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# **Advocacy In a Coordinated Community Response**

## **Overview and Highlights of Three Programs**

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## Overview of Advocacy

### Individual and Systems Advocacy

The social changes which have enabled more women than ever before to leave batterers are the result of efforts by advocates working on behalf of battered women, individually and collectively. Since the mid-1970's, advocates (many of whom were battered women themselves) have accompanied, supported, and guided millions of individual battered women through the numerous social institutions they must negotiate in order to leave and/or protect themselves from further abuse. Through this individual advocacy activity, the institutional obstacles faced by battered women in the religious, welfare, medical, mental health, educational (if she has children), and civil and criminal justice systems were exposed and the practice of systems advocacy emerged. Sometimes called class advocacy, systems advocacy is an effort to reform institutional responses to battered women, collectively, so that the totality of their experience is taken into account, leading to greater safety for victims and greater accountability for batterers.

Though there is much work remaining, systems advocacy has led to changes and initiatives in every major institution in this country. Some examples are: good cause exemptions and waivers to the work requirement for battered women applying for welfare; collaborations and protocol development between advocates and child welfare agencies to prevent abusers from successfully using the children to punish the victim for leaving or coerce her to return; the near- elimination of the dangerous practice of providing relationship counseling or mediation where there has been battering; specialized curricula and training on domestic violence within educational and professional institutions; routine screening for domestic violence in hospitals and medical centers; and the development of state model codes on battering.

The public is most aware of both individual and systems advocacy efforts within the criminal justice system. This is due to the volume of activity in this system and a number of high profile cases in recent years which have highlighted the need for change. While it is the only system that can truly protect a battered woman and her children, historically, it has failed to do so. Until this century it was not illegal to beat your wife and until the advent of the battered women's movement, police

were not empowered to arrest unless they witnessed the assault or the victim was willing to make a citizen's arrest. Probable cause arrest laws which enabled law enforcement to make warrantless arrests and civil protection orders which provided women immediate protection from abuse, resulted from early systems advocacy in state legislatures. The development of mandatory arrest laws and model arrest policy legislation followed as advocates attempted to increase the likelihood that batterers are arrested and victims protected from erroneous arrest. Currently, while advocates continue to develop and refine legislation to protect battered women and their children within a wide array of institutions, they are devoting considerable attention within communities across the country to the coordination of criminal justice, human service and advocacy responses to domestic violence. This activity is propelled by an understanding that, in spite of legal advances, unless there is a coordinated community response, batterers will take advantage of the fragmentation, misunderstanding, and bias of the criminal justice system to avoid prosecution and subsequent consequences for their acts of violence, often further isolating, manipulating, and controlling their victims in order to do so.

### **The Importance of Immediate Individual Advocacy in the Legal System**

Criminal justice professionals now understand that the involvement of advocates at the first sign of conflict in the home can be crucial to preventing future injury. Once legal system involvement is activated, the victim is thrown into a situation that can be as frightening and disempowering as her battering situation. At a point where she is most vulnerable and alone, victims are faced with a number of unanticipated problems as a result of the legal action, such as, what to do when he is released, where to go, what to tell the children, how to support herself if she leaves, what to tell the system if she doesn't want to leave. Her feelings of anger and terror can be compounded by feelings of numbness, fatigue, and ambivalence. Although police officers can provide the protections of the law, a trained advocate can provide her with the help she needs to weather her emotional upheaval and make crisis - based decisions. Without special attention from someone who understands what she is going through and who can link her up to the resources she needs, victims often find themselves feeling like they made a mistake. This increases the likelihood that they will not feel able (or be coerced not) to cooperate with prosecution and/or will drop or disregard their restraining orders. If they feel overwhelmed and unsupported by the process, they will be hesitant to use the legal system again. And if they are not connected with the necessary resources, they may find that the obstacles they face are insurmountable. The time frame for getting free from domestic violence is therefore extended.

### **The Importance of Advocacy-Initiated Contact**

In most states, legislation has been enacted which requires law enforcement to provide victims of domestic abuse with the names and numbers of area advocacy services. However, at the time of arrest, the victim is often unable and/or unwilling to make the first contact. Her reasons include:

- **Past Help- Seeking Experiences.** If victims have had negative experiences seeking help in the past, it is more difficult for them to reach out for assistance. In a study done by Bowker, 854 women sought assistance because of their battering on over 3,000 occasions, an average of three times per woman. In most of these cases, they did not receive the help they needed to escape the

violence. This creates multiple problems for the victim: she does not get adequate protection or support; her partner pays her back with escalating violence or harassment; she learns that it is dangerous to act; and she becomes more isolated which leads to her further entrapment and loss of hope.

- **Embarrassment and Feelings of Guilt.** At the time of the assault, women are in crisis. An effect of battering is that victims blame themselves for the violence. The constant assertions from their batterer to that effect and their past negative help-seeking experiences may have led them to believe that everyone else will, also.
- **Fear of Retaliation.** Batterers use of violence is instrumental and functional, used to dominate and control their victims. An essential component of this control is to isolate her -- from family, friends, and anyone else who might be able to help her. The battered woman understands that when the abuser returns after his arrest and incarceration, she will have to account to him for her actions subsequent to his arrest. She understands that if he learns that she sought help from an outside source, he may punish her.
- **Feeling Overwhelmed and Overwrought.** Battering most often depletes women physically, psychologically, and spiritually. At the time of the assault, it can feel overwhelming to do anything. She may fear that in order to please those offering help she may be required to leave her partner and she may not be ready to do that. She may be ashamed about her ambivalence about the relationship and not want to expose this to outsiders.

Because of the necessity of providing her with immediate assistance and with the understanding that she frequently will not make the first call to the advocacy agency, communities with effective coordinated community response models have developed policies that provide for immediate advocacy initiated by the advocacy program upon notification by law enforcement. When communities rely on the battered woman to initiate contact, without understanding why she often fails to do so, they deprive her of the advocacy she needs to better assure her safety and she becomes more vulnerable to her abuser's influence.

## **Advocacy in A Coordinated Community Response**

Individual and systems advocacy are an integral part of a coordinated community response to domestic violence. Effective intervention in domestic assault situations occurs when each agency in the criminal justice system clarifies and coordinates their policies, procedures and protocols in order to meet the three major goals of intervention, which are:

1. to provide for the safety of the victim;
2. to hold the offender accountable, creating a specific deterrent to his repeated use of violence; and
3. to change the climate in the community, creating a general deterrence to the use of violence as an acceptable practice in the home.

The most important goal in a coordinated community response is to provide safety for the victim. All other goals and efforts to standardize practices must be considered and met in way that do not compromise this principle. For example, probable cause and mandatory arrest laws took the burden of arrest off of the victim, with an awareness that the victim's safety was compromised when she was asked by law enforcement whether she wanted an arrest to take place. Similarly, arrest policy legislation which enables law enforcement to assess more thoroughly for self-defensive and primary aggressor violence provides for greater victim safety. If a victim's self-defensive violence is confused with assault and battering and she is arrested it is understood that it can ultimately increase the danger to her because she will be less able to protect herself the next time and less likely to call for help. Even though the assumption behind these legal advances is that arrest increases victim safety, coordinated community response models take into account that additional protective measures need to be in place for her and the children because the act of intervening is always potentially dangerous for the victim and separation can be the most dangerous time.

For that reason, it is important that a coordinated community response include the provision of protective resources for victims, such as emergency housing; educational/support groups; and advocacy in the legal, medical, and welfare system. It is also necessary for a coordinated community response to assure that victims can effectively access these services. This access is provided by the use of advocates specially trained in immediate intervention who can provide valuable information to the victim. Finally, for a coordinated community response to be effective it must institutionalize ongoing feedback from advocates on the effect of any reform on the victim. Though each representative of an agency that comes into contact with the victim can develop a sensitivity to the effects of their individual and agency actions on her, their involvement with her represents only a fraction of her journey through the system. Advocates are uniquely situated to represent the totality of her experience because of their ongoing involvement with her in a variety of settings for an extended period of time from arrest through case disposition and beyond. Additionally, because advocates' primary allegiance is to the victim and because, ideally, they are not employed by the system, they can afford greater objectivity to observe and identify problems still existent in the system. Without centralizing ongoing feedback from independent advocates to identify continuing problems in the systemic response, a coordinated community response will not keep victims safe, hold offenders accountable, nor change the climate in the community.

## **Highlights of Advocacy In Three Coordinated Community Response Models**

The remainder of this article will highlight three battered women's advocacy programs who have created and remain intrinsically involved in coordinating their community's response to domestic assault. Although they employ differing strategies and represent varying degrees of involvement with the system, they are all independent agencies, utilizing both individual and systems advocacy methods to collaborate with and sensitize their communities to the complex issues involved in the delivery of justice to battered women.

## **The Duluth, Minnesota Domestic Abuse Intervention Project (DAIP) Advocacy Response**

206 W. 4th St. Duluth, MN, 55806 Contact: Jill Abernathy, DAIP Women's Resource Advocate  
Ph. 218-722-2781, ext. 108

The Duluth Domestic Abuse Intervention Project (DAIP) was developed in 1980. It was the first project of its kind to coordinate the interventive activities of every criminal justice agency in one city. This project has served as a model nationally and internationally. Because of its success, the 1991 Minnesota Legislature mandated that each of the 38 Legislative Assignment Districts establish an intervention project coordinated by a battered women's advocacy group. As of 1997, there are 44 intervention projects in Minnesota.

### **The Role of the Advocate in the DAIP**

The DAIP collaborates with the Women's Coalition, the area shelter for battered women, to provide advocacy for battered women from the time of the initial arrest through case disposition and while the batterer attends court- ordered men's nonviolence classes. Advocacy is provided by three types of advocates: the Arrest Follow-Up Advocate and the Court Advocate who are employed and coordinated by the Women's Coalition, and the Domestic Abuse Intervention Project Women's Resource Advocate.

#### **1. The Role of the Arrest Follow-Up Advocate: An Immediate Response after Police Intervention and Arrest**

After an arrest for domestic assault has been made and the batterer has been transported to the jail, the jail notifies the shelter and relays basic information about the arrest-- the name and address of the assailant and victim, the charges filed, how long he will be held and other related information. The shelter pages an on-call volunteer advocate who receives a stipend to provide follow up advocacy to the victim after the arrest. The follow up advocate phones the woman and lets her know that she will be coming out to her home to meet with her. If the woman is not interested in a home visit, the advocate offers support, provides basic information, and gathers information over the phone. If there is no phone the advocate will go to her home right away and attempt to meet with her.

The purpose of the home visit is to provide support and information about available community resources, such as the shelter and women's groups; explain the criminal court process, the battered woman's role in it, and expected outcomes; to describe the civil court remedies available to her, such as a protection order; and to obtain information from her for the purpose of serving as her liaison to the legal system and in order to ascertain the level of danger that she is in. This is accomplished through the completion of an "Arrest Follow up Assessment" (APPENDIX A: Arrest Follow up Assessment). The advocate explains that the abuser will be held until the arraignment hearing which will take place the next morning or the next available workday, in the case of weekends and holidays, and that the abuser will likely enter a not - guilty plea and be released from custody. The woman is informed that her wishes regarding his release and the court case

in general will be considered. The volunteer will relay her wishes to a legal advocate who will in turn pass them on to representatives of the court, in particular the probation officer, the individual who is responsible for recommending the conditions of his release to the court. This occurs only if she agrees to it and has signed a release to that effect. The woman is informed that the legal advocate will maintain contact with her throughout the remainder of the court case and will be contacting her the next morning. She is also informed that it is her right to attend the arraignment and all subsequent court hearings but it is not a requirement unless she is subpoenaed as a witness. She is also informed that the legal advocate can transport her and accompany her to these hearings if desired. The advocate will take the woman to the shelter or another location if she wishes to leave her home.

The volunteer advocate drops off the "Arrest Follow up Assessment" at the Women's Coalition, the battered women's shelter, by 7:15 a.m. the next day.

## 2. The Role of the Court Advocate: Advocacy Throughout the Court Proceedings

Each morning a court advocate faxes the follow up assessments to the probation department in time for arraignments. Court advocates attend all hearings. When the woman wishes to attend she is accompanied by the court advocate who facilitates her contact with court personnel. When the woman does not attend, the court advocate will report the outcome of the case to her. If a woman decides to obtain a civil protection order, the court advocate assists her in applying that morning so that the order can be served on the respondent before he is released from jail. Throughout the remaining court hearings until the case is disposed, the court advocate keeps the woman informed about the case and supports her wishes regarding the case's disposition to court personnel.

## 3. The DAIP Women's Resource Advocate and Native Resource Advocate: Advocacy Provided After Case Disposition

When a defendant pleads guilty or is convicted, he is court-ordered into DAIP's 26-week, "Men's Non - Violence Classes". Whether court- ordered or voluntary, each man signs a release of information at orientation allowing DAIP staff to communicate with his partner. The DAIP Women's Resource Advocate or the Native Women's Resource Advocate then contacts her by letter (APPENDIX B: Women's Orientation Letter), inviting her to attend the ongoing women's orientation groups. If she does not respond, two more attempts are made to reach her by mail and if there is still no response, the advocate will attempt to reach her by phone. The orientation sessions are provided for all women who are victims of men court-ordered to DAIP classes, whether or not they are still in relationships with them.

The women's orientation session are not an effort to encourage her to cooperate with his "treatment" or to assure that he is "successful" or to "fix" the relationship. (DAIP makes no claims that men will be able to rebuild or salvage the relationship nor that any activity on the part of the victim will influence whether he remains non-violent). Rather, these sessions are an effort to provide her with the ongoing support and education required to meet her unique needs as her

partner or ex-partner attends the classes. Frequently, the batterer uses the information he learns in the classes to further his control over her, by suggesting to her that the facilitators agree that she is the problem, or by applying what they are learning to evaluate her behavior as abusive, or by informing her that the facilitators have pronounced the batterer "cured". This behavior is directed at maintaining control and isolating her from the people that may be able to help her. At the orientation sessions, she is provided with accurate information about the purpose and content of the men's classes. She is also provided other support and information relevant to her needs at the time, whether it is information on divorce and custody issues; assistance in assessing his changes for a potential reunion; deciding whether to stay or leave; and/or accessing the resources that are necessary to live independently. The women's resource advocate also gathers information from the women during the initial contact about the history of abuse which is then provided to the batterers group facilitator. Women are also informed that the DAIP court reports regarding his attendance will also be sent to her. The advocate lets her know about "duty to warn" -- that if any concerns about her safety come up as a result of threats or other behaviors in the batterers group, she will be informed. The women are also encouraged to inform the DAIP advocate if she continues to be battered or in other ways controlled by her partner. She is also informed about DAIP policy regarding information that she shares with the advocate regarding his ongoing physically abusive behavior: that it will not be shared with anyone else unless it is her expressed wish; that it can be shared with the group facilitator who can confront her partner with the information or not depending on her decision; and that if he is confronted there will likely be legal consequences. If a woman decides she wants her partner confronted about ongoing abusive behavior, this is done only after provisions for her safety have been made with her. The advocate attempts to maintain contact with the woman throughout her partner's attendance at the DAIP batterers group.

## **Other Advocacy Roles**

### **1. Advocacy in Non-Arrest Domestic Situations.**

All 911 transcripts noting domestic calls are given to DAIP staff who attempt to contact all victims by telephone. The purpose of this contact is to check on her safety and provide information about available services as well as to monitor the police response. A brief series of questions are asked to ascertain whether the officers responded appropriately according to departmental policies. Possible problems are investigated more fully by DAIP staff and discussed with the department. Staff provide each woman with advocacy assistance as necessary.

### **2. Systems Advocacy and Interagency Meetings**

The DAIP tracks the institutional status of every case from 911 through disposition. The results of this tracking is discussed at interagency meetings in order to develop, evaluate, and update policies, procedures, and protocols; to resolve problems with individual cases; to determine where problems are the result of individual error or systemic in nature, and to discuss related issues faced by practitioners. The configuration of those participating in the meetings depends



on the nature of the issue or problem being discussed, but there are always DAIP representatives and 2-3 advocates for battered women in attendance.

The role of the advocate at an interagency meeting is to bring the perspective of the battered woman to the discussion. In most cases the problem or practice being addressed revolves around the system's failure to adequately protect the victim or hold the offender accountable. Without her point of view represented, the system tends to see its failures in terms of the victim's unwillingness to cooperate, failing to understand that her lack of cooperation is a result of the system's failure and not the cause. The voice of battered women at the table provides a valuable perspective which leads to solutions that do not pathologize her behavior but rather take the totality of her experience into account.

### **Advocacy and Women's Groups**

- Women's Groups Available at DAIP

Each time an advocate talks to a battered woman it breaks down the isolation that she experiences and assists her in reframing her experience so that she no longer feels responsible for the violence that has been done to her. These effects accelerate her ability to break free of his control on both a physical and psychological level and are magnified when she meets with other battered women in the context of a battered women's group. Advocates regularly encourage women to attend the groups where they can receive emotional support and additional advocacy. The DAIP groups use the educational curriculum, *In Out Best Interest*, to help women understand the dynamics of battering, explore the effects that violence has had on their lives, and plan for their own protection. The groups are ongoing; transportation and on-site child care is provided to facilitate attendance. At times a group designed especially for Indian women is offered.

- Other Women's Groups in the Community

Support groups for battered women are conducted by the Women's Coalition, on site and in other locations throughout the community. The shelter also offers a support group for adolescent girls in abusive relationships.

- Women's Nonviolence Groups

Women who are charged with domestic crimes are also referred to DAIP. Staff conducting the intake interview attempt to understand the full context of the woman's actions in order to ascertain if she is a battered woman who may have been acting in self-defense or in retaliation for past abuse. Upon consideration of all the information gathered, she may be placed in the women's educational group or in the group for women charged with assaults. Reporting to the courts on attendance is similar to that of the men's groups. A curriculum for women perpetrators which is in development includes approaches for discussing the effects of victimization combined with exercises dealing with the negative impact of the use of violence.

- Parenting Groups

The Visitation Center offers separate parenting groups for men and women. These groups cover basic parenting skills and emphasize the negative effects of violence on children.

- Training

After they have completed an application and a screening which includes a background check, training for Follow-up Arrest Advocates is tailored to meet their individual needs. The 'new' advocates meet with the Intervention Program Coordinator who sets up a schedule whereby they are mentored by other experienced Follow-up Advocates. The mentor and novice provide home visits together until the new volunteer is comfortable doing it on her own. At that time the Intervention Program Coordinator, who has monitored her progress, will determine whether she is ready to go out on her own.

The new Arrest Follow up Advocate must attend a day-long orientation session (APPENDIX C: Orientation Agenda), required of all volunteers at the Women's Coalition and must complete a self - guided training of mandatory readings and video - tape viewing (APPENDIX D: On Call Advocate Training Checklist).

## **The Domestic Violence Project, Inc. /SAFE House On-Call Services**

PO Box 705 Ann Arbor, MI 48107

Contact: Erin House, Supervisor of On-Call Response Program Ph. (313) 973-0242, ext. 253

On-Call advocacy for domestic violence survivors involved with the criminal justice system is a component of the Domestic Violence Project, Inc./SAFE House, a community-based nonprofit agency providing services to victims of battering and their children, including emergency shelter, non-residential counseling, support groups, home-based services, prevention and social change services. On-Call Services provides a 24- hour response by advocacy teams comprised of volunteers and paid staff in every law enforcement jurisdiction in Washtenaw County as well as hospital emergency rooms in Washtenaw County, Michigan. In 1996, 50 On-Call Advocates responded to 765 domestic assault arrests calls from police.

### **On-Call Advocacy**

After every police intervention for domestic assault, the responding officer informs the survivor that SAFE House advocates will contact her shortly.

- If the assailant has been arrested, the officers page the On-Call Advocacy Team from the police station after he is in custody. The On-Call Team is comprised of two volunteer advocates who drive directly to the survivor's home to meet with her. During the On-Call contact, the On - Call Team talks with the survivor about the assault and prior abuse, giving her information about domestic violence and the power and control wheel in order to help the survivor better understand

her partner's behavior and the pattern of abuse. The On - Call Team gives information about the legal system and helps the survivor to understand how it works and what her options are. The On - Call Team helps the survivor explore her feelings, her options and work out a safety plan. The On - Call Team also informs the survivor of agency and community resources available to her. The On-Call Team also routinely assist survivors in requesting "no-contact orders" to be made as a condition of the assailant's release. Every survivor is given a *Survivor's Handbook* , which is a 60-page booklet that answers frequently asked questions about battering, the woman's legal rights, and available services; a safety plan; and flyer listing the different domestic violence support groups in the community . If the survivor is not home or does not answer the door, the On - Call Team leaves a packet of information for her along with a letter explaining what SAFE House is, how they learned that she was assaulted, how they would like to be supportive of her, and initial information about conditional bond release.

After the visit, the advocates document their contact and pass the information on to the legal advocates at the shelter, who follow up with her by phone and will advocate for her throughout the court process. The perpetrator is arraigned within 20 hours or he is released. The victim is informed when he is released and when she cannot be reached, the shelter is informed. The survivor is provided a follow up call the next day by the volunteer or legal advocates.

- If the assailant has not been arrested, the On-Call Team calls the survivor to arrange to meet in a public place. If that is not possible, the On - Call Team conducts the intervention by phone and arranges to send the packet of information to the survivor at a safe location.

### **When Women are Arrested and Dual Assaults**

Police are required by law to make a determination of the "perpetrator" of the assault based primarily on the physical evidence and each party's description of what occurred in a specific incident. Battering, however, is a pattern of behavior which includes physical as well as emotional and verbal abuse used primarily by men to establish and maintain power and control over an intimate partner. Women will sometimes be erroneously arrested for acts of violence that are self-defensive or in other ways resulting from being abused. Therefore, when women are arrested or there is a dual arrest, On-Call Advocates are trained to distinguish between battering used by perpetrators and violence used by victims. (APPENDIX E: "When Women Use Violence And/Or Are Arrested").

Before providing services, on-call advocates consult the On-Call Supervisor; review agency records for past contacts with either party; and interview the police, looking for evidence of self-defense. The man is also directly assessed by asking him a set of specific questions ( APPENDIX F: Talking With Men) to ascertain which party uses physical violence as well as tactics from the power and control wheel to establish and maintain control in the relationship as a whole. The on-call advocates share their impressions with the On-Call Supervisor who will make a final determination. When it is determined that a survivor in the opinion of SAFE House is actually a perpetrator, SAFE House will advocate on behalf of the defense of the battered woman.

DVP policy establishes the importance of discriminating between the use of violence used to establish power and control and violence used to resist it because if a survivor is erroneously convicted of domestic assault, this fact will likely be used against her-- her batterer will be able to use the fact

of her record against her, thereby increasing his control over her and she will be less likely to call for help if she is a victim again. Likewise without intervention on the "real" batterer, he will likely continue his assaultive behavior and the potential for lethality is increased.

DVP will only work with male victims after they have provided an assessment to determine that the woman was not incorrectly arrested. If the assessment reveals that the male "victim" is really the perpetrator, they will intervene with the "true" domestic assault survivor in the jail.

### **Legal Advocacy**

Legal Advocates attend most court hearings. Their role is to: advocate on her behalf; accompany her to court hearings and meetings with the police, prosecutor, and other involved attorneys, probation, and others; provide technical assistance to the prosecutor and judge; and monitor the system.

Direct advocacy for the victim includes: reviewing police reports with the survivor for accuracy and completeness; assisting with victim impact statements; ascertaining the survivor's needs and facilitating her ability to communicate these directly to the prosecutor and other court representatives. All contact between the survivor and the legal advocate is confidential unless a release of information has been signed. The victim is fully informed about the legal process and her role in the prosecution of the case. Prosecution is presented as one avenue by which she *may* become safer. If she chooses not to participate in prosecution, she will explain her reasons to the prosecutor with the support of the advocate when needed. The Legal Advocates see themselves as allies of the prosecutors in that both have an interest in holding assailants accountable. However, advocates are not an extension of the prosecution team and function autonomously to assure that prosecution proceeds in a way that takes into consideration the safety of the victim. In cases where the survivor decides not to participate, the case is evaluated for whether victimless prosecution is an option, in which case, representatives of Violence Intervention Project are available to provide expert testimony to explain why some survivors recant or do not participate in the prosecution of their assailants.

Monitoring the system is an important function of the legal advocate. If the advocate determines that a problem exists regarding how a case is handled, she deals directly with the errant individual. If the problem persists, the legal advocate consults with other staff at the Domestic Violence Project and together they strategize and implement a solution which may include reporting the problem to a supervisor, providing additional training, and in extreme cases, going to the media or enacting some other kind of public action.

The Legal advocates also participate in training for judges, prosecutors, and probation.

### **Ethical Standards**

All paid and volunteer advocates must agree to subscribe to ethical guidelines and abide by the principals found in their empowerment philosophy (APPENDIX G: "DVP, Inc./SAFE House Empowerment Philosophy") which contains specific points for working with survivors through the court system, including:

- the need to stay current on the laws, policies, procedures, and personnel in her community, as well as the differential impact that the system has had on battered women, and societal disadvantaged populations.
- making the legal system accessible to battered women and making them more comfortable with the process by accompanying them, talking to personnel on their behalf, and translating legalese into English.
- keeping the survivor informed of contacts made on her behalf, helping her do things for herself and supporting her in becoming her own best advocate.
- supporting battered women in making their own decisions, not pressuring them to report crimes, press charges, or go to court; not colluding with the system in order to make it easier for the advocate or the agency. For example, sometimes the advocate might want the survivor to agree to a "deal" to make the prosecutor happy. Relationships with systems and political progress (although crucial) are secondary to the individual survivor's safety and best interests.

### **Confidentiality**

Advocates are bound to maintain the confidentiality of service participants as outlined in DVP policy and in federal and state law" (APPENDIX H: Policy on Confidentiality)

### **Training**

Volunteers are recruited to serve as on-call advocates by word of mouth, flyers, media, speaking presentations, etc. The volunteer on-call advocates receive 40 hours of training (APPENDIX I: DVP/SAFE House, Inc. Training Agenda) and are supervised by paid staff . Each on-call advocate is provided with a detailed 60-page supplement which includes extensive step by step procedures to follow and interventions to use when advocating with arrest survivors (APPENDIX J: "Volunteer Training Manual Supplement for On-Call Advocates" table of contents ) .

### **Follow up Advocacy and Women's Groups**

After the court process, the battered woman can continue to receive counseling and other services from the shelter including home-based follow up services.

### **Women's Groups Available Through Domestic Violence Project, Inc./SAFE House**

Weekly drop in educational/support groups for battered women are provided in three locations in Washtenaw County. Child care and bus tokens are available to those attending. Other groups are:

- Speaking Truth: a discussion /support group for women of color who have been battered
- Washtenaw County Jail Group for incarcerated victims,
- The Kid's Club for children ages 6 - 11

- Mom's Group which is attended by mother's whose children attend the Kid's Club
- Lesbian Support Group for lesbian survivors.

## **Domestic Violence Emergency Response Teams for Zero Tolerance (DVERT/ZT &reg;**

P. O. Box 1536 Santa Barbara, CA 93102

Contact: Brenda Acosta, South County Coordinator, Ph. (805) 963-4458, ext. 16

DVERT/ZT &reg; is a program of Shelter Services for Women, Santa Barbara, CA. Working with the Santa Barbara Police Department and Santa Barbara County Sheriff's Department, advocates provide counseling and follow up advocacy services for victims at all domestic violence - reported crime scenes 24 hours a day, seven days a week. Working with community-based partners, DVERT/ZT &reg; also conducts education and awareness activities designed to transform personal, community/neighborhood, institutional and governmental attitudes so that domestic violence will not be tolerated.

### **Immediate Advocacy Response**

Five bilingual advocates are paid to be on call for 24 - hour shifts, 20 shifts per week. Last year there responded to 900 arrests for domestic assault. When there is an arrest, the arresting officer automatically notifies dispatch to contact two advocates through the DVERT/ZT &reg; answering service and provides them with the location of the incident and where the meeting with the victim is to take place, the name of the arresting officer, and the language needs of the victim. Two advocates arrive within 10 - 20 minutes of receiving the call. Usually the scene is secured by the time they arrive, with the perpetrator in the squad car or on the way out the door. Unless there is another incoming call, one officer/deputy will remain at the scene for the duration of the advocates' visit. The officer/deputy will provide the advocates with a brief synopsis of what occurred before they meet with the victim. If law enforcement deems the crime scene unsafe, for example in a case where the perpetrator has fled the scene, the advocates will leave with the officer/deputy after a brief contact with the victim to arrange for follow up contact the next day. The perpetrator is held until arraignment the next day or the following workday when arrested on weekends, unless he posts bail.

### **Role of the Advocate**

The primary role of the advocate is to counsel and assist victims by providing them with information regarding their legal and other options and available resources and services including groups; facts about domestic violence, medical assistance, and emergency shelter/transportation to the shelter. The advocates check with the victim to see whether she understood law enforcement's explanation of the protection order. If the woman wants an immediate Emergency Protection Order, the officer assists her in completing the required forms and contacts the judge to issue it. If she wants a restraining order she is referred to the weekly restraining order clinic provided by the Legal Aid Foundation in Santa Barbara.

The advocates also check with the officer/deputy to see if pictures were taken when there are visible injuries and/or destruction of property and whether all of the witnesses were interviewed. The advocates complete a risk assessment and survivor form, which elicits statistical and other data, and have her sign a confidentiality statement (APPENDIX K: Confidentiality Statement) which informs the victim that the information provided by the her will not be discussed without permission. It also discloses that her case will be discussed at weekly case-management meetings but that nothing that she has shared exclusively with the on-call advocates will be divulged. As per California state law, advocates have counselor - client privilege, the limitations of which are also disclosed in the confidentiality statement, such as mandated child abuse reports, conversations held in a place where others can hear, or if they are a danger to themselves or others.

If children witnessed the incident, while one advocate speaks to the victim, the other advocate will speak to the child(ren) to assess their needs and validate their emotions.

Most of the officers/deputies are bilingual, but if a Spanish speaking client cannot speak English or the officer/deputy cannot speak Spanish, DVERT/ZT &reg; advocates will not translate the elements of the crime or any part of the law enforcement investigation. The advocate, however, will translate police forms, for example, the confidentiality or emergency protective order forms.

If the victim discloses pertinent information related to the crime and the officer/deputy is unaware of this information, the advocate encourages the victim to tell law enforcement. After the DVERT/ZT &reg; advocates complete their crisis intervention with the victim and/or their child(ren), they will debrief law enforcement, if present. The advocates will make arrangements to contact the victim the following day.

If a problem should arise during a call, a back-up person listed on the weekly schedule will be contacted.

### **Male Victims and Mutual Assaults**

The vast majority of victims are female (93%) and the perpetrators male in heterosexual domestic assault arrests in Santa Barbara County. If the arrest involves lesbian or gay battering, the same procedures are followed and all advocates have been trained in lesbian and gay issues. If law enforcement identifies a situation as "mutual", the advocate asks the officer/deputy if there has been any history of violence, reported incidents to law enforcement or if they have identified a primary aggressor. If the officer/deputy does identify a primary victim, the advocate will only speak to this person. If the officer does not identify a primary victim, and in talking with both parties, the advocate's agrees that the incident is genuinely a "mutual", the advocate will briefly provide referrals and information to both parties. However, if in talking to one of the parties, the victim discloses a past history of abuse, the advocate will inform law enforcement there is "new" information and briefly explain that only the person identified by the advocate as the victim will be addressed. The advocate cannot reveal any of the new information to the officer/deputy due to client-counselor privilege but will encourage the victim to do so. The advocate will continue to assess the victim's needs.

## **Case Management Meetings**

Unlike the other two programs in this article, legal advocacy for the victim is provided by the Victim Witness Program, which is a component of the District Attorney's Office. The shelter remains involved with the case through Case Management Review Meetings where representatives of law enforcement, prosecution, probation, the victim witness program and the shelter discuss the ongoing status of domestic assault cases until they are resolved in court. Additionally, statistical data collected by law enforcement agencies and the district attorney's office is reviewed; problems identified by the advocates with the law enforcement response are discussed; and tracking and monitoring of the system is accomplished through these meetings.

## **Follow up Advocacy Services**

The DVERT/ZT &reg; advocates contact the victim by phone within 24 hours of the initial contact. If the victim has no phone, the advocates will arrange for a police escort and provide an on-site visit. On-call advocates will have contact with each victim an average of three times.

Groups for Battered Women are provided by Shelter Services for Women. Vouchers are also available to receive individual counseling from area therapists.

## **Groups for Battered Women**

Shelter Services for women provides the following groups:

- Peer Advocacy/Support groups
- Children's groups
- Mother's parenting groups

## **Written Agreements**

The relationship between DVERT/ZT &reg; and the law enforcement agency regarding the coordination of their activities for arrest victims is outlined and agreed to by both parties in a written agreement (APPENDIX L: Memorandum of Understanding).

## **Training**

Advocates are required to complete 60 hours of training in order to be granted client/counselor privilege. (APPENDIX M: DVERT/ZT &reg; Training Agenda)

APPENDIX E: When Women Use Violence And/Or Are Arrested

APPENDIX F: Talking With Men

APPENDIX G: "DVP, Inc./SAFE House Empowerment Philosophy"



APPENDIX H: Policy on Confidentiality

APPENDIX I: DVP/SAFE House, Inc. Training Agenda

APPENDIX J: "Volunteer Training Manual Supplement for On-Call Advocates" Table of Contents

APPENDIX K: Confidentiality Statement

APPENDIX L: Memorandum of Understanding

APPENDIX M: DVERT/ZT &reg; Training Agenda