statute. The program recently orchestrated a Continuing Legal Education seminar on the amendments to the statute with the Pennsylvania Bar Institute, the bar, and the bench. PCADV has taken the initiative to implement the "full faith and credit" provisions of the Violence Against Women Act. This project involves advocates in consultation with courts, court administrators, the bar, and advocates across the country. PCADV undertook the first statewide project to eliminate stalking in the context of domestic violence. Activities included a pamphlet for victims, a police and prosecutor protocol, a law enforcement training curriculum, and training of advocates and police officers across the Commonwealth. PCADV provides technical assistance to attorneys, judges, court administrators, prosecutors, law enforcement, and others in the justice system related to practice and policy issues. PCADV participates in impact legislation to improve justice for victims of domestic violence. It regularly advises government agencies and legislators at the State and Federal levels on matters of public policy.

PCADV attempts to evaluate and intervene in any systemic practice that impinges on the safety, privacy, and well-being of battered women and children. A portion of the advocacy that emerges may not appear to be directly related to domestic violence services, but it is public policy that significantly impinges on battered women and children. Examples of these advocacy activities follow.

Several years ago, PCADV concluded that the telephone technology being offered by the industry (caller ID) posed great risks to the privacy and safety of battered women. Thus, staff participated in administrative hearings and two appeals in Commonwealth courts, in which PCADV prevailed, and have been active in deliberations at the FCC on these issues. PCADV has prevailed in this matter, enabling telephone safety and privacy for all users of interstate telephone services.

PCADV identified insurance underwriting standards and practices that discriminated against battered women, brought them to the attention of Congress and the Pennsylvania Legislature, and are currently working with lawmakers, insurance commissioners, and health advocates across the country to put an end to these unfair insurance practices.

PCADV became concerned that policymakers in the country were advancing one strategy only for the coordinated justice and community intervention against domestic violence. Staff responded by authoring two papers that reflect the variety of effective strategies now employed. The papers were distributed broadly, encouraging communities to carefully evaluate and adopt the strategy most appropriate for their respective communities.

PCADV recently noted that many courts were interested in undertaking domestic violence death reviews in order to identify inadequacies in justice system response to victims and perpetrators of domestic violence. PCADV prepared a paper enumerating goals, activities, and processes for conducting domestic violence death reviews.

PCADV concluded that the research community across the country was not in dialogue with the domestic violence community about research questions, ethics, agendas, analysis, and dissemination of results. Thus, PCADV initiated a network among researchers and practitioners to enhance collaboration in scholarly inquiries about a broad range of issues related to domestic violence. Particular attention has been paid to evaluation research related to justice system interventions. While the network is informal, it models the collaboration envisioned and enriches the dialogue about research and its application to practice and policymaking in the field.

To ensure that advocacy is informed and strategic, PCADV provides advocates at the local level with extensive training and technical assistance. A core 40-hour curriculum is in the developmental stages. A comprehensive manual on legal advocacy has been provided to every domestic violence agency in the State. Every six weeks advocates throughout the State are furnished with a day of in-service training and networking. Beyond this, each year PCADV offers a statewide two-day conference for advocates, with members of the bar and bench collaborating in this undertaking.

## **Results and Impact**

### *Performance Measures*

Evaluation of advocacy on the local and statewide level is informal. PCADV hopes to be able to interest researchers in investigation of the efficacy of the numerous advocacy efforts in progress. Meanwhile, the apparent merit of the work of advocates can be measured by the responsiveness of courts and other justice system personnel, as well as governmental and legislative bodies. In many communities and at the State level, domestic violence advocates are sought out as partners in efforts to end domestic violence and offer remedies in its aftermath.

### *Implementation Problems and Successes*

The lack of resources to employ the necessary advocates has created the most significant barrier to implementation. Domestic violence programs operate on very small budgets. They provide many more services for less money than other human services agencies. Yet, the needs for direct services including housing, food, transportation, childcare, clothing, and counseling are monumental and increase daily. Advocacy cannot be undertaken unless these vital supportive services are in place. Many battered women cannot safely seek justice unless these fundamental services are available to create a bridge to independent living and to provide shelter and protection until legal remedies can be implemented. Funding remains insufficient.

Most advocates have no formal education in the law, in community organizing, in negotiation, or in policymaking. Thus, upon employment, domestic violence programs have the substantial

responsibility of training advocates on the fundamentals of these areas and building essential advocacy skills. This takes time and resources that are in scarce supply.

### *Successes and Accomplishments*

Domestic violence programs have been able to maximize resources by retaining and developing advocates. Increased State and local funding over the course of the last 20 years has enabled an expansion in the numbers of advocates engaged in legal advocacy endeavors. PCADV has assisted by availing advocates of training, both formal and informal; providing technical assistance on practice problems and policy development; and brokering resources and relationships with justice system personnel. PCADV and local programs have established close working relationships with legal services offices, batterer intervention services providers, and justice system personnel. PCADV has promoted a coordinated, collaborative community response for more than 15 years. This serves as a model for jurisdictions or arenas which may resist embracing advocacy or making the changes requisite to the safety and well-being of battered women and children.

PCADV has been active in promoting many different strategies to combat domestic violence and in enumerating goals, activities, and processes for properly conducting domestic violence death reviews. PCADV initiated a network among researchers and practitioners to enhance collaboration in scholarly inquiries about a broad range of issues related to domestic violence. Currently, there are 58 domestic violence subcontractors operating 46 shelters and 13 counseling centers. Programs provide assistance in all 67 counties in the Commonwealth.

Multicultural training has been given by the PCADV Multicultural Training Team to nearly 200 representatives from PCADV programs in a regional format and over 20 programs on an individual basis. PCADV staff participated in a think tank on prevention of drug addiction in women and girls. With scholars, researchers, practitioners, and policymakers from across the country, staff deliberated on effective strategies to educate and advocate for girls and women at risk, focusing significant attention on the risk that domestic violence and child abuse plays in addiction.

The PCADV provided consultation to the National Center for State Courts in the development of the research instruments and process for a study investigating the protection order process in three urban locations. PCADV staff served as faculty and experts at the National Council of Juvenile and Family Court Judges' showcasing of the model code on domestic and family violence developed by judges, attorneys, advocates, legislators, healthcare providers, and other policymakers. The Children's Advocacy Task Force (CATF) of the PCADV coordinated the annual Children's Advocacy Conference which was attended by children's advocates from across the State. PCADV staff also coordinate annual statewide and national conferences to address issues and training related to legal advocacy, victims and witnesses, and health care.

### ***Prospects for Replication***

Much of the structure, process, and accomplishments of these advocacy initiatives can be replicated elsewhere. Essential to replication is a belief in the critical role of advocacy in the justice system. Sufficient resources must be directed to advocacy initiatives. To fully and effectively accomplish these program activities, two full-time legal advocates would be required in a jurisdiction with a population of 250,000. Staff development and opportunity to network with other legal advocates throughout the State are necessary. Finally, there must be a statewide training and technical assistance center to support the work of local advocates and to engage in advocacy and policymaking at the State level.

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# Tennessee

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## *The Memphis Police Department's Family Trouble Center*

### **Statement of the Problem**

In 1988, the Memphis Police Department received approximately 65,000 domestic disturbance calls, of which 15,000 were recurring calls from the same addresses. These numbers indicated that domestic disturbances were occurring in about one in ten households and were a repeating occurrence in many households. In addition, 78% of the homicides in Memphis were linked to domestic disturbances.

Violent family relationships are difficult to escape for both the victims and the offenders. Combined legal and therapeutic forces are needed to bring about safe and peaceful resolutions. In an effort to better utilize personnel and reduce the number of potentially lethal domestic disturbances, the Memphis Police established the Family Trouble Center.

### **Goals and Objectives**

The goal of the Family Trouble Center is to offer counseling services designed to reduce the incidence of domestic violence, thereby reducing the number of repeat domestic disturbances and homicides. The objectives to achieve this goal include: (1) forming partnerships with police, community service providers, and other government agencies to develop appropriate interventions designed to eliminate domestic violence; (2) providing crisis counseling and referral services to the victims of domestic violence through groups and telephone outreach work; (3) providing court-mandated educational and correctional groups for domestic violence offenders; and (4) enhancing community awareness of domestic violence through presentations and workshops.

### **Program Components**

**Volunteers.** The Center trains and supervises both lay and professional volunteers. Most volunteers are graduate students in counseling and social work programs. These volunteers lead anger management groups, provide crisis and phone outreach counseling, and conduct community presentations, all at no cost to the community.

Anger management groups teach domestic violence perpetrators different methods of controlling their anger. Examples of these methods include: (1) developing their own time-out

system; (2) learning forms of relaxation, breathing, and meditation techniques; and (3) learning how to ease a tense situation with humor.

**Monthly Reports.** Monthly reports are submitted to the Deputy Chief of Investigative Services and the Research and Development/Grants Management Office. An annual report is compiled from the monthly reports to reflect the number of clients utilizing the Center.

**Computer Database.** A staff member runs the computer database consisting of data from domestic disturbance calls. This database provides an aggregate, demographic profile of domestic victims and perpetrators. The database can also be used to find information about a specific assault incident.

**Phone Outreach, Presentations, and Workshops.** The Center does a phone outreach to the victims of domestic violence. Volunteers attempt to call all victims listed on the police reports sent to the Center. If the victims cannot come into the Center, volunteers offer counseling over the phone and inform them of other services available within the community. Presentations and workshops have been conducted at colleges, schools, houses of religion, hospitals, health fairs, youth camps, naval stations, and on radio and television.

**Family Trouble Center Manual.** Classes have a structured outline for each session. A facilitator's manual for anger management groups is being developed as a guideline for group leaders at the Center. The manual should be available in the fall of 1994.

## **Results and Impact**

### ***Implementation Problems and Successes***

Initially, the program's close identification with the police department had some drawbacks. People in the community were suspicious of anyone associated with the police. However, the benefits of this collaboration outweighed the problems. Community projects like the Family Trouble Center have developed a trusting relationship between the police and the community. The Center's association with the police has been empowering for victims who see a recognized authority interested in their dilemma. Association with the police and courts helps make it clear to perpetrators that they have committed a crime and that their behavior must change.

One temporary implementation problem was the reliance on volunteers to provide the Center's services. The high turn-over rate among volunteers kept the staff in a continual routine of recruitment and training. This also had a positive aspect. Volunteers offered enthusiasm and new ideas for counseling and helped prevent the burnout that often accompanies stressful counseling.

### *Successes and Accomplishments*

The Center has run 107 anger management groups. Volunteers have contacted over 3,300 victims through the outreach phoning. Approximately 1,060 of those victims have come into the Center for individual support counseling. After the 12-week program, many perpetrators who come in angry do not want to terminate the counseling. Often, perpetrators call the Center to prevent a violent outbreak.

A sample of 120 graduates of the Anger Management Program was followed for a year after the program. Of the 120, only 12 were re-arrested for domestic assault within that year. This reflects a success rate of approximately 90%. The activities of the Center were included in the graduate level textbook Crisis Intervention Strategies, 1992, by Dr. Gilliland and Dr. James. Also, two doctoral research dissertations have been written based on the students' work at the Center. These studies examine both the outreach phone counseling and the components of the Anger Management Program.

One unanticipated success was the long-term impact of the student volunteers. The Center has worked with 340 student volunteers. Often, student volunteers stay in the community after graduation. This has led to an informal network of current and former volunteers who are supportive of the police department and the Family Trouble Center.

Some of the program's future objectives include: (1) increasing staff; (2) separating the Center into two programs, Family Trouble Center Victim Advocacy and Family Trouble Center Court Mandated Counseling; (3) developing Anger Management II and a parenting skills group; (4) developing a speakers' bureau of volunteers and officers to give group presentations; and (5) developing a curriculum for State standards and court mandated counseling.

### *Prospects for Replication*

This program can be easily replicated. Three key factors needed to do so are volunteers, phone outreach, and publicity for the program through presentations and workshops. The anger management curriculum was modified to develop a program for incarcerated juveniles at the Shelby Training Academy. This program has also been replicated in St. Charles, Louisiana and Birmingham, Alabama. Efforts are being made to establish a program of court-ordered groups, modeled after the Anger Management Program in West Memphis, Arkansas.

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# Texas

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## *Community Justice in Austin*

### **Statement of the Problem**

There is a rapidly developing consensus about crime that punishment by itself does little to change behavior. Typically, persons from high-risk areas who commit crimes are sent to State prison units in isolated rural areas where they become part of a community of criminals with a support system that reinforces their criminal behavior. Once released, they return to the community as tougher, angrier, more skilled criminals. They often commit other crimes, are caught, and are sent through the system again. As a strategy for reducing and controlling crime, this is senseless, dangerous, and expensive, and it works for nobody except those who make a living from the prison industry.

The only way to realistically impact crime is to strengthen the community. This can only be done by reweaving the fabric of community. That fabric consists of family, extended family, neighborhood, school, church, and workplace, a matrix of threads carefully woven over the years that gives meaning to life. It is that web of relationships - the ethics infrastructure - not the law, that regulates behavior.

Crime and other social dysfunctions necessitate intervention by the community acting through its government. Increasingly, however, government is disjointed from itself and from community. People feel more and more isolated from each other and from their government. As a result, they take less and less ownership of either social problems or solutions, even though the effects of the problems are gradually destroying their own quality of life. Proposed solutions mostly involve doing more of what has been done in the past, which does not work. Community justice is an effort to use the opportunities for intervention provided by crime and related social dysfunctions as tools to begin the process of rebuilding the social capital upon which the community is based.

### **Goals and Objectives**

The goal of community justice is to reweave the fabric of community by forging a partnership between local governmental entities, the private sector, and community groups which facilitates the performance by private citizens of the functions that were once performed by the extended family, neighborhood, church, and school.

The objectives are to:

- develop and maintain collaborative and cooperative relationships among entities of the government;
- establish partnerships among government entities and private enterprise; and
- create opportunities for citizen interaction and involvement with each other, private enterprise, and government entities to address issues of crime and related social dysfunction.

## **Program Components**

Community justice consists of a matrix of programs designed to increase cooperation, coordination, and collaboration among citizens; city, county, and State government; and private enterprise. The focus of the programs at the most personal level is the development of the kind of caring relationships between individuals that form the basis of community. Such relationships were once an integral part of the community, but as the community's fabric has frayed, the personal sharing of lives has diminished, and the resulting erosion of the quality of public life has been profound. The solution is to replenish the social capital.

Much of government's involvement in this process is through the **Community Justice Council**, comprising ten elected officials, including prosecutors, legislators, city council and school board members, and judges, who formulate the community justice plan for Austin and Travis County. They are advised in this effort by the **Community Justice Task Force**, which consists of 15 appointed officials, among whom are the Chief of the Austin Police Department, the Superintendent of the Austin Independent School District, and the directors of the Juvenile and Adult Probation Departments. Connecting these agencies and entities to the community is the **Neighborhood Protection Action Committee**, which consists of 25 citizen activists chosen from the neighborhoods. Program components are described below.

**The Community Justice Council of Travis County** The mission of the Community Justice Council is to "empower neighborhoods and individual citizens to create and maintain a safe community which cherishes individual freedom." The mission of the Travis County community justice planning process is to "increase public safety and reduce crime through coordinated systems of law enforcement, victim services, programs and incarceration for both juveniles and adults...in full partnership with the community." This active partnership is attained through working groups and committees which represent an integration of elected and appointed criminal justice officials, service delivery professionals, and private citizens working together to propose and develop new programs and initiatives and/or recommend changes to improve existing systems. Utilizing trained facilitators, these working groups and committees are generally formed around a specific issue and are charged with reporting back to the Community Justice Council with proposals for change and action plans for implementation.

**Community Justice Pilot Program** Most governmental entities in Austin and Travis County seek to reach out to the community, and many of those efforts have sprung from the Community Justice Council planning process. The Community Justice Pilot Program is the cornerstone of the Council's efforts to comprehensively address the risk-taking behaviors of low-level drug and property offenders. Its focus is a community corrections facility located adjacent to a high-risk area. The center was made possible by improving and increasing the collaborative efforts between individual citizens, private enterprise, the community, and government to reach high-risk families, youth, offenders, and ex-offenders. This pilot project will house offenders convicted of fourth degree crimes. It will be an attempt to separate first-time offenders and those who commit nonviolent property and drug offenses from those who commit more serious crimes. Rehabilitation services will be a key element of the project.

**Appropriate Punishment Team (APT)** The APT is an interagency program designed to provide quick and suitable punishment recommendations for accused felons incarcerated in the Travis County Jail. The primary goals of the APT program are reduction of future criminal behavior through the recommendation of appropriate sentences and reduction in the length of jail time between an offender's arrest and case disposition.

The Appropriate Punishment Team is composed of a sheriff's office jail counselor, a pre-trial services court officer, a community supervision and corrections officer, a secretary, a paralegal, a victim/witness counselor, an assistant district attorney, and a deputy district clerk. Each member performs a unique function within the team, collecting and sharing valuable information about the defendant. The members also bring their individual experience and knowledge within their field of expertise to the table. Utilizing this information and insight, a recommendation on punishment is formulated for each defendant with consideration given to public safety, criminal history, and individualized needs.

**SHORT Program - Drug Abuse/Dependency Program** This is a new drug court that treats the offender as an addict rather than as a criminal and strives to reduce drug-law violations by reducing addiction. The judge takes an active, leadership role in treatment. An array of therapeutic approaches and supportive resources, such as education and job training, are provided to make the program responsive to a broad range of levels and types of drug addiction. Frequent urinalysis is used to promote the client's self-responsibility. The promise of having the charge dismissed when treatment is successfully completed provides a strong incentive for the client to stick with the program and make the kinds of behavioral changes that lead to a life free of drug addiction and crime. SHORT is a collaborative effort involving participants representing law enforcement, the courts, and community service providers.

**Juvenile Agency Coordinating Committee (JACC)** The JACC is a standing committee of the Community Justice Council established to ensure that juvenile justice policies in the Austin/Travis County area are coordinated and that intervention strategies are developed, implemented, and monitored as a system-wide collaboration. JACC promotes community-based juvenile programs and consists of both elected and appointed representatives of city, county, and state governmental offices, including the school board and the juvenile court.

JACC's primary purpose is to provide consistent policy oversight and coordinate the operations of the agencies involved in the juvenile justice system.

**Neighborhood Conference Committees** This is a project that brings the juvenile justice system and neighborhood community members together to resolve problems for certain nonviolent juvenile offenders. Travis County Juvenile Court focuses the vast majority of its resources on repeat and serious felony offenders. This results in a lack of timely and meaningful sanctions for minor offenders which, in turn, contributes to the rising number of repeat offenders. Neighborhood Conference Committees are an innovative alternative to the formal juvenile justice system that sends certain children back to their own neighborhoods for resolution of problem behavior.

The Committee process involves intervention, contract, and follow-up. In this process the juvenile and his or her parents meet with a panel of community members to discuss problem behavior and enter into a contract that outlines a plan for the juvenile to improve his/her conduct. The juvenile is then monitored by a committee member for completion of contract requirements. Depending on compliance, the case can be closed or referred to juvenile court.

**Appropriate Corrections Teams (ACT)** Appropriate Corrections Teams are made up of a prosecutor, police officer, juvenile probation officer, and a citizen volunteer who collaborate and devise corrections plans for first-time juvenile offenders. This program is designed to maximize the probability of rehabilitation at the time of the first offense. The goal of the team is to make comprehensive recommendations for case disposition, including punishment, treatment, or a combination of the two. The concept seeks to make more consistent, appropriate use of the resources available to juveniles and to deter the juvenile from re-entering the system at a later date. This program seeks to involve the community and provides greater emphasis on the rights of victims and public safety. The sharing of this decision-making brings together the diverse philosophies of police officers, juvenile probation officers, prosecutors, and citizens.

**Travis County Child Protection Team** The community and the agencies which deal with child abuse are strongly committed to a collaborative approach to the problem in order to avoid the revictimization of children by the system and to better meet their respective mandates. To improve the system for dealing with child abuse, the community and the agencies which deal with abused and neglected children established the Child Protection Team in 1991. Because of this collaboration, children are now better served by the system. The mission of the Travis County Child Protection Team (CPT) is to more effectively protect the children of this community by consolidating the community and the investigative, legal, and social services provided by the Travis County District Attorney's Office, Travis County Sheriff's Office, Austin Police Department, their respective Victim Services Divisions, the Travis County Children's Advocacy Center, and the Texas Department of Protective and Regulatory Services (Child Protective Services).

**Travis County Children's Advocacy Center** The mission of the Children's Advocacy Center is to provide a place where members of the community can show their commitment to children through community involvement in the intervention, coordination, and delivery of services to children. As a non-profit, facility-based community organization governed by an independent Board of Directors, the Center provides a voice for the community in its efforts to protect children. Through collaboration with Child Protection Team members, the Center seeks to prevent the revictimization of the child by minimizing the trauma surrounding the interview and reducing the number of times a child must be interviewed. Advocacy Center counselors conduct forensic interviews of child victims or witnesses. The Center also provides counseling and support services, information and referral services to families, volunteer services, community education, and advocacy for children. The Center provides a place where medical exams, treatment, and referrals for follow-up care are provided to victims. Responsibilities also include facilitating joint investigations and interviews among member agencies, coordinating multidisciplinary case staffings, assisting with multidisciplinary training, and providing case review, case follow-up, and case tracking. The Center also provides a Court School program to assist parents and children who are involved in the court system.

**Travis County Child Death Review Team** The Travis County Child Death Review Team is a multidisciplinary panel of professionals including police officers, prosecutors, social workers, and medical personnel who come together to review all deaths of children under 18 occurring in Travis County. Its purpose is to improve communication among all professionals who may be involved or have an interest in how children are dying in the community in order to improve investigations, child protection and prosecution, and help identify preventable child deaths so that appropriate measures can be taken within the community.

## **Results and Impact**

### ***Performance Measures***

The expected result of these efforts is an increase in the level of public safety as a result of the rebuilding of social capital. Each program component tracks unique measures to monitor performance against its own stated goals and objectives. The most commonly used measure among components is a reduction in the level of recidivism, which is subject to diverse and often conflicting interpretations. The Community Justice Council is working to define more global performance measures that will allow it to judge the balance, comprehensiveness, and efficacy of the community justice model. For example, the involvement of more citizens in matters of local concern increases the connections between people, which raises the public's perception of safety, which in turn makes safer neighborhoods. Comprehensive community justice does not lend itself to traditional measures of "success" used in the criminal justice arena.

### *Implementation Problems and Successes*

The implementation of community justice has presented the Community Justice Council with unique issues. Clearly, resources are an issue with any new initiative, as they are with any traditional response to crime. However, the Council has sought to leverage the resources of the community through in-kind contributions and volunteer time.

A second issue has been the buy-in to the process of all key stakeholders. Most are elected officials with their own, but overlapping, constituencies. While all key stakeholders are on board with the process, the Council continues to seek ways to balance the accountability of elected officials and funding responsibilities among jurisdictions such as the school district, the State, the city, and the county.

### *Successes and Accomplishments*

The result of the Council's efforts is a growing inclusion of community into a collaborative criminal justice process. These efforts have paid off for the community with the following accomplishments:

- from 1993 to 1994, the overall crime rate declined 19 percent in Austin and Travis County;
- development of an infrastructure for citizen participation in criminal justice processes including a training course on criminal justice issues for lay citizens;
- sponsorship of a series of community forums to hear citizens' concerns about neighborhood crime, which spawned the development and implementation of a neighborhood cleanup program utilizing adult and juvenile probationers in partnership with community groups;
- development and implementation of a drug diversion court for Travis County, called the SHORT program;
- development and implementation of a process for more efficient case management of offenders with mental impairments;
- development and implementation of a request for proposal and review process for requests submitted for funding of community corrections programs through the local community justice plan;
- co-sponsorship of a year long television series on the community's response to juvenile crime with the local PBS affiliate;

- participation in the Austin/Travis County Community Task Group on Curfew Options, a grass-roots project aimed at developing neighborhood-based prevention and sanctioning options for curfew violators;
- development of recommendations for improvements in the local juvenile justice system;
- Ongoing development and implementation of correctional systems, law enforcement, and judicial components to the city's graffiti abatement program;
- responding on a continuous basis to local, State, and national requests for provision of technical assistance and training on collaborative community organization and mobilization models in community justice;
- leading the effort to amend legislation mandating the addition of a victims' rights advocate to community justice task forces across the State; and
- attaining State designation of Travis County as the site for a community justice pilot program, utilizing the new State jail facility as the cornerstone of the pilot.

The Community Justice Council serves as a model for other counties in Texas. No other Council is as active or inclusive as Travis County. The Council continually has an average of about 26 community-based groups working on various issues. The Council is pioneering the collaboration between juvenile and adult systems to more effectively deal with rising juvenile crime.

### *Prospects for Replication*

Other communities are interested in replicating the Community Justice Council structure. Such replication requires the buy-in of key stakeholders coupled with an investment of resources at the front end. Despite these challenges, the Council has achieved an initial level of collaboration and cooperation between government, private enterprise, and community primarily within existing resources.

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## About the State Evaluation Development Program

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The Bureau of Justice Assistance (BJA) established the State Evaluation Development Program (SED), a State-based program with an orientation toward establishing Federal, State, and local partnerships, to assist in implementing the reporting and evaluation requirements of the Anti-Drug Abuse Act of 1988. Through SED, BJA provides technical assistance and training to the State and local offices and agencies responsible for implementing, monitoring, and evaluating violent crime and drug control programs funded under the Drug Control and System Improvement Formula Grant Program. SED is coordinated for BJA by the Justice Research and Statistics Association (JRSA).

### The SED project is designed to:

- meet States' needs for assistance in the development of violent crime and drug control strategies, and the development of State monitoring and evaluation plans;
- provide technical assistance and training on program performance monitoring, assessment, and evaluation;
- publish reports for State and local audiences on special topic areas related to programs that work and can be replicated in other jurisdictions; and
- facilitate training and technical assistance meetings and workshops for State and local planners and practitioners to produce and/or transfer methods, approaches, and programs.

A National Planning Group, comprised of State and local representatives from the criminal justice community provides input to the project. The National Planning Group plays a critical role in the development and implementation of the SED projects, and also plays an integral role in the development of national indicators for performance monitoring. Since 1987, JRSA has worked with BJA and the States to establish data collection and analysis projects. JRSA and the States have produced numerous reports and technical assistance products covering many criminal justice programs and themes, including: multijurisdictional law enforcement task forces; innovative rural programs; crime laboratory enhancement programs; county-level trends in drug arrests, convictions, and sentencing; State citizen surveys on drug use and control; drug offender processing; treatment, rehabilitation, and education; understanding and combatting violence; preventing violence; youth, drugs, and violence; innovative courts programs; and successful collaborative programs.

The State Evaluation Development Program is a unique program that focuses primarily on enhancing States' monitoring, reporting, and evaluation capacities. States participate in all aspects of the SED project from planning and development to the implementation and delivery of technical assistance and training services. The project is designed to provide a forum for States to share information and to receive the assistance they need to develop and implement effective monitoring, reporting, and evaluation systems.

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