

**The author(s) shown below used Federal funds provided by the U.S. Department of Justice and prepared the following final report:**

**Document Title: Clinton County Domestic Abuse Reduction Team (DART)**

**Author(s): Margaret Marcus Hale Ph.D.**

**Document No.: 201880**

**Date Received: September 2003**

**Award Number: 98-WE-VX-0012**

**This report has not been published by the U.S. Department of Justice. To provide better customer service, NCJRS has made this Federally-funded grant final report available electronically in addition to traditional paper copies.**

**Opinions or points of view expressed are those of the author(s) and do not necessarily reflect the official position or policies of the U.S. Department of Justice.**



**Institute for Law and Justice**  
1018 Duke Street  
Alexandria, Virginia  
Phone: 703-684-5300  
Fax: 703-739-5533  
E-Mail: [ilj@ilj.org](mailto:ilj@ilj.org)

## **The Clinton County Domestic Abuse Reduction Team (DART)**

---

**August 1999—Clinton County, New York**

**Margaret Marcus Hale, Ph.D.**

**Submitted August 11, 2000**

*Prepared for*  
**Clinton County Department of Probation  
Clinton County District Attorney's Office  
Clinton County Domestic Violence Task Force  
STOP Domestic Violence  
Violence Against Women Grants Office  
National Institute of Justice**

This project was supported by Grant No. 98-WE-VX-0012 awarded to the Institute for Law and Justice by the National Institute of Justice, Office of Justice Programs, U.S. Department of Justice. Points of view in this document are those of the author and do not necessarily represent the official position or policies of the U.S. Department of Justice.

## **Introduction**

The Grants to Encourage Arrest Policies program promotes the implementation of mandatory or pro-arrest policies as an effective domestic violence intervention that is part of a coordinated community response. Congress appropriated funds for the 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 program. The Violence Against Women Act directs that the Arrest program's funds be used to:

- implement mandatory arrest or pro-arrest programs and policies in police departments, including mandatory arrest programs or pro-arrest programs 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 the abuser moves through the criminal justice system; and
- 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. The National Institute of Justice funds the assessment. ILJ is using a three-stage methodology for this evaluation. First is a national assessment of all grant sites that will document the type and scope of the projects funded. Second, a process evaluation of twenty sites will examine the processes and problems associated with implementation of the projects. Third, an impact evaluation of five to six sites will assess

the impact of the projects 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 Clinton County, New York. The program was chosen for study for three reasons. First, the partnership between the Department of Probation, the District Attorney's Office, and a non-profit direct-service agency was somewhat unusual among the grantees. Second, the project was implemented in a rural area. Third, the project directors and staff were willing to share their insights and experiences with an outside evaluator.

The project received \$137,379 for the 12-month period beginning January 1, 1997 and ending December 31, 1997. A continuation grant for the amount of \$373,616 covered another 18 months of operations, through June 1999.<sup>1</sup>

This report is based on a five-day site visit that concentrated on interviews and document review. Follow-up interviews and inquiries were conducted by telephone. The report is divided into four sections: (1) Project Environment; (2) Grant Development and Implementation; (3) Project Achievements; and (4) Conclusions and Recommendations.

## **Project Environment**

This section describes the geographic and demographic environment of Clinton County, the criminal justice system, and the services associated with domestic violence.

### **Geographic and Demographic Environment**

Clinton County covers 1,039 square miles on the western shore of Lake Champlain in the northeastern corner of New York State. Clinton County's northern border is the international boundary between the United States and Canada, and Montreal is 65 miles from the City of Plattsburgh, the County Seat. Burlington, Vermont, is 50 miles to the east. The County's population, estimated to have been just under 80,000 in 1995, fell from a high of almost 86,000 in 1990. The population decrease is attributed to the closing of the Plattsburgh Air Force Base in

---

<sup>1</sup> The authors of the continuation grant mistakenly predicated the continuation grant budget on a twelve-month period, and have had to curtail some of the program expansions outlined in their proposal.

1993. Approximately 60% of the county is rural; the remainder of the population lives in the Plattsburgh area.<sup>2</sup>

The 1990 Census reported the County's per capita income as \$11,444 and the median household income as \$26,903, with 61% of persons over 16 years of age in the labor force.<sup>3</sup> The Air Force base had been the area's biggest employer until its closure. Over 94% of the population is white; approximately 4% is black.

## **The Criminal Justice System**

### **The Law**

In New York State, a domestic incident is any disturbance, dispute, violence, or report of an offense between individuals within a domestic relationship where police intervention is requested. The victim and abuser need not be related by blood or marriage or have a child in common. A domestic incident is not necessarily a violation of law. Serious domestic violence offenses (e.g., assault<sup>4</sup> in the first or second degree, reckless endangerment in the first degree) are charged as felonies. Less serious offenses (e.g., assault in the third degree, reckless endangerment in the second degree) are charged as misdemeanors. Minor offenses (e.g., harassment or disorderly conduct) may be charged as "violations" and are punishable by up to 15 days in jail.

---

<sup>2</sup> The City of Plattsburgh is bordered on the east by Lake Champlain, and includes the former Plattsburgh Air Force Base. The Town of Plattsburgh extends north, west, and south of the City. Together, the City and Town had a combined population of over 38,000 (44% of the County's total) in 1990. No other municipality in the County had a population greater than 6,500.

<sup>3</sup> This estimate dates from a period before the Air Force base was closed. The percentage employed is thought to be lower now.

<sup>4</sup> An unusual aspect of the definition of "assault" (even misdemeanor assault) in New York State is that it must include a physical injury. The Clinton County District Attorney often uses "attempted assault" as the charge when no physical injury is documented.

## **The Judicial System**

In New York State, legal action as a result of domestic violence may be pursued in civil or criminal courts or both. Civil (or family) courts (including the Supreme Court)<sup>5</sup> issue orders of protection for victims who are legally married to, divorced from, are otherwise related by blood or marriage, or have a child in common with the abuser. If the relationship between the victim and abuser enables the victim to go to family court, then the case may be heard in family court if the offense is classified as a “family” offense.<sup>6</sup> Victims bringing cases in civil courts may represent themselves or hire an attorney. If the victim wishes to have an attorney but his or her income falls below a certain level, the court will appoint an attorney who’s fees will be paid by the State. Potential penalties in civil court include ordering the abuser to compensate the victim for expenses and requiring the abuser to attend a batterers’ intervention program. The civil court may not impose a fine, probation, or incarceration.

Criminal courts may also issue orders of protection for victims of domestic violence, regardless of their relationship with the abuser, and may impose penalties including fines, probation and/or imprisonment.

Clinton County has one municipal court (in the City of Plattsburgh) and 28 justice of the peace courts in which criminal cases are heard. Attorneys are appointed to the bench in the Plattsburgh City Court. The justices of the peace are elected and are not generally attorneys.

## **Law Enforcement**

One of six law enforcement agencies in Clinton County might provide the initial response to an incident of domestic violence,<sup>7</sup> but the Plattsburgh City Police or the State Police handle the majority of the cases. Whether or not an arrest is made, law enforcement officers responding to a domestic incident complete a Domestic Incident Report (see Appendix A), one copy of

---

<sup>5</sup> The Supreme Court is generally used when there is an ongoing divorce or separation proceeding, and there are custody or visitation issues involved.

<sup>6</sup> “Family” offenses include harassment, first and second degree aggravated harassment, second and third degree assault, and menacing, as well as disorderly conduct, attempted assault, and reckless endangerment.

<sup>7</sup> The six law enforcement agencies are: 1) the Plattsburgh City Police; 2) the Rouses Point Village Police; 3) the Champlain Town Police; 4) the New York State Police; 5) the Clinton County Sheriff’s Department; and 6) the Department of Public Safety at the State University of New York in Plattsburgh.

which is forwarded to the District Attorney for review. There were 823 Domestic Incident Reports completed in the County in calendar year 1998 and 414 in the first half of calendar year 1999.

New York State has a mandatory arrest policy in cases in which the police officer has reasonable cause to believe a felony has been committed. When the officer has reasonable cause to believe a misdemeanor has been committed, the abuser must be arrested unless the victim asks that the abuser not be arrested. When a police officer has reasonable cause to believe that a minor offense (i.e., a violation) has been committed, the police may arrest the abuser if the victim asks them to. Finally, when a police officer has reasonable cause to believe that an order of protection has been violated, the offender must be arrested under most circumstances.

The District Attorney in Clinton County prosecutes domestic violence felonies and misdemeanors rigorously. Because of resource limitations, the office has not prosecuted the minor offenses known as violations. In 1999, the District Attorney trained and officially designated a lay legal advocate hired as part of the Grants to Encourage Arrest Policies program to prosecute violations in Clinton County courts.

## **Grant Development and Implementation**

In 1993, the Clinton County District Attorney invited a group of key decision makers to meet informally to resolve a disagreement that had arisen between a Family Court Judge and the State Police. The disagreement stemmed from a lack of understanding of the legal limits of their respective positions. The issue was quickly resolved, but the group continued to meet monthly to discuss the community response to domestic violence. Currently, the Domestic Violence Task Force includes representatives from law enforcement, prosecution, the judiciary, probation, the medical community, the Department of Social Services, and the non-profit agency which provides both psychoeducational programs for batterers and assistance to the victims of domestic violence and their children. The mission of the Clinton County Domestic Violence Task Force is to:

coordinate a consistent community response to domestic violence and abuse so as to **reduce** the incidents thereof and to **prevent** the intergenerational transmission of learned violent behavior by (a) effectuating coordination between agencies, departments, and the courts, (b) focusing on all family members by shifting from our current short-sighted, crisis-oriented victim focus, and (c) promoting effective prevention and intervention techniques in all Clinton County communities.

The director of the Clinton County Department of Probation first brought the request for proposals for the Grants to Encourage Arrest Policies program to the attention of the Task Force. The Task Force coordinator—then supported by another federal grant and working under the supervision of the Department of Probation—drafted the initial proposal with input from the group.

The proposal outlined a unique partnership between the Department of Probation, the District Attorney’s Office, and Stop Domestic Violence (STOP), the non-profit agency serving batterers and victims. Via the grant, Clinton County would:

- hire or promote an individual (first called an investigator and later called a case coordinator) to work out of the District Attorney’s Office to handle follow-up investigations of domestic violence cases and provide training to local law enforcement officers on the needs of the District Attorney’s Office with respect to evidence collection, lethality assessment, primary aggressor recognition, and dual arrest philosophy;
- hire or promote a specialized probation officer to supervise a caseload of batterers and conduct pre-sentence investigations for all domestic violence convictions; and
- hire or promote a victim’s advocate (later modified to be a legal advocate) to work out of the STOP office to contact each Clinton County victim identified on a Domestic Incident Report.

These three individuals were to meet together weekly with the Task Force coordinator as the Domestic Abuse Reduction Team (DART) to “share information, review pending cases, and educate themselves.” Grant funds were also requested to purchase:

- three laptop computers for DART staff;
- three cell phones and cellular service for DART staff;
- a camera and film development for the investigator;
- camera equipment for each patrol car in Clinton County; and

to cover the costs for:

- facilitators for two batterers’ intervention program groups at STOP; and
- overtime pay for the estimated 80 police officers to receive domestic violence training.

The continuation grant requested ongoing funding for the existing DART staff and the hiring of five additional staff:

- two additional specialized probation officers;
- two additional legal advocates at STOP; and
- a new Task Force Coordinator to replace the coordinator whose other grant had expired.

## **Goals and Objectives**

Clinton County’s proposal for the DART program specifies its purpose in terms of three of the Arrest Program’s goals:

- (1) implementing mandatory arrest or pro-arrest programs and policies in police departments;
- (2) developing policies and training programs in police departments to improve tracking of cases involving domestic violence; and
- (3) strengthening the legal advocacy service programs for victims of domestic violence.

The grant narrative goes beyond these goals, stating that:

the goals of this project are to reduce domestic violence in Clinton County and coordinate the criminal justice system’s response through the DART program utilizing vigorous prosecution, victim advocacy, batterer supervision, and court mandated referral of batterers to the Violence Intervention Project.

The initial proposal lists a variety of broadly-specified interim or process objectives, most of which have been met or partly met. Among these are the:

- hiring, transferring or promoting staff to fill DART positions;
- developing a lethality assessment;<sup>8</sup>
- creating a centralized domestic violence probation unit;

---

<sup>8</sup> In fact, no lethality assessment had to be “developed.” Instead, existing tools were implemented. The case coordinator in the District Attorney’s Office uses a proprietary computer-assisted tool called “MOSAIC.” The Department of Probation domestic violence probation officers use the Domestic Violence-Related Supplement to the Pre-Sentencing Investigation, a Domestic Violence-Related Misdemeanor Sentencing Recommendation

- training of the legal advocate;
- developing procedures for communication between DART members;
- developing training for law enforcement and probation officers;
- developing case management procedures (tracking) within the District Attorney’s Office during investigations;
- maintaining “a consistent commitment to batterer accountability and victim safety” in sentencing recommendations made in pre-sentencing reports;
- developing a legal advocacy program (which includes a “presence” in police agencies, courts, the probation department and the District Attorney’s office); and
- providing victim safety planning.

An initial goal to develop and implement an electronic monitoring program has been dropped. The problem is that neither DART nor the Department of Probation has sufficient resources to monitor the offenders to the extent required to ensure compliance. The concern is that potential victims might have a false sense of security and start to rely on a system that could not guarantee their safety.

Notable, however, are three viable process objectives still primarily unmet: the development of guidelines, policies and procedures; the gathering and maintenance of statistical data; and the education of local criminal court magistrates. Each is discussed in more detail below.

## **Unmet Process Objectives**

### **The Development of Guidelines, Policies and Procedures**

DART program staff have established guidelines, policies and procedures which they reportedly follow reliably and it is apparent that this inter-agency team facilitates case processing and victim service provision. Unfortunately, most of their guidelines, policies and procedures have not yet been finalized and distributed. Exceptions include:

---

Matrix and a Behavior Checklist. The last of these measures is completed by the offender. (Copies of the latter appear in Appendix B.)

- four memoranda authored by the District Attorney;<sup>9</sup>
- an Administrative Protocol apparently for emergency room nurses;
- an outline of the victim notification procedures;
- Guidelines for Proceeding in Domestic Violence Incidents given by the case coordinator to the Clinton County police; and
- the Clinton County Probation and Alternatives to Incarceration Domestic Violence Policy .

Work had reportedly been started on written guidelines, policies, and procedures in the Department of Probation when a memo from the New York State Division of Probation and Correctional Alternatives announced a statewide initiative to “develop model probation practice guidelines to assist every department in the design of effective probation domestic violence programs.” Both Clinton County specialized domestic violence probation officers have been assigned to that initiative and will continue to work on their internal policies as part of the effort to ensure that “all probation departments... have written policies concerning domestic violence” by the end of the year 2000.

Two key staff (i.e., the Task Force coordinator and one of the legal advocates) have already left the program to continue their careers elsewhere. Although they continue to have ties with project staff, their day-to-day expertise is no longer available to the program. Without written guidelines, policies, and procedures, the learning curve for new staff will be more difficult. In addition, replication of the program in other jurisdictions will be virtually impossible.

### **The Gathering, Maintenance and Interpretation of Statistical Data**

Three of the four progress reports submitted to the U.S. Department of Justice grant coordinator were available for review for this report.<sup>10</sup> Each progress report includes reports from three DART staff (i.e., the case coordinator, a specialized domestic violence probation officer, and a legal advocate). Some of these reports include data without comment or explanation. For example, the legal advocate’s report for the period January 1 through June

---

<sup>9</sup> These memoranda cover Plea Agreements, Charging Aggravated Harassment 2<sup>nd</sup> and Harassment 2<sup>nd</sup>, How to Prosecute Domestic Violence as “Real” Crime, How to Get Your Police and Prosecutor to Take Domestic Violence Cases Seriously

<sup>10</sup> Missing is the first progress report, covering the initial implementation from July 1 through December 31, 1997.

30,1998 includes graphs showing court referrals and law enforcement referrals for the period 1995 through July 1998 (see Appendix C). No narrative accompanies the graphs to explain why these measures are relevant to the program or the significance of an apparent increasing trend in court referrals and a declining trend in law enforcement referrals.

### **The Education of Local Criminal Court Magistrates**

None of the 28 Justices of the Peace in Clinton County are attorneys. Their only training in the law may come from a two-week course provided by the Administrative Office of the Courts before they assume office. Accordingly, the grant writers hoped to work with the Justices (in some unspecified way) to expand their knowledge of domestic violence. Unfortunately, although there is a judicial representative on the Domestic Violence Task Force, most of the Justices of the Peace avoid the meetings because of a concern that attendance would somehow bias them.

One way to have some impact on the court system is to be present in court and available for consultation with the Judge or Justice. In order to facilitate that practice, the Plattsburgh City Court now schedules all domestic violence cases to be heard on Friday mornings, and DART staff are generally present each Friday. Because Justices of the Peace often have other jobs during the day, the 28 Justice Courts convene at night and do not reserve a particular night for domestic violence cases. Accordingly, DART staff have a much more difficult time making their presence felt in the Justice Courts.

### **Specified Outcome Objectives**

The initial proposal specifies that DART would be deemed successful if it “produced and continued to produce:

- 10% increase in follow through/usage of criminal courts by domestic violence victims;
- 40% of domestic violence victims surveyed will show that they have followed all or part of their safety plans;
- 50% of initial investigations in domestic violence cases are handled appropriately and continue to be;
- computerized tracking of domestic violence cases is institutionalized; and

- probation policies, including training requirement are adhered to, as evidenced by documentation of at least two departmental trainings on domestic violence during the project year.”

All of these objectives are either difficult to quantify, difficult to interpret, or difficult to attribute solely to the program (or all three). For example, New York State’s mandatory arrest policy coupled with the Clinton County District Attorney’s policy not to drop charges are independent of and predate the DART program and greatly reduce the impact of victim choice in the decision to arrest and prosecute in criminal court. Perhaps because of the difficulties inherent in the specified outcomes, none is reported in the three progress reports reviewed. At the same time, it would appear that other program outcomes **NOT** specified in the grant **are** being monitored and that DART appears to have made a positive impact. The most notable of these is the rate at which domestic violence offenders on probation are being charged with probation violations. Although the data have not been reported systematically, the perception is that the number of violations has gone up significantly since the specialized unit and caseload was implemented.

Although they are not being analyzed now, data on many measurable outcomes are available. These include (but are not limited to):

- domestic violence arrest rates over time;
- domestic violence conviction rates over time;
- the number of victims seeking legal advocacy over time;
- victim satisfaction with advocacy services received;
- the rate at which victims seek and follow safety planning assistance;
- the rate at which victims receiving safety planning assistance are further victimized;
- the difference between pre- and post-training knowledge among law enforcement officers trained in domestic violence;
- the difference between pre- and post-training attitudes among law enforcement officers trained in domestic violence.

- the number of prosecutions dropped over time because of incomplete investigation or evidence collection on the part of law enforcement;
- the reconviction rate of domestic violence offenders over time;
- domestic violence conviction rates by jurisdiction over time;
- the difference between pre- and post-training knowledge among Judges and Justices trained in domestic violence;
- the difference between pre- and post-training attitudes among Judges and Justices trained in domestic violence;
- Violence Intervention Program completion rate over time; and
- reconviction rates over time among domestic violence offenders who have completed the Violence Intervention Program compared to those who have not.

## Project Achievements

Although few of the achievements have been reported systematically, DART appears to have accomplished a number of significant achievements. These include:

- ***Better cooperation and coordination among the agencies involved in domestic violence.*** The DART team meets every Thursday to resolve any problems and review current cases, especially those scheduled for Plattsburgh City Court on Friday. The Assistant District Attorney who will prosecute the Plattsburgh City Court cases reviews the docket with the DART team and consults with the staff about any special issues the case may pose or any concerns the staff may have. Generally, the case coordinator, one of the legal advocates, and one of the probation officers are in Plattsburgh City Court every Friday in order to be available to the presiding judge to answer any questions (s)he may have. DART team members don't wait for the Thursday meeting to share new information, but are in touch routinely to discuss new developments. Thus, staff at all three partner agencies contribute to case management in terms of both the victim and the offender.
- ***Police domestic violence training.*** In addition to large training sessions twice a year, the case coordinator has worked with the police to cultivate “an atmosphere of teamwork around the arrest and prosecution of domestic violence” by visiting each police station once a week and talking with any officers who may be available and interested to meet with her. She reports that the police call her routinely to discuss cases and to strategize about the most appropriate charges. This one-on-one training

appears to be working well with those officers who avail themselves of the opportunity.

- ***Judicial domestic violence training.*** By attending Plattsburgh City Court each Friday and other courts on an as-needed basis, DART staff are available to the Judge or Justice to answer case-specific questions as they come up and provide their opinions, when asked, about details to be included in orders of protection and their recommendations with respect to sentencing.
- ***Probation officer training.*** The specialized probation officers are available to other staff of the Probation Department to discuss the cases of those offenders whose primary charge may not have been domestic violence but who may have some history of domestic violence. Occasionally, these cases may be transferred to the domestic violence unit. Other times, the specialized probation officers simply consult with the probation officer assigned to the case on the best strategies for case management.
- ***Intensive supervision of domestic violence offenders on probation.*** With a caseload of approximately 40 domestic violence offenders each, the two specialized probation officers have been able to monitor their probationers closely, seeing them no less than every other week, and conducting unannounced field visits routinely.
- ***Aggressive filing of violations for offenders who do not comply with the court-ordered conditions of their probation and revocations of probation.*** Understanding the on-going nature of most violent domestic relationships, this strategy has enabled the County to focus its attention directly on convicted domestic violence offenders, precisely those individuals likely to commit additional acts of violence against their partners.
- ***The generation of detailed, offense-focused pre-sentencing reports for all domestic violence cases.*** Rather than the general “citizenship” reports a social worker might prepare, the domestic violence pre-sentencing reports compiled by the Clinton County Probation Department now focus on the offense and the offender’s offense history, and make clear recommendations to the Court.
- ***Victim impact statements as part of the pre-sentence investigation.*** The domestic violence probation officers routinely speak with the victims of the offense, and are given permission to include a victim’s statement in approximately 30% of their pre-sentencing reports. Even when they can’t share the information victims provide, the officers often find it helpful in planning their supervision of the offenders.
- ***Identification of strangulation*** as a special aspect of domestic violence and sexual assault cases and implementation of a new training program to address the issues.
- ***Training of the legal advocates*** and their designation by the District Attorney to prosecute domestic violence violations in City Court. This novel solution has

facilitated the prosecution of violations which had not been possible before due to staff limitations.

- *An increase in court referrals* of batterers to the Violence Intervention Program; and
- *The implementation of MOSAIC as a measure of lethality* to be used on all felony and misdemeanor cases in which the victim and abuser have known each other for at least six months.

## **Conclusions and Recommendations**

Clinton County's DART program was designed and implemented by a dedicated cadre of staff who believe they can and do make a positive difference in the lives of the victims of domestic violence. While accomplishing many of its goals, some refinements to the program may enhance both its utility and generalizability. Each is discussed briefly below.

## **Restatement and Measurement of Goals**

Because the program was designed and implemented by legal, criminal justice and social services professionals, it addresses the issues they knew to be problematic in the reduction of domestic violence: identifying the crime, arresting and prosecuting the alleged offender, assisting the victim with safety planning and execution, monitoring the offender's behavior while (s)he is in the community, and changing the future behavior of convicted offender. Without the input of a professional with a background in research or measurement, however, the group did not have the expertise to build in the measurement of quantifiable benchmarks.

As noted previously, many of the DART objectives outlined in the initial proposal are difficult to quantify and interpret. It is not too late, however, for the program to select a set of measures they can use to assess the program's utility. Program staff report that they have access to a great deal of data, some of which dates to the period before implementation of the program. The collection and analyses of these data would enable program staff to quantify their progress, note problems and make changes in program design and implementation, and show the benefits (and any unintended consequences) associated with the program. In addition to informing the program staff themselves, such analyses would be essential to any effort to obtain ongoing post-grant funding for the program.

## **Thinking about the Future**

Plans to address on-going needs and post-grant programs made early in the process help ensure program continuity, and are critical when the program relies on grant-funded positions. If new funding resources are not tapped, many of the gains reported by the program can be expected to dissipate over time when this grant ends.

## **State Police Training**

Obtaining commitments from all of the relevant entities is a critical component of a joint venture, and the failure to do so can have a dramatic negative impact on the overall success of a program. Although representatives of the City of Plattsburgh Police and the State Police sit on the Domestic Violence Task Force, it is important to note that the Task Force is a volunteer organization which does not have the authority to impose its decisions on its members. Rather, each participating entity must make a determination about the extent to which it can and will implement Task Force recommendations. The City of Plattsburgh Police have implemented and responded well to a formal training program on domestic violence. The State Police have not been as responsive to formal training (although more and more individuals informally seek the advice of the case coordinator in the District Attorney's Office). Perhaps, the State Police representatives that sit on the Task Force can provide some suggestions about how training can be modified to be more effective.

## **Training for Justices of the Peace**

The Clinton County District Attorney stated "The term 'domestic violence' is a strange code word for such crimes as assault, rape, attempted murder. It's a term that simply and wrongly minimizes and camouflages the seriousness of what is really going on. New York's criminal laws do not change the definition of the crime depending on the relationship between the defendant and the victim. But when these crimes occur in the home, in private, between people who have a relationship with each other, they can be difficult to see for what they are."

Due to the way in which the statutes are written and the complexity of domestic violence cases, training for Justices of the Peace is critical. One thing that often differentiates domestic from non-domestic violence, however, is the ongoing nature of the coercive relationship. A

brochure distributed by STOP notes that victims of domestic assault are 3 times more likely to be assaulted again within 6 months than are other victims of assault. Knowing more about the cycle of violence, the offenders, and the victims of domestic violence as well as the wide variety of charges which may be brought against domestic violence offenders can help a Justice determine the most appropriate sanction for any particular offender.

Because the Justices have expressed some concern that participation in the Domestic Violence Task Force may somehow bias them or appear to bias them, an alternative training strategy must be sought. One such strategy would be to approach the Administrative Office of the Court to negotiate a workshop on domestic violence to be added to the curriculum currently required for new Justices.

### **The Role of Outside Evaluator**

DART staff and the members of the Domestic Violence Task Force believe in the project, and believe that the program is making a positive difference for the citizens of Clinton County. The staff are eager to measure their successes, and willing to acknowledge obstacles they've failed to overcome. Generally, however, they did not incorporate the collection and analyses of meaningful data in their day-to-day program activities.

As noted previously, many measures are likely to be available to assess the utility of the DART program. What is needed now is a thoughtful determination of the appropriate measures and the implementation of ongoing data collection and analysis protocols. These are arenas in which evaluation experts can (and should) be invited to assist.

### **Special Assignment of Domestic Violence Cases**

Currently, the City of Plattsburgh Police have jurisdiction within the city limits, and the State Police have jurisdiction throughout the rest of the State. These two entities already investigate most incidents of domestic violence. However, there are four other entities which might get a call:

- the County Sheriff's Department;
- the Department of Public Safety at the State University of New York at Plattsburgh;
- the Rouse's Point Village Police; and
- the Champlain Town Police.

In order to ensure that domestic violence investigations are complete and that the evidence required for prosecution is obtained when it is warranted, it may serve the community well to designate the Plattsburgh City Police and the State Police to be the appropriate investigative bodies in their respective jurisdictions.

### **Publishing Written Guidelines, Protocols and Procedures**

A program with few written guidelines, protocols and procedures can not be replicated anywhere else, posing a significant loss to the funding agency and to the population it's intended to serve, especially if it works well. In addition, program staff must take a great deal of time to bring new staff up to speed if they have only word of mouth directives. Finally, the program has little chance of continuing when staff funding runs out, for the wealth of knowledge the staff have gained and the practices that have worked well for them will leave with them. Even though it takes time from service provision, it seems essential that each of the DART staff draft guidelines, protocols and procedures for the work that they do, that they meet as a group to review and fine-tune these documents, and that they present them for further review and discussion to the Domestic Violence Task Force. Finally, they should publish them, if possible, or make them available on the internet to serve as models for other similar programs.

### **Involving the Department of Parole**

Creating a specialized domestic violence unit within the Department of Parole similar to that in place in the Department of Probation would complete the circle of supervision, extending it to those offenders whose crimes were serious enough to be punishable by incarceration. Given the paucity of rehabilitative programs in jails and prisons, it is unlikely that incarcerated offenders can be expected to have changed their behavior significantly while in prison, and they may be even more likely to engage in domestic violence if they blame their partner for their incarceration. Close supervision and participation in the violence intervention program may help deter renewed offending among domestic violence offenders released from confinement.

# Appendices

# Table of Contents

Introduction .....	1
Project Environment.....	2
Geographic and Demographic Environment .....	2
The Criminal Justice System .....	3
The Law.....	3
The Judicial System.....	4
Law Enforcement .....	4
Grant Development and Implementation .....	5
Goals and Objectives .....	7
Unmet Process Objectives .....	8
The Development of Guidelines, Policies and Procedures.....	8
The Gathering, Maintenance <u>and Interpretation</u> of Statistical Data.....	9
The Education of Local Criminal Court Magistrates .....	10
Specified Outcome Objectives.....	10
Project Achievements.....	12
Recommendations and Conclusions .....	14
Restatement and Measurement of Goals .....	14
Thinking about the Future.....	15
State Police Training.....	15

Training for Justices of the Peace ..... 15

The Role of Outside Evaluator ..... 16

Special Assignment of Domestic Violence Cases ..... 16

Publishing Written Guidelines, Protocols and Procedures ..... 17

Involving the Department of Parole..... 17