

Attachment Three (3)

Committee on Domestic Violence
Court Subcommittee Agenda
October 29, 2019

Contents: DV Best Practice Assessment

We will begin shortly. While you wait...

- Audio connection is by VoiceoverIP on your computer or by phone:
1-800-832-0736 and dial code ***5337080#**.
- If using VoIP make sure your speaker/headset volume is on.
- If audio quality is poor, dial in by phone and once connected, turn your speakers off.
- Phone lines are muted.

New Guides to The Domestic Violence Best Practice Assessment: Victim-Witness Services, Bail Setting and Pre-Trial Release

Thursday, September 26, 2019

2:00 – 3:15 pm Central

Praxis International – Institutional Analysis Technical Assistance



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New Guides to The Domestic Violence Best Practice Assessment: Victim-Witness Services, Bail Setting and Pre-Trial Release

Thursday, September 26, 2019

With Denise Eng and Rhonda Martinson

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Webinar details

Accessibility

- Closed Captions are displayed at bottom of screen. Due to limitations of real-time captioning, mistakes are possible.
- Use Q&A box for questions/comments at any time. Presenters will respond within webinar.

Logistics

- Click on Q&A box icon to adjust text size/color settings.

Sound quality

- If VoIP sound quality is low, dial in by phone to [1-800-832-0736](tel:1-800-832-0736) code *5337080# and turn speakers off.

Webinar assistance:

- Send an individual message to TA2TA host(s) or Kue Chang within Q&A box.
- Email kue@praxisinternational.org after the session for assistance with future webinars.



The Work of a Coordinated Community Response to Domestic Violence

Are we prepared at each step to interrupt actions & patters that sustain battering?

Do our interventions have unintended harmful impacts?

Are we sending messages of help & accountability?

Is "every door an open door" to someone seeking safety?

Who seeks or gets drawn into community systems? Who avoids them...and why?

Are we all on the same page?

Is each practitioner prepared to distinguish battering from other forms of domestic violence?

Will our actions make it better or worse for Rachel & her children?

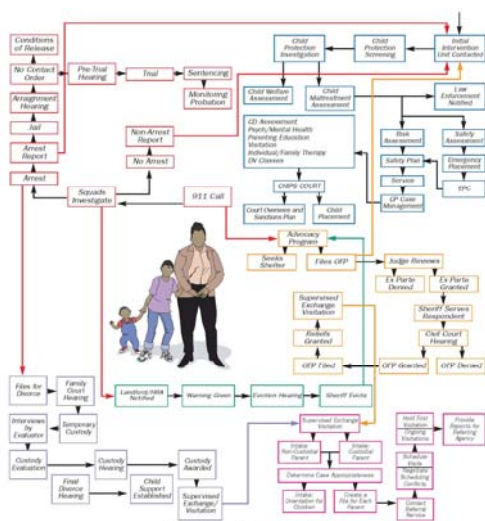


Figure 7: Institutional Intervention in Rachel's Life



Making the connections...

Are we centralizing & strengthening safety for victims?



Do our efforts enhance or diminish offender accountability?



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Praxis Institutional Analysis

Blueprint for Safety

Praxis Safety and Accountability Audit

Best Practice Assessment*

- IS...systematic interagency methods to analyze how specific features are or are not incorporated into daily work routines
- IS NOT...an assessment of individuals



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Best Practice Assessment

FEATURES

- 3-5 meetings
- Focus on 1-2 agencies
- Small team
- Limited data collection
- Little direct consultation with survivors
- May or may not need or result in a written report

BEST APPROACH WHEN...

- Limited time and/or personnel
- Challenging local conditions
- Single agency desires examination of own practices
- Narrow scope of intervention
- Lack of skill, ability, time for group analysis
- Tune up for an agency or CCR



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Praxis Best Practice Assessment Foundations



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Best Practice Assessment Steps

- NOT completed by one person in an office
- Emphasis on practitioner-advocate partnership
- Checklists & templates for:

**Step 1:
Organize & Prepare**

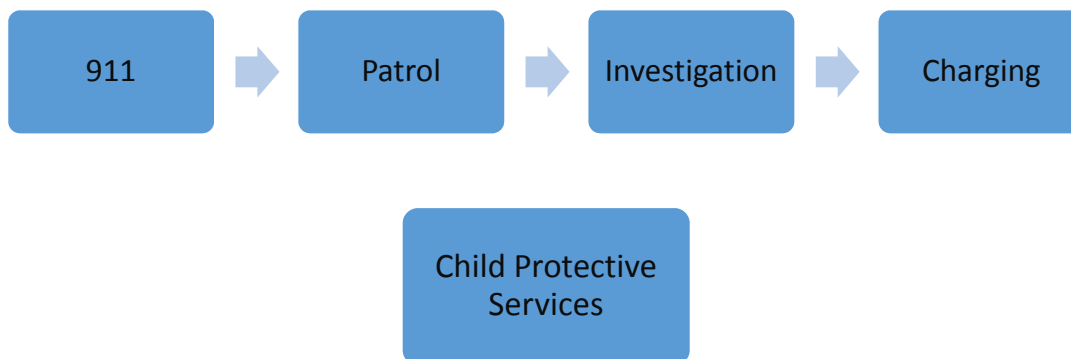
**Step 2:
Map & Analyze Case
Processing**

**Step 3:
Findings &
Recommendations**



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Current Domestic Violence Best Practice Assessment Guides



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New Domestic Violence Best Practice Assessment Guides *(see Q&A Box for link)*



Assessment Steps

Step 1: Organize & Prepare

- Assign a coordinator
- Select the team
- Select a structure & timeline
- Develop & implement a confidentiality agreement, if desired
- Gather policies & case files for review

**Step 1:
Organize &
Prepare**


**Step 2: Map
& Analyze
Case
Processing**

Step 2A:
Mapping

Step 2B:
Analyze Case
Files

Step 2C:
Analyze
Policies

**Step 3:
Findings &
Recommend
ations**



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Step 2: Map & Analyze Case Processing

- Step 2A: Mapping
- Step 2B: Analyze Case Files
- Step 2C: Analyze Policies

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Step 2A: Map steps involved in processing a case

- How does someone’s experience become a case?
 - Use expertise of team members
 - Question & diagram
 - Understand sequence of actions
 - Identify key themes & questions to be answered
- Use as an ongoing reference



Step 1: Organize & Prepare



Step 2: Map & Analyze Case Processing

Step 2A: Mapping



Step 2B: Analyze Case Files



Step 2C: Analyze Policies

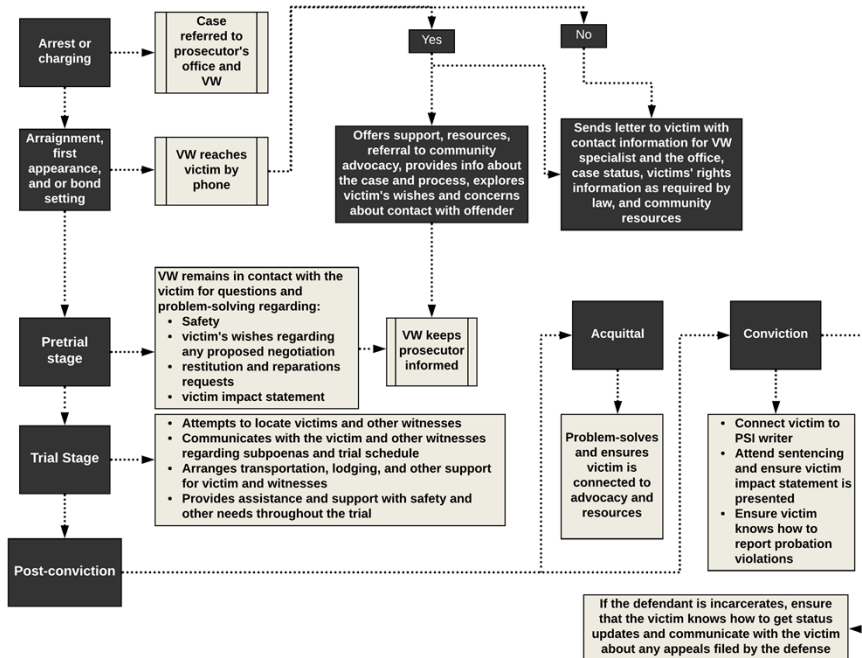


Step 3: Findings & Recommendations



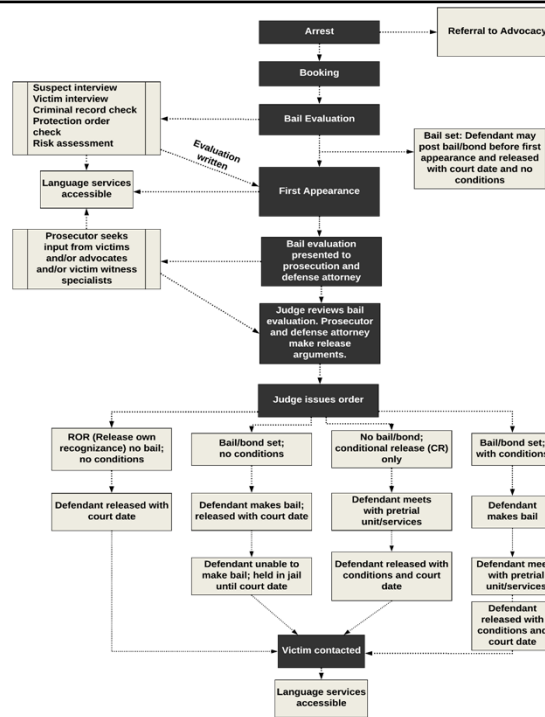
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Victim-Witness Case Processing Map



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1: Bail Setting Processing Map

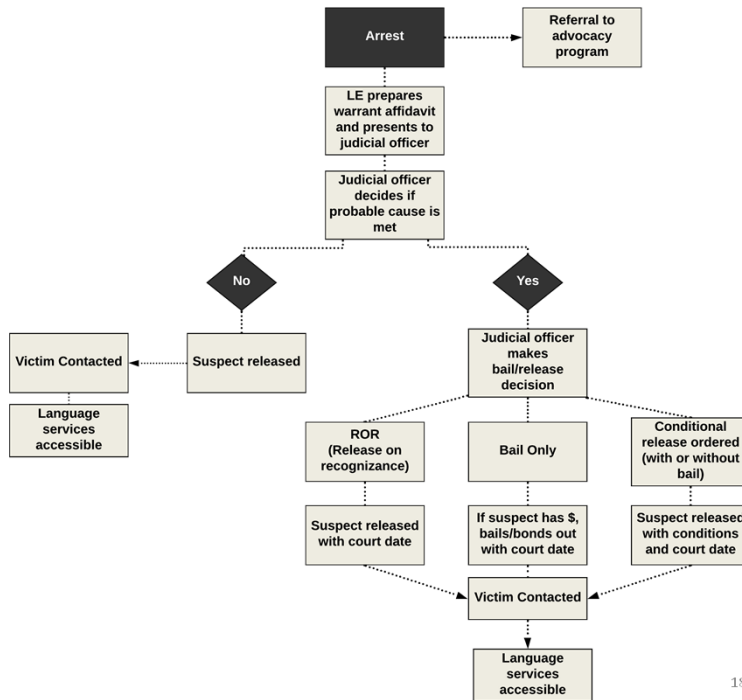


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2: Bail Setting Processing Map

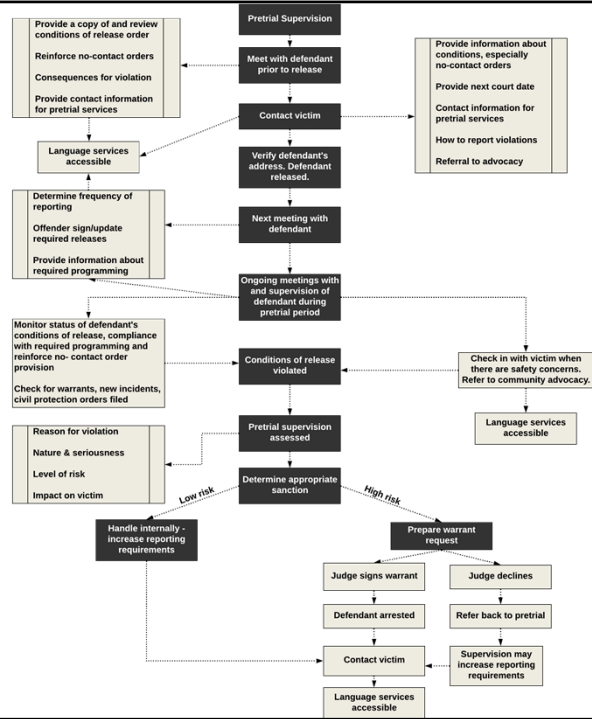


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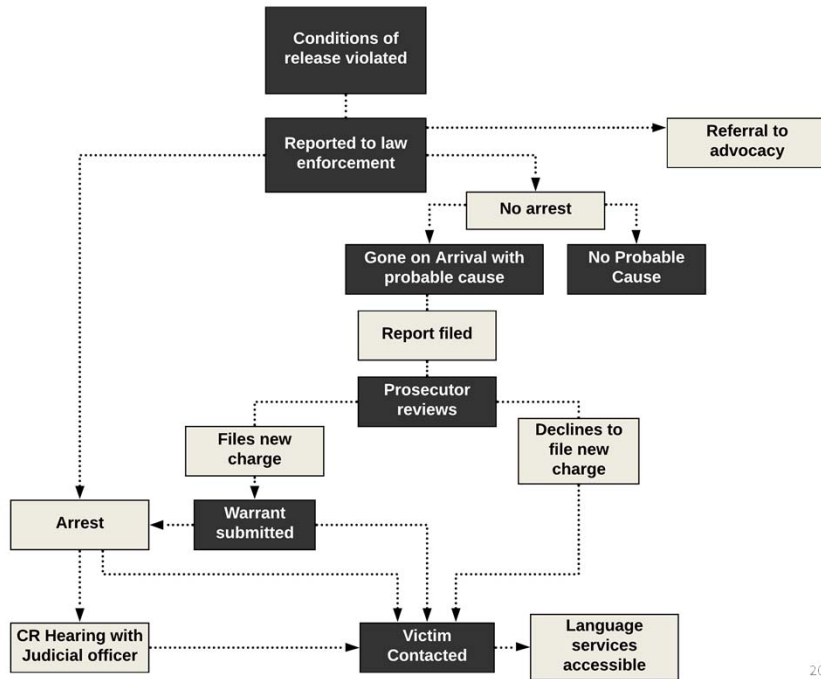
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1: Pretrial Release Processing Map



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2: Pretrial Release Processing Map



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Step 2B: Analyze Case Files/Records

- Access to files/records
- Careful, close reading of case files/records that asks specific questions related to practice
 - Guided by checklists
 - Conducted by the team
- Link discoveries to the case processing map



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Question

What case files or records might be available in your community regarding:

- Victim-witness services?
- Bail setting and conditions of release?
- Pretrial release supervision and enforcement?



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Checklist Themes: Victim-Witness Services

✓ Risk and danger	✓ Victim engagement	✓ Linkages to others
<ul style="list-style-type: none"> • Assessment • Connect victim with confidential advocacy • Communicate with prosecutor 	<ul style="list-style-type: none"> • Contact victim ASAP • First language • Seek input from victim at all stages • Arrange assistance to participate 	<ul style="list-style-type: none"> • Prosecutor • Probation • Community services



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Checklist Themes: Bail Setting & Conditions of Release

✓ Use wide range of info sources	✓ Differentiate Recommendations	✓ Contact/No Contact
<ul style="list-style-type: none"> • Current and past patrol reports • 911 recordings/CAD • Previous bail evals or PSIs • Victim input 	<ul style="list-style-type: none"> • DV risk assessment* • History • Current/past protection orders 	<ul style="list-style-type: none"> • Victim/advocate input • Risk to victim/victim's level of fear • Possible coercion • Economic impact

*See *Blueprint for Safety Practitioner's Guide to Risk and Danger*



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Checklist Themes: Pretrial Release Supervision & Enforcement



Contact with defendant

- Immediately after hearing
- Schedule intake
- Clarify consequences of violations
- Connect with community services ordered and recommended



Victim engagement

- Discuss safety concerns
- Connect to confidential advocacy
- Respond promptly



Violations

- Assess for relevance to safety
- Input from victim/advocacy
- Update DV risk assessment
- Input from community service providers (BIPs, Treatment, etc.)



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Step 2C: Analyze Policies

- Look at whether & how policy is consistent with best practice related to:
 - Principles
 - Procedures
 - Monitoring/Accountability
- Along with mapping & case file analysis, develop as complete a picture as possible of where & how policy currently functions & could change



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Policy Review Themes

Principles	Procedures	Monitoring
<ul style="list-style-type: none"> • Collective goals • Context & severity • Patterned crime • Sure & swift consequences • Help & accountability • Reduce disparity 	<ul style="list-style-type: none"> • Case criteria • Documentation • Victim-defendants • Victim safety & protection • Protecting mother = protecting children • Victim notification/connections to advocacy 	<ul style="list-style-type: none"> • Supervision • Intra-agency • Inter-agency • Data collection and information sharing



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Question

What policy items would you anticipate being able to review in:

- Victim-witness services?
- Bail setting and conditions of release?
- Pretrial release supervision and enforcement?



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Sample Policy: Victim-Witness Services

- Make diligent efforts to contact victims as soon as possible after charging.
- Provide information to victims on non-charged cases as requested.
- Offer support and resources according to immediate concerns and ongoing needs of the victim and her or his family.
- Explain information and education on the court process, including explaining crime victims' rights. Be available to address victims' concerns.
- Assist the victim with financial concerns resulting from the crime.
- Provide information on pretrial release issues.
- Assist victims and witnesses during the trial process.
- Provide information and support through case disposition, including explanatory information on prosecutor decisions.
- Assist with post-conviction issues.



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Sample Policy: Bail Setting

- Utilize the widest possible range of sources of information to determine bail and conditions of release that will best meet the safety needs of the victim and others.
- Identify and document the risk factors related to the current offense and past actions in determining the threat the defendant presents to the victim and other persons and the related safety needs.
- Seek and document input from the victim and/or the victim's advocate regarding contact with the offender and other conditions of release.
- Consider each no-contact recommendation individually and avoid requesting a no-contact order automatically in every case.
- Make recommendations to the court for bail and conditions of release that reflect the context and severity of the offense, the danger that the defendant poses, and the safety needs of the victim and the public.



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Sample Policy: Pretrial Release

- Determine the frequency and manner of contact with pretrial services. In cases of high risk to victim, consider requiring frequent and/or in-person reporting.
- Contact the victim before the defendant is released from jail to inform her or him of the conditions of release, information regarding issuance of a no-contact order, date and time of next hearing, how to report violations.
- Provide community referrals, e.g., employment, housing, counseling, medical care, education.
- Thoroughly document in case notes all contacts with the defendant, the defendant's compliance with conditions, contacts with the victim (particularly any information related to risk and danger), and actions taken by the conditional release supervisor.



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Step 3: Report Findings & Recommend Changes

- Identify common themes & key findings
- Develop recommendations for change
- Construct a plan for change



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Examples of outcomes

- Developed and implemented follow-up questions for 911 operators
- Improved consistency in risk assessment in patrol response
- Improved stalking investigation
- Established an advocacy-initiated response
- Developed state-certified training for patrol officers
- Created a new domestic violence investigator position



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Final questions, comments



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Resources

Existing Guides

- 911 & Patrol
- Investigation & Prosecution Charging
- Child Protective Services

New Guides

- Victim-Witness
- Bail Setting & Pretrial Release
- Plea Agreements & Sentencing

Additional Resources

- Videos (10 min)
 - Overview
 - Building a team
- Checklists
- Sample reports
- Past webinars

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



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For further information...

[Praxis International website](http://www.praxisinternational.org)

www.praxisinternational.org

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