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## **Lynchburg, Virginia, Arrest Policies Project**

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### **A Process Evaluation**

**June 21, 2000**

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**National Institute of Justice**  
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## **Introduction**

The Grants to Encourage Arrest Policies Program encourages jurisdictions to implement mandatory or pro-arrest policies as an effective domestic violence intervention that is part of a coordinated community response. Congress appropriated funds for the Arrest Program under the Violence Against Women Act (1994). The Program assumes that the arrest of a batterer will leverage the coercive and persuasive power of the criminal justice system to ensure victim safety and manage the behavior of abusive, violent offenders. Ensuring victim safety and offender accountability are the guiding principles underlying the Grants to Encourage Arrest Policies. The Violence Against Women Act directs that the Arrest Program funds be used to:

- Implement mandatory arrest or pro-arrest programs and policies in police departments, including mandatory arrest programs or pro-arrest program and policies for protection order violations
- Develop policies and training programs in police departments and other criminal justice and tribal agencies to improve tracking of cases involving domestic violence
- Centralize and coordinate police enforcement, prosecution, probation, parole or judicial responsibility for domestic violence cases in groups or units of police officers, prosecutors, probation and parole officers or judges
- Coordinate computer tracking systems to ensure communication between police, prosecutors, and both criminal and family courts
- Strengthen legal advocacy service programs for victims of domestic violence by providing complete information and support for a victim of domestic violence as the case against her abuser moves through the criminal justice system
- Educate judges, and others responsible for judicial handling of domestic violence cases, in criminal, tribal, and other courts about domestic violence to improve judicial handling of such cases.

The Institute for Law and Justice, Inc. (ILJ) is conducting a national assessment of the Grants to Encourage Arrest Policies Program, which is funded by The National Institute of Justice. ILJ is using a three-stage methodology for this evaluation. First is an annual national assessment of all sites that will document the type and scope of projects funded. Second, a process evaluation of twenty sites will examine the process and problems associated with implementation of the project. And third, an impact evaluation of six sites will assess the impact

of the project on the agencies involved, victim well-being, offender accountability, and community coordination.

This report is the process evaluation of the Grants to Encourage Arrest Policies program in the city of Lynchburg, Virginia. The project received \$342,528 for the 18-month period beginning November 1, 1996 and ending April 30, 1998. A continuation grant in the amount of \$500,000 covered another 18 months of operation, through February 2000.<sup>1</sup> Information for this report derives from a three-day site visit in October 1999 that concentrated on interviews and document review. Follow-up interviews and inquiries were conducted by telephone. The report is divided into five sections: (1) Project Environment; (2) Grant Development and Implementation; (3) Project Achievements; (4) Unmet Goals; and (5) Conclusions and Recommendations.

## **Project Environment**

This section describes the geographic and demographic environment of the city of Lynchburg, the criminal justice system, and Virginia laws.

### **Geographic and Demographic Environment**

The city of Lynchburg—which is not part of any county—is located approximately 180 miles southwest of Washington, D.C. Lynchburg is a city of 50 square miles, bordered by the Blue Ridge Mountains. The city is the urban center of a four-county region of about 2,000 square miles in south central Virginia. With a population of 64,800, according to the 1990 Census, the city of Lynchburg accounts for almost 30 percent of the region's population, and has a larger population than any of the surrounding counties.

The region is predominantly white (81%). Just over 18 percent of the population is black.<sup>2</sup> The median household income in the region is \$26,303; in the city of Lynchburg it is \$23,726.

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<sup>1</sup> The continuation grant start date is specified as 9/1/98. Presumably, the program was not funded by the Violence Against Women Grants for the four months from May through August 1998.

<sup>2</sup> These percentages are based on Internet data furnished by the Greater Lynchburg Chamber of Commerce. The total regional population is reported to be 220,100 in the regional population table and 206,226 in the table showing the demographic breakdown. The demographic breakdown table total was used to calculate these percentages.

## The Criminal Justice System

Domestic violence cases may be initiated in two ways. The first occurs when police from the city of Lynchburg arrest an alleged domestic violence offender. The second occurs when a victim goes to a Magistrate and requests a warrant. Because of a mandatory arrest statute that became effective on July 1, 1997, and a concomitant movement toward evidenced-based prosecution, the proportion of police-initiated cases is thought to have increased in the past two years.

Most domestic violence misdemeanors are heard in the Juvenile and Domestic Relations Court.<sup>3</sup> Preliminary hearings on felonies are also heard in the Juvenile and Domestic Relations Court and then proceed to the Circuit Court. A small number of domestic violence cases may also be heard in the Federal Court in Lynchburg.<sup>4</sup>

The Commonwealth's Attorney, elected for a four-year term, is responsible for the prosecution of cases in Criminal Court, Traffic Court, Juvenile and Domestic Relations Court, and Circuit Court, as well as for handling appeals to the Supreme Court of Virginia. Virginia law does not require the Commonwealth's Attorney's Office to prosecute misdemeanors. As a result, the Commonwealth's Attorney's Office in Lynchburg does not receive sufficient funding from the local government to hire enough attorneys to prosecute all misdemeanors. The prosecutor appeared only in those misdemeanor cases in which an attorney represented the alleged offender. The same caseload pressures even affected how felony cases were handled before the grant. In most domestic violence felony cases, the prosecutor had not met with the victim nor reviewed the case before the trial date.

Because domestic violence offenses tend to escalate in seriousness over time, the city of Lynchburg Commonwealth's Attorney wanted to prosecute domestic violence and stalking aggressively, and to prosecute misdemeanors. With Arrest Program funds, a Domestic Violence Prosecution Unit was created within the Commonwealth's Attorney's Office to investigate and

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<sup>3</sup> Stalking cases and other types of misdemeanors, traffic offenses, and shoplifting cases are heard in the General District Court.

<sup>4</sup> One of the attorneys in the Commonwealth's Attorney's Office has recently been cross-designated as a Special Assistant District Attorney with the U.S. Attorney's Office in Roanoke in order to prosecute Federal cases under VAWA (e.g., interstate domestic violence, offenders who possess firearms after a domestic violence conviction or while the subject of a protective order).

prosecute all domestic violence crimes, including misdemeanors. The unit began accepting cases in July 1997.

The Commonwealth Attorney's Office has a Victim Witness Support Unit staffed by Victim Witness Assistants. For victims of domestic violence, a dedicated Domestic Violence Victim Witness Assistant and the prosecuting attorney assigned to the case work together to contact the victim within 24 hours of the issuance of a criminal warrant, assist the victim in obtaining an order of protection, conduct a follow-up investigation (including interviewing the victim, the police officer, if any, and any witnesses), and review all warrants issued by the Magistrate for domestic violence-related crimes to ensure that retaliatory charges are not brought against innocent victims. In addition, the Victim Witness Assistant provides the victim with appropriate community service referral assistance, and ensures that she is notified of all significant events that occur in the case, including disposition and sentence. The Victim Witness Assistant serves as a contact point for the victim in the event that the defendant violates any pre-trial order or post-conviction condition of release. In such cases, the Victim Witness Assistant will immediately notify the court to request appropriate action.

Domestic violence offenders are typically sentenced to

- 1) Batterer's intervention program
- 2) Community supervision – for the following types of defendants
  - a) Defendants with protection orders
  - b) Alleged offenders whose cases have been “taken under advisement” for up to two years,
  - c) Convicted misdemeanants,
  - d) Some non-violent felons
- 3) Probation or parole for some felons.

## **Virginia Laws**

Virginia law authorizes arrest without warrant in cases of assault and battery against a family or household member (VA Code Ann. § 19.2-81.3). The violation does not have to occur in the officer's presence; the arrest can be based on probable cause. Officers are required by law to file a written report of any incident of family abuse, regardless of whether an arrest was made, and to provide the victim with information on available legal and community resources (VA Code Ann. § 19.2-81.3(C)).

Assault and battery against a family or household member is considered a Class I misdemeanor (VA Code Ann. § 18.2-57.2(A)). A third conviction for assault and battery against a family or household member is a Class 6 felony. “Family abuse” is defined as:

Any act involving violence, force, or threat including any forceful detention, which results in physical injury or places one in reasonable apprehension of serious bodily injury and which is committed by a person against such person’s family or household member (VA Code Ann. § 16.1-228(2)).

In general, the definition of family or household member is quite broad, including spouses, former spouses, immediate family, the spouse’s immediate family if living in the same home, individuals with a child in common, and cohabiting couples (VA Code Ann. § 16.1-228(2)).

## **Grant Development and Implementation**

The Lynchburg Commonwealth’s Attorney’s Office wrote both the initial and continuation Arrest Program grant applications. The program’s rationale is straightforward and is laid out in the introduction to the initial application: although mandatory arrest legislation had been passed, increasing significantly the number of domestic violence arrests, it did not address what would occur “after the cuffs [went] on.” Virtually every aspect of the initial Arrest Program application, therefore, was centered on domestic violence prosecution—supplementing activities and personnel in the Commonwealth’s Attorney’s Office. The application outlined the creation of the Domestic Violence Prosecution Unit within the Commonwealth’s Attorney’s Office that would investigate and prosecute all crimes of domestic violence, including misdemeanors, and assist victims in obtaining judicial protection and other needed services. Unit staff would include two attorneys, one para-legal, one Victim Witness Assistant and one management information system manager. The attorneys and Victim Witness Assistant would handle only domestic violence cases.

The initial grant application included a “Cooperation and Participation Agreement” between nine agencies to “coordinate an integrated approach to combat violence against women.” The appendix outlines the agreement. The Domestic Violence Prosecution Unit is the leading player—only two of the twenty-eight tenets of the agreement are independent of the Unit. It is only the activities of the Domestic Violence Coalition (policy review, community education and awareness) that are not linked directly to the Domestic Violence Prosecution Unit and/or the

Commonwealth's Attorney's Office. Even here, however, there is a strong link because the head of the Domestic Violence Prosecution Unit and the head of the Commonwealth's Attorney's Victim Witness Program are both members of the Coalition. Thus, the initial inter-agency collaboration appears to have been directed solely at facilitating the prosecution of domestic violence and stalking cases within the Commonwealth's Attorney's Office.

A broader collaboration seems to have developed by the end of the first grant period, with some program resources being directed toward agencies other than the Commonwealth's Attorney's Office. The continuation grant application, submitted in April 1998, continued the activities implemented in the initial application and proposed to expand the scope of the project by

- Adding the registration of out-of-state protective orders;
- Creating the position of the Domestic Violence Coordinator within the Lynchburg Police Department;
- Creating a multi-disciplinary team composed of a prosecutor, a police officer, a member of the YWCA Domestic Violence Prevention Program and a probation officer to work with businesses to address domestic violence and stalking in the workplace;
- Creating a cross-disciplinary training curriculum and certification standards for those involved in domestic violence prevention; and
- Identifying persons prohibited from possessing firearms who might have such weapons in their possession.

The memorandum of understanding attached to the continuation grant application was also expanded. The new commitments are outlined in Exhibit 1.

## Exhibit 1: Memorandum of Understanding from Continuation Grant Application

Domestic Violence Prosecution Unit	<ul style="list-style-type: none"> <li>• Expand the case management information system to include the availability of resources and services for victims and the extent to which victims utilize these resources;</li> <li>• Investigate and prosecute violators of protective orders and probation as they were reported to the unit by the Court Community Corrections Domestic Violence Case Supervisor; and</li> <li>• Refer all domestic violence victims to the YWCA Domestic Violence Prevention Center’s women’s support group for domestic violence victims.</li> </ul>
Lynchburg Police Department Domestic Violence Coordinator	<ul style="list-style-type: none"> <li>• Review all reports filed in domestic violence cases within twelve hours, returning deficient reports for further follow-up and assigning more serious cases to an investigator;</li> <li>• Check for any weapons or weapons permits for suspects under protective orders or individuals convicted of domestic violence;</li> <li>• Identify frequently-occurring defects in reports and provide department-wide policy changes or training to address them;</li> <li>• Serve as a contact point within the department for victims, and provide follow-up assistance to the Domestic Violence Prosecution Unit for information gathering and victim assistance; and</li> <li>• Assist with training efforts through the Central Virginia Criminal Justice Academy and the Lynchburg Domestic Violence Coalition.</li> </ul>
YWCA DV Prevention Center	<ul style="list-style-type: none"> <li>• Assist victims of domestic violence in filing for protective orders.</li> </ul>
Lynchburg Community Corrections and Pre-Trial Services	<ul style="list-style-type: none"> <li>• Have a designated domestic violence case supervisor;</li> <li>• Provide pre-trial supervision in domestic violence cases as ordered by judicial officers;</li> <li>• Provide post-conviction supervision on domestic violence cases;</li> <li>• Notify the Commonwealth’s Attorney’s Office of all probation violations and new arrests in domestic violence cases;</li> <li>• Participate in the Lynchburg Domestic Violence Coalition.</li> </ul>
Victim Witness Program	<ul style="list-style-type: none"> <li>• Make initial contact with domestic violence victims to obtain their input to and assistance with the Domestic Violence Prosecution Unit;</li> <li>• Assist victims of domestic violence by explaining the criminal justice process and steps as well as the Victim’s Bill of Rights;</li> <li>• Provide assistance to domestic violence victims in filing for Criminal Injuries compensation;</li> <li>• Inform victims of domestic violence of the services of the YWCA Domestic Violence Prevention Center and mental health counselors, and refer victims to appropriate programs;</li> <li>• Assist the Domestic Violence Coordinator to locate and interview victims of domestic violence;</li> <li>• Assist in training efforts through the Central Virginia Criminal Justice Training Academy and the Lynchburg Domestic Violence Coalition;</li> <li>• Serve as a contact to ensure that the police and courts are made aware of any outstanding orders of protection that the victim may have previously obtained; and</li> <li>• Assign specific Victim Witness Assistants to individual cases to ensure a single point of contact and information</li> </ul>
Lynchburg Domestic Violence Coalition	<ul style="list-style-type: none"> <li>• Coordinate with the Lynchburg Police Department and the Domestic Violence Prosecution Unit in developing policies and procedures to implement mandatory arrest laws; and</li> <li>• Continue to meet monthly to improve the cooperation and coordination among all the participants to increase the response to domestic violence and abuse so as to reduce incidents thereof.</li> </ul>

## **Project Achievements**

The Arrest Project in Lynchburg is focused on the aggressive prosecution of domestic violence and its performance in that area continues to improve. Several aspects of the program's design and implementation have been instrumental in the process:

- 1) Creation of the Domestic Violence Prosecution Unit within the Commonwealth's Attorney's Office;
- 2) Enhancement of the management information system; and
- 3) Creation of the position and hiring of a full-time Domestic Violence Coordinator in the Lynchburg Police Department.

Each of these program aspects is discussed in more detail below.

### **Domestic Violence Prosecution Unit**

As noted earlier, the staff funding allocation within the Commonwealth's Attorney's Office does not factor in the prosecution of domestic violence misdemeanors. The resultant shortage of attorneys had precluded the involvement of Commonwealth's Attorneys in misdemeanors except in cases in which the alleged offender was represented by an attorney. When the Commonwealth's Attorney made a policy decision to prosecute *all* domestic violence cases, grant funds enabled the Commonwealth's Attorney's Office to hire two full-time domestic violence prosecutors to handle both misdemeanor and felony domestic violence offenses. These attorneys are the core staff of the Domestic Violence Prosecution Unit. Two Victim Witness Assistants are also assigned to the Unit, each working with one of the attorneys (although they may also work with attorneys outside the Unit on an as-needed basis). Each Attorney/Assistant team follows each assigned case through to completion. According to data reported in the continuation grant application, prosecutions were projected to increase 28 percent during the first year of the program.

In addition to traditional investigatory and prosecutorial duties, the Unit took over the scheduling of cases from the Juvenile and Domestic Relations Court. They changed the system from one that required all alleged offenders, attorneys, and police officers scheduled for court to report at the start of the court session to a system in which the individual cases are scheduled ten minutes apart. The Unit scheduling also factors in the leave and shift schedules of the attorneys

and police officers. The change in scheduling created a more efficient system for all parties involved.

## **Management Information System**

The management information system in the Commonwealth's Attorney's Office had been exceptional before the Arrest Grant Program. The Commonwealth's Attorney, a self-identified "computer nerd," had designed the system with the Commonwealth's Attorney in Virginia Beach using commercially-available software (i.e., FoxPro). The prosecutors were promoting the system for adoption by their colleagues statewide. As talented amateurs, however, the designers of the system found that making further management information system improvements became more time-consuming as the list of improvements grew shorter, because all or most of the "easy fixes" had been made. It was time to hire a professional.

Grant funds enabled the Commonwealth's Attorney's Office to recruit and hire a systems manager who quickly identified and addressed a number of systemic changes that enhanced the system's utility for day-to-day operations, linking it with the Virginia Supreme Court in Richmond, for example, and adding a feature that tracked the vacation and court schedules of both the attorneys and the police.

Grant funds also support a para-legal who serves as a data manager to collect and input data (from the Magistrates, the Police Department, the Clerks of the Court, Community Corrections, and the Commonwealth's Attorneys, etc.). This has enhanced both the availability and reliability of the data in the system.

The intra-agency network is available to all staff in the Commonwealth's Attorney's Office, including those in the Domestic Violence Prosecution Unit and the Victim Witness Program. Feasible system modifications and upgrades are ongoing as they are identified. The continuation grant is funding the development of a new case management system based on a Lotus Notes platform.

## **Police Department Domestic Violence Coordinator**

Systemic and ongoing problems in the investigation and reporting of incidents of domestic violence identified during the first phase of the Arrest Program led to the request in the

continuation grant application for the creation of a position and hiring of a full-time Domestic Violence Coordinator within the Lynchburg Police Department. Having a coordinator within the Police Department itself facilitates the early identification of problems with reports and the direct communication of those problems and their resolution with the officers who file the reports. The feedback from the Coordinator supplements the formal domestic violence training provided to the police officers by the attorneys from the Domestic Violence Prosecution Unit. Reporting, which is said to have improved after the domestic violence training, is apparently improving further under the tutelage of the Lynchburg Police Domestic Violence Coordinator.

## **Unmet Goals**

A critical aspect for program review is that of project goals not addressed and/or not met. In the case of Lynchburg, the most compelling of these is the public-private partnership envisioned by the funding agency. Another critical issue is that of documentation. Each is briefly discussed in the sections that follow.

## **Public-Private Partnership**

One over-arching goal of the Grants to Encourage Arrest Policies was the establishment of partnerships between the public sector and the community agencies working to prevent domestic violence. But the development of such partnerships has been hampered by staff turnover and, to a lesser degree, the physical relocation of the Commonwealth Attorney's Office. At times, both the Lynchburg Police Department and the Commonwealth Attorney's Office experienced staff shortages as high as 20 percent. Turnover has been a problem for the non-profit organizations as well. In particular, the YWCA Domestic Violence Prevention Center has experienced high turnover, resulting in fragmentation of the core group participating in domestic violence prevention. In addition to these significant staffing issues, the Commonwealth Attorney's Office was in the progress of moving its offices throughout part of the grant period, making it more difficult for prosecutors to work alongside other players. Consequently, the lack of consistent participation has resulted in general ignorance of the Arrest Policies grant project.<sup>5</sup>

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<sup>5</sup> Aside from the Lynchburg Police Domestic Violence Coordinator, the supervisor of the Commonwealth's Attorney's Domestic Violence Prosecution Unit, and the head of the Victim Witness Program in the Commonwealth's Attorney's Office, other members of the Domestic Violence Coalition interviewed were not aware of a grant-funded program addressing domestic violence in the Commonwealth's Attorney's Office, or that

This grant has not yet resulted in a formal partnership between the criminal justice agencies and the non-profit community. While staffing issues are mostly to blame, the allocation of resources also contributes to the problem—grant funds have not been provided to the non-profit sector. The continuation grant application seemed to move in a positive direction, however, with the expansion of the roles of the YWCA Domestic Violence Prevention Center and the Lynchburg Domestic Violence Coalition.

## **Documentation**

Program documentation available for review for this evaluation included the initial and continuation grant applications plus two-page Categorical Assistance Progress Reports for the periods 7/1/98-12/31/98 and 1/1/99-6/30/99. In spite of the fact that the information system designed and implemented by the Commonwealth's Attorney is uniformly extolled as extremely useful to the Domestic Violence Prosecution Unit and to the Victim Witness Program, neither of the Progress Reports includes any quantitative data and only very limited data are included in the grant applications (i.e., the number of police responses to calls for service in domestic violence cases; the number of domestic violence cases opened; the number of domestic violence prosecutions; the predicted percentage increase in responses and prosecutions between calendar year 1995 and the first year of the Arrest Program; the dispositions of 600 cases concluded by March 31, 1998). Documentation has also been affected by the Lynchburg Police Department's conversion to incident-based reporting, which significantly alters the way arrest data is collected. Presumably, the new system will increase data reliability in the long-term, but it will also make pre-grant and post-grant comparisons problematic.

The evaluative measures laid out in the initial application include criminal prosecution outcomes, number of repeat offenders, number of protective order violations, evaluations of the police training programs, the reduction of incidence of domestic violence, and a survey of the victims to ensure that their needs and expectations have been met.

The initial application specified program products including:

- Compendium of the policies and procedures of the program;

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grant funds support the Domestic Violence Prosecution Unit and the Domestic Violence Coordinator's position in the Lynchburg Police Department.

- Compendium of the policies and procedures associated with the domestic violence data base; and
- Arrest policies and procedures.

The continuation grant application added:

- Post-service service survey and measure of demand for the program in the business community; and
- Model of multi-agency cooperation in the prosecution of domestic violence cases.

Few of the measures and none of the products appear to be available as of October 1999 and none were mentioned as priorities or projects in the works by any of the interview respondents. In fact, one respondent, asked explicitly about the evaluation of the police training, noted that there was no formal post-training survey. The respondent went on to say that the response had been positive, but that this assessment came only from personal communication.

## **Conclusions and Recommendations**

The Grants to Encourage Arrest Policies Program in Lynchburg, Virginia, was developed and implemented by the Commonwealth's Attorney's Office. By making the policy decision to prosecute domestic violence misdemeanors and using grant funds to support a Domestic Violence Prosecution Unit, the program automatically increased the number of domestic violence cases prosecuted. By providing ongoing training to the Lynchburg City Police Department and recruits on domestic violence and the mandatory arrest legislation, the program is thought to have improved the quality of domestic violence investigations and, therefore, increased the likelihood of appropriate arrest and successful prosecution of domestic violence offenders.

Some refinements in the design and implementation of the grant, however, might have improved the program. These include:

- Developing real partnerships with local community agencies early in the process;
- Thinking about how the program might continue when the grant funding ends;
- Designing and implementing data collection strategies and procedures early in the process.

Each is discussed briefly below.

## **Developing Partnerships**

The Domestic Violence Prosecution Unit identified a number of systemic problems during the initial 18 months of the Arrest Program. One problem that became obvious was that, in spite of well-received training provided to police officers and recruits, police reports of domestic violence were still not of sufficient quality to facilitate successful prosecution. As part of the continuation grant, the Commonwealth's Attorney's Office outlined the need for a Domestic Violence Coordinator in the Lynchburg Police Department. That incumbent, on the job for seven months at the time of the process evaluation, was thought to have improved the quality of the police investigations. By reviewing the reports early in the process and working directly with the police officers submitting the reports, the Coordinator has been able to identify and correct systematic errors among the staff and to consult with each officer on an as-needed basis. The partnership between the Commonwealth's Attorney's Office and the Police Department is thought to have improved performance in both agencies and advanced the program's goal of successful prosecution.

Other potential partnerships have not been as actively pursued, however. For example, a number of interview respondents wondered about the efficacy of the batterers program because it was thought that many repeat offenders had been through the program at least once. Some respondents felt similarly about the drug treatment program, saying that an addicted offender was not likely to be cured in a 16-week program. The members of the Domestic Violence Coalition might have made a major contribution to the Arrest Program if they had been advised of the concerns; come to agreement on appropriate indicators of service program success; monitored service program performance; and, finally, brainstormed and implemented service program changes where the data suggested they were warranted.

## **Post-Grant Funding**

Little attention seems to have been paid to the continuation of the program after the Grant to Encourage Arrest Policies ends. Most respondents interviewed as part of the process evaluation thought that if the city of Lynchburg did not pick up all or most of the funding, many of the gains made would be lost. The assumption is that, without funding, the attorneys in the Domestic Violence Prevention Unit could no longer focus on misdemeanor prosecutions or be dedicated solely to domestic violence cases and that the position of the Domestic Violence

Coordinator in the Police Department would either be eliminated or broadened to include other duties that would limit the ability of the incumbent to focus on domestic violence investigations and reporting.

Members of the Domestic Violence Coalition might yet be able to brainstorm about potential funding opportunities. In addition, the continuation grant has introduced the idea that local businesses may want to work with program staff to address domestic violence and stalking in the work place. If that proves viable, the business community may be a potential source of funding for the program as well.

## **Data Collection and Reporting**

Given the almost universal support of the Commonwealth's Attorney's data system, it may be that the program's failure to report quantitative data is simply an oversight or an area no one has thought to address. On the other hand, if the data are being collected but not used to assess the program's operation, a valuable (and expensive) resource is being wasted.

At a minimum, the program must establish benchmarks to monitor the program's performance and outcomes. Ideally, program staff would have input to the decision-making, both to capture their expertise and to ensure their willingness to do whatever is required to collect and report the appropriate data. Implementation of a quality improvement program would ensure the use of the data and provide a spur to change the program in areas where it did not appear to be productive, and valid and reliable measures of program performance showing the program to be successful are likely to be the only product of interest to potential funding sources. It would behoove the staff to involve an outside evaluator to provide technical assistance in this area, at least to establish the measures and the design, and implement the data collection and reporting procedures.

## Appendix – Cooperation and Participation Agreement

A. The Lynchburg Commonwealth’s Attorney’s Office’s **Domestic Violence Prevention Unit** (elsewhere called the Domestic Violence *Prosecution* Unit) would

1. Conduct post-arrest investigations and prosecute all crimes of domestic violence, including misdemeanors;
2. Provide designated prosecutors to increase the successful prosecution of domestic violence cases;
3. Appear on behalf of victims seeking protective orders;
4. Provide legal advice and assistance to the Lynchburg Police Department in order to develop and implement mandatory arrest policies;
5. Provide ongoing legal training to officers of the Lynchburg Police Department (and recruits in) the Central Virginia Criminal Justice Training Academy on the laws pertaining to arrests in domestic violence cases;
6. Provide a representative to be an active member in the Lynchburg Domestic Violence Coalition;<sup>6</sup>
7. Work with the YWCA Family Violence Prevention Center to implement appropriate protective orders for victims of domestic violence and refer domestic violence victims to the Family Violence Prevention Center for emergency shelter and crisis intervention; and
8. Make protective service referrals when appropriate to the Lynchburg Department of Human Services’ Child Protective Services Unit.

B. The **Lynchburg Police Department** would

1. Proactively identify, classify and refer all suspected incidents of domestic abuse to the appropriate agency;
2. Maintain open communication in order to enhance information sharing between the Domestic Violence Prosecution Unit and the Police Department;
3. Provide the Domestic Violence Prosecution Unit with copies of all incident reports involving domestic related crimes on a daily basis;
4. Utilize, when necessary, the Domestic Violence Prosecution Unit on-call legal assistance to police officers involved in domestic violence arrests and investigations;

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<sup>6</sup> The Lynchburg Domestic Violence Coalition began in 1992 when several community leaders and domestic violence prevention advocates came together to share information and promote community education. The Coalition coordinates an annual conference on domestic violence. It is currently seeking to expand to serve the larger four-county area.

5. Assist in the development of a central computerized registry of domestic violence offenders and protective orders; and
  6. Make direct domestic violence referrals to the Domestic Violence Prosecution Unit at the officer's discretion.
- C. The **Lynchburg Domestic Violence Coalition** would
1. Review domestic violence arrest policies as they are formulated; and
  2. Provide community education and awareness through their annual domestic violence conference.
- D. The **Lynchburg Court Services Unit** would
1. Notify the Domestic Violence Prosecution Unit when a domestic violence victim is seeking a protective order; and
  2. Make the appropriate referrals for victims of domestic violence to any or all of the above mentioned agencies as needed.
- E. The **Lynchburg Magistrate's Office** would
1. Provide the Domestic Violence Prosecution Unit with copies of all warrants with the victim summary sheet attached when available;
  2. Refer domestic violence victims to the Domestic Violence Prosecution Unit as needed; and
  3. Provide copies of all emergency protective orders to the Domestic Violence Prosecution Unit.
- F. The **YWCA Domestic Violence Prevention Center** would
1. Provide crisis intervention with shelter when available to victims of domestic violence referred to the Domestic Violence Prosecution Unit;
  2. Provide an open line of communication between the shelter resident and the Domestic Violence Prosecution Unit with information necessary to prosecute domestic violence cases successfully; and
  3. Refer any domestic violence victim to the Domestic Violence Prosecution Unit when appropriate.
- G. The **Lynchburg Commonwealth's Attorney's Victim/Witness Assistance Program** would
1. Assist in providing victims of domestic violence with appropriate referrals and other services and to timely inform victims concerning the status of their criminal prosecution case;
  2. Assist in initial development and organization of the Domestic Violence Prosecution Unit; and
  3. **(Director)** provide training and knowledge for the Domestic Violence Prosecution Unit, drawing upon her ten years' of experience and training in working with victims of domestic violence.

H. The **Sexual Assault Response Program** would

1. Make domestic violence referrals when appropriate to the Domestic Violence Prosecution Unit.

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