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The Evaluation of the STOP Violence Against Women Grant Program

Law Enforcement and Prosecution Components

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FINAL REPORT

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Executive Summary

In 1996, the Institute for Law and Justice, Inc. (ILJ), under a grant from the National Institute of Justice, began an evaluation of the law enforcement and prosecution components of the STOP Violence Against Women grant program authorized by the Violence Against Women Act of 1994 (VAWA). The evaluation included surveys of subgrantees, process evaluation of 12 local and state STOP-funded projects, impact evaluation of 6 projects, surveys of state Peace Officer and Standards Training (POST) agencies, and legislative reviews. Special areas of focus included training, specialized units, and multi-agency team projects.

Objectives

ILJ's evaluation aimed to

1. Document the types of activities carried out by law enforcement and prosecution agencies under the STOP program.
2. Examine how the Violence Against Women Act affected state legislation.
3. Evaluate state-level efforts on training in violence against women.
4. Evaluate the local implementation of STOP projects.
5. Determine the impact of local STOP-funded projects on victim safety and offender accountability.

Methods

To address these five areas, ILJ implemented a comprehensive research design that captured local, state, and national data. Both quantitative and qualitative research tools were used wherever possible. An overview of methods follows.

- A national survey of 1995 subgrantees was carried out to identify project activities. This was followed by an analysis of a national database of 1999 subgrantees.
- Legislative trends were identified by reviewing state laws pertaining to violence against women on an annual basis.
- Three methods were used to assess state-level training impacts. First, surveys of state POST (Peace Officers Standards and Training) administrators were used to identify law enforcement training trends. Second, impact data was collected from two state-

level prosecutor training projects. Third, process evaluations of four statewide training programs were conducted to better understand implementation issues.

- Local implementation issues were studied by conducting process evaluations of eight STOP-funded projects. Evaluation methods included site visits, staff interviews, collection of project documentation, and participation in grant funded activities.
- To study the local impact of STOP on victim safety and offender accountability, two specialized units and two multi-agency team projects were subjected to intensive evaluation. Typical evaluation methods included statistical analysis, case tracking, victim surveys, focus groups, and victim interviews.

Project Activities

To identify project activities at the very beginning of the STOP program, ILJ surveyed 1995 law enforcement and prosecution subgrantees. The survey was limited to the 224 subgrantees in the national subgrantee database who had used STOP funds to (1) attend, provide, or develop training; (2) hire personnel; or (3) develop policies. Project administrators were asked to identify the primary activity carried out with STOP funds. This was followed by an analysis of the 1999 law enforcement and subgrantee database. However, primary activity could not be determined from the 1999 database. Instead, subgrantees were asked to identify all project activities, and most subgrantees reported that STOP funds were used for several different types of activities.

In 1995, when only limited funds were available, the majority of law enforcement and prosecution subgrantees identified training as the primary activity carried out with STOP funds (59 percent). About one-fourth of the subgrantees (27 percent) reported that their primary activity was hiring staff, with the remaining subgrantees ranking policy development as their primary STOP-funded activity (13 percent).

An analysis of the 1999 database of subgrantees showed that law enforcement and prosecution subgrantees used STOP funds for a wide variety of activities, including the provision of victim services (52 percent), providing or developing training (45 percent), creating/enhancing specialized units (43 percent), and developing policy (21 percent).

Further analyses showed the following trends.

- The STOP program has become increasingly victim-focused. In 1995, about half of the subgrantees that prioritized staff hiring used grant funds to support the salaries of

victim/witness specialists or court advocates. In 1999, victim services was the most common activity supported with STOP funds.

- The STOP program had a tremendous influence on domestic violence reduction efforts, but less of an impact in the areas of sexual assault or stalking. In 1995, those subgrantees using STOP funds for the primary purpose of training or policy development most commonly concentrated their efforts on domestic violence. In 1999, nearly all subgrantees addressed the problem of domestic violence. Stalking tended to be the most neglected subject matter.
- The STOP program has been critical to law enforcement and prosecution training, and the development of specialized units. Training remained a common activity from 1995 to 1999. In 1999, nearly half of the subgrantees relied on STOP funds to create or enhance specialized units.

The Impact of the STOP Program on State Training and Policy

Four areas addressed the impact of the STOP Program on state training and policy: (1) state legislative activity; (2) law enforcement training; (3) state-level prosecutor training; and (4) the development and implementation of state-level training programs.

Violence Against Women State Legislative Activity

A review of state legislative enactments was carried out annually from 1998 to 2000. New laws were identified by web sites set up by state legislative bodies, library research using advanced legislative reports or session laws, and telephone calls to state legislative research offices in the few states where no other information was available. The legislative review showed that a total of 663 separate laws had been enacted from 1998 to 2000 on the subject of sexual assault, domestic violence, or stalking. Half of these laws were in the area of sexual assault, 38 percent covered domestic violence subjects, and 12 percent addressed the problem of stalking. The emphasis on sexual assault is likely a result of the longer history of sexual assault as a crime, while the relative inattention given to stalking is a consequence of its recent status as a "crime." Findings pertinent to each subject matter follow.

- From 1998 to 2000, state legislatures passed 336 bills on sexual assault. Sexual assault legislation focused on both defining what constitutes sexual assault and its punishment, and on responding to other federal laws providing incentives for enactment of sex offender registration laws. Significant trends include the repeal of laws that permitted rape within the context of marriage, and the repeal of statute of limitations for rape as a result of advances in DNA analysis.

- From 1998 to 2000, state legislatures enacted 249 laws relating to domestic violence. The domestic violence laws changed both criminal codes and criminal procedures, with many of the laws increasing penalties for domestic violence crimes. An important development is the enactment of laws that allow officers to make warrantless arrests in misdemeanor domestic violence cases, and the creation of mandatory arrest or pro-arrest policies.
- From 1998 to 2000, state legislatures passed 78 bills on the crime of stalking. All states now have anti-stalking laws, and an increasing number of states passed legislation that makes stalking a felony.

National Trends in Law Enforcement Training

All but one state provide for some level of statewide law enforcement training. The agencies in charge of implementing state minimum training requirements are referred to as Peace Officers Standards and Training (POST) agencies. In 1997 and 2000, ILJ conducted telephone surveys of POST administrators. The survey, conducted by telephone and fax, consisted of a combination of open- and closed-ended questions pertaining to training offered in the area of violence against women. The questionnaire was divided into two sections: (1) recruit training and (2) in-service training. The 2000 questionnaire contained items identical to the earlier questionnaire, but also included questions that addressed changes that had occurred in violence against women training. Selected findings include the following.

- Nearly all agencies offer recruit training on domestic violence, sex crimes, stalking, and protection orders. More hours were devoted to domestic violence training than any other violence against women subject. When stalking was covered in the recruit training program, it was most often discussed in the context of another subject, typically domestic violence. From 1997 to 2000, the average number of recruit training hours devoted to domestic violence and sex crimes increased.
- POST agencies were less active in providing in-service training for experienced law enforcement officers. From 1997 to 2000, the number of POST agencies offering in-service training on domestic violence, sex crimes, and stalking increased. Domestic violence was more often included in the in-service training than either sex crimes or stalking.

The Impact of Prosecutor Training Programs

Two state-level prosecutor training programs were selected for intensive evaluation. In both states, STOP grants included funds for a domestic violence training coordinator. The programs were similar in content, scope, and audience. Consequently, similar evaluation strategies were used at both sites and findings were strengthened by the ability to draw

comparisons. A two-phase research strategy was applied to both projects. First, a needs assessment was conducted to identify audience needs of specific violence against women topics. Questionnaires were given to attendees of seven different courses, who were asked to return the survey at the close of training. Second, a follow-up survey of prosecutors who attended any of the violence against women training courses was conducted. This survey asked participants to identify the specific training topics they found useful and how that training had influenced their behavior. In addition, prosecutors were asked to describe a recent case in which the training lessons had been used.

The two STOP-funded projects included in the impact evaluation were the California District Attorneys Association's (CDAA) violence against women training program, and Michigan's Violence Against Women Training Project for Prosecutors, sponsored by the Prosecuting Attorneys Association of Michigan (PAAM). The CDAA's initial STOP grant funded start-up activities and two seminars. Subsequent funding added prosecution symposiums, trial advocacy skills workshops, "train the trainer" seminars, stalking seminars, and sexually violent predator workshops. In Michigan, PAAM received three STOP grants to provide cross-professional training to members of the criminal justice system on issues connected to domestic violence and sexual assault. Courses have covered diverse topics such as personal protection orders, trial advocacy, expert witnesses, homicide prevention, and DNA analysis. Selected findings the impact evaluation of prosecutor training programs include the following.

- Training needs differed by profession. Law enforcement training needs were in the areas of risk assessment, civil protection orders, and stalking law. Common training needs of prosecutors included child witness use, working with recanting victims, and victim/witness safety management. Victim witness specialists and advocates noted the need for training on responses to special populations and working with prosecutors and law enforcement.
- Prosecutors reported that, in general, training on domestic violence topics was more useful than training on sexual assault. They also agreed that the following topics were particularly useful: domestic violence law, domestic violence dynamics, evaluating and charging cases, and victims' concerns.
- Training made its biggest impact on the ability of prosecutors to move toward evidence-based prosecution. Prosecutors noted that the presentation of evidence, and gaining its admissibility in a court of law, was improved as a result of training. Prosecutors also noted an increase in the use of expert witnesses in domestic violence cases.

State Process Evaluation of Training Programs

The STOP program was often the primary source of funding of law enforcement and prosecution training on violence against women. Much of this training occurred at the state level. Two types of organizations most commonly developed and delivered statewide training: state POST agencies and state prosecutor associations. Telephone surveys of POST agencies and state prosecutor associations were conducted to identify programs with strong violence against women programs. Based on the results of the survey, and agency willingness to participate in the evaluation, four training projects were selected for process evaluation. Two training programs were targeted toward a law enforcement audience. The trainings conducted by the two state-level prosecutor associations were multidisciplinary in scope. One of the training projects also had a strong policy development component. Process evaluation methods included site visits, staff interviews, curricula review, collection of attendance data, inspection of attendee satisfaction survey findings, review of handbooks and training materials, and participation in training sessions.

Policy Development

Prior to training, there must be uniform policy to guide criminal justice response to violence against women crimes. The lack of such a policy required one of the training projects to devote STOP funds to the creation of criminal justice protocol. Policy development at the top levels of state government has an important advantage to local policy development—the state can mandate that jurisdictions under its authority follow protocol. While project implementation is an advantage to the development of policy by state directive, the actual creation of policy can be problematic. Too often, local authorities are not brought into the policy development stage, and the end result may be ambiguous directives that cannot be implemented statewide. The inclusion of local authorities in early policy making efforts would improve the process.

Training

All four state-level projects included in the process evaluation created and delivered violence against women training programs. The training programs began with curriculum review and revision before taking on the challenge of conducting large conferences, specialized seminars, and workshops. These programs, which included faculty from multiple disciplines,

were innovative in their delivery formats, complementing the traditional lecture format with interactive theatre, panel discussions, the creation of videotapes and CD-ROMS, and broadcasting telecourses. Each training project made significant attempts to institutionalize their efforts by publishing manuals, reference guides, and newsletters, and by offering technical assistance to agencies throughout the state. High attendance at conferences is proof that training needs on violence against women issues remain high.

The Impact of the STOP Program on Local Criminal Justice Efforts

Each locality faced different issues and challenges in implementing new programs. To better understand how STOP projects were implemented locally, ILJ conducted a process evaluation of eight projects. The impact of local projects on victim safety and offender accountability was studied through the intensive evaluation of two special units and two multi-agency team projects.

Local Process Evaluation

Eight local projects were selected for process evaluation. Sites were selected based on recommendations from state STOP administrators, the Violence Against Women Office, and the federal technical assistance providers. The overall sample covers all three violence against women crimes specified in the Violence Against Women Act. However, there is a strong domestic violence concentration that parallels the funding. The focus on domestic violence reflects the types of programs being carried out nationally, with relatively few projects addressing sexual assault or stalking. Once local permission was granted, ILJ conducted site visits and collected project data. Interviews with staff played a large role in assessing project implementation, as did relevant participant-observer activities (e.g., “ride alongs” with police and probation officers, courtroom observation).

Policy Development

The primary activity at one process site was policy development. In terms of policy, a rural Arizona task force worked to create domestic violence protocols that covered the entire criminal justice response, from dispatch to batterer intervention programs. A second project had

a strong policy development component, although its primary focus was the creation of a specialized unit. In this county, a task force was convened to propose policy and procedural changes to improve the Juvenile Court's response to juvenile domestic violence offenders. At both sites, county-level task forces worked to develop criminal justice protocol that would produce a uniform response to violence against women. STOP funds supported the addition of a coordinator or facilitator to each task force. In general, the addition of a designated task force administrator resulted in an increase in task force activity, expanded participation, and brought clarity to the projects. The task forces were successful in creating comprehensive policies that covered multiple agencies and jurisdictions. However, policy implementation was discretionary to each agency, thereby limiting the task force's ability to develop a uniform response.

Special Units

STOP funds were used as a catalyst for the creation of new units, and seven special units were reviewed as part of the process evaluation. The special units improved both the investigation and prosecution of violence against women crimes. Domestic violence detectives provided important follow-up services for victims and increased law enforcement's ability to build cases and make arrests in cases where the offender had fled the scene. Designated prosecutors or prosecution units tended to be victim-oriented, emphasizing both vertical prosecution and coordinated advocacy services. Those units that addressed stalking and sexual assault required additional resources in the areas of case monitoring and evidence collection

Multi-Agency Team Projects

Several special units operated in the context of multi-agency team projects. The multi-agency team is a very promising development, especially when it includes law enforcement, prosecution, advocacy, and probation staff. These teams operate on a number of levels, from weekly meetings to review individual cases, to the delivery of local police training. In the area of domestic violence, multi-agency teams, by closing gaps as cases are transferred from one agency to another, has the potential of enhancing victim safety. Sexual assault projects, which tend to be heavily dependent on evidence collection and documentation, benefit by expanding partnering agencies to crime labs and the medical community. In sum, the team approach minimizes the chance that victims will get "lost" in the system and increases the likelihood that offenders will be held accountable for their crimes.

The Impact of Special Units

Two special units were selected for impact evaluation, based on local willingness to participate in evaluation and the project's potential for impacting victims and offenders. Furthermore, the impact sites reflected typical STOP funding, with funds being used for the addition of one or two dedicated professionals in each community.

The Dane County, Wisconsin Sheriff's Office used STOP funds to support the salaries of two domestic violence detectives. This project was evaluated through surveys of domestic violence victims served by the Dane County Sheriff's Office. Surveys were also sent to domestic violence victims served by a comparably-sized police department in the state that did not have a domestic violence unit. The survey instrument consisted of both open-ended and closed-ended questions, and captured information on the incident, contact with responding patrol officers, experiences with domestic violence detectives, and overall thoughts on police response. Although findings could not be generalized due to low response rates, the richness of the write-in comments allowed us to discuss variations in the quality of law enforcement response.

- The creation of a specialized team of domestic violence detectives in Dane County improved the quality of the response provided to victims, who tended to be very satisfied with their experience with the detectives. Victims served by the special unit were more willing to seek assistance from law enforcement in future domestic violence situations than were victims served by a comparable police department.

In Stark County, Ohio, the Office of the Prosecutor used STOP funds to support the salary of a designated felony domestic violence prosecutor. A change in Ohio law had led to a large influx of habitual domestic violence offenders charged with felonies. STOP funding would provide the resources necessary to ensure that felony-level domestic violence crimes were given the fullest attention. The Stark County project was evaluated through the use of aggregate statistics and by tracking domestic violence cases filed with the prosecutor's office. The case tracking system included only cases involving intimate partner violence, with a male offender and female victim. All domestic violence felons from 1996 were tracked from arrest to disposition and sentence. This pre-grant group of felons was compared with a sample of cases from 1999. Findings showed a direct link between the STOP program and an increase in offender accountability.

- The creation of a dedicated felony domestic violence prosecutor had an unequivocal impact on offenders in Stark County, Ohio. Not only were fewer felony cases dropped to misdemeanors, conviction rates increased and prison sentences lengthened. The creation of the special prosecutor position also resulted in greater efficiency, with the number of days from arrest to disposition decreasing over time.

The Impact of Multi-agency Team Projects

The process evaluation suggested that multi-agency projects had the most potential for impacting the way in which criminal justice systems respond to violence against women. For this reason, two multi-agency team projects were chosen for impact evaluation. One of these projects addressed domestic violence, while the other focused on sexual assault.

In Manchester, New Hampshire, STOP funds were used to create a domestic violence “team” involving three different agencies. The “team” included police officers, a domestic violence misdemeanor prosecutor, victim advocates, and probation officers. The overarching goal of the STOP project was to reduce the incidence of domestic violence in the Manchester area through aggressive enforcement, community education, and agency cooperation. A comprehensive evaluation strategy was used to assess the impact of this project. Statistics were collected from each agency where available, and a sample of pre-grant and post-grant domestic violence cases were tracked from arrest to disposition. Content analysis of police incident reports from pre- and post-grant periods was carried out to gauge any changes in report writing. Several focus groups, including police officers and community advocates, were facilitated to gather information on the quality of the criminal justice response. Interviews were conducted with victims to document their experiences with the criminal justice system, and to better understand the factors that contribute to victim safety and well-being. Findings were mixed, pointing to improvements in policing domestic violence and probation supervision, but also underscoring the challenges of prosecution.

- In Manchester, there were clear indications of improvements in police response to domestic violence, especially in terms of report writing. Yet the special prosecution unit was unable to reach many of its goals—mostly attributed to an active defense bar and limitations in victim advocacy. The team approach has produced a consistent response to the problem of domestic violence, from arrest through probation.

In Kansas City/Jackson County, Missouri, funds were used to improve the community’s response to sexual assault. Here STOP funds supported the crime lab, the county prosecutor’s office, the SANE program, and the local victim services provider. The primary goal of the

Kansas City project was improvement in evidence collection and documentation, which would lead to higher prosecution and conviction rates. Evaluation methods included both quantitative and qualitative tools. Statistics were collected from each agency where available. Prosecutor case files were reviewed and all sex crimes cases referred to the Jackson County Prosecutor's Office were tracked over both pre-grant and post-grant periods. Focus groups formed a large portion of the evaluation strategy. Ten focus groups were conducted, representing police officers, detectives, prosecuting attorneys, victim services staff, SANE nurses, and sexual assault victims. The evaluation also included personal interviews with female victims. Findings indicated that, while communication between agency staff had improved, challenges remained in the area of prosecution.

- In Kansas City, the police crime lab reported a steady number of evidence examinations, despite a decline in sex crimes incidents. While the prosecutor's office has been successful at increasing conviction rates and decreasing the number of dismissed cases, most sexual assault cases were still being rejected for prosecution—reportedly on the basis of insufficient evidence or lack of victim testimony. The project has seen significant improvements in communication among the various partners.

Conclusions

The impact of the STOP program is not easy to describe in any simple manner since grant funds were used to support an array of services and activities. Furthermore, project implementation varied from one locality to the next in reflection of local needs and capabilities. Nonetheless, despite the uniqueness of each funded project, some generalizations can be made about the overall impact of STOP at both state and local levels.

At the state level, the STOP program has had a significant impact on the extent and scope of law enforcement and prosecution training. For example, the STOP-encouraged collaboration between criminal justice professionals and non-profit victim services organizations has expanded to the training area. Today training is typically delivered by teams of professionals representing both criminal justice and private organizations; this was rarely the case before. Also, the Violence Against Women Act encouraged states to pass mandatory or preferred arrest policies in the area of domestic violence. The enactment of such laws shifted the focus of law enforcement investigations and prosecution from the complainant to evidence collection. Training has followed suit. Perhaps most importantly, the STOP program provided the funding that was

required to develop and deliver expanded training programs. Administrators repeatedly noted the significance of grant funds to increasing both the scope of the training and their ability to deliver training throughout the state.

The STOP program influenced legislative activity. The STOP block grant program, administered by each state, required each state to develop the capacity to evaluate the programs, establish priorities, allocate funds, and provide accountability. The increase in organizational capacity, in turn, created a level of “buy-in” from state administrators and increased state-level awareness of violence against women issues. The STOP program, with its designation that 25 percent of the funds go to victim services agencies, also created a boost for statewide coalitions. These coalitions lobbied state legislators for changes in laws and policies relating to violence against women. Finally, a key element of the STOP program was the creation of partnerships between criminal justice agencies and non-profit service providers. These attempts to create a coordinated community response resulted in a cadre of involved local leadership, authorities, and professionals who pushed for legislation that would improve their ability to respond to crimes against women.

The STOP program has provided a vital source of funding for cities, counties, and states. Quite simply, many of these activities would not be conducted without federal funding. Where special domestic violence law enforcement and prosecution units once were few, today they number in the hundreds. Most significantly, the availability of STOP funds has led many agencies to question, often for the first time, how well they were responding to violence against women crimes. Thus, the planning process necessary to develop a grant proposal has fostered both the expansion of STOP-funded projects with local funds for additional staff, and other new initiatives that are totally locally funded. These multiple initiatives, have in turn, led to the beginnings of a comprehensive system for dealing with violence against women cases from the initial call for service through probation/incarceration and release to the community.

The creation of special units and dedicated staff has some promising outcomes, especially in increased arrests, greater consistency in case handling, and victim services coordination with the justice system. In general, there is substantial evidence of improvement in the quality of response given to women who fall victim to interpersonal crimes. Specialized detectives and patrol officers have improved victim experiences with law enforcement, with victims expressing

greater willingness to seek help from the justice system in the future. The addition of a designated prosecutor often increases conviction rates and provides consistency in sentencing. Multi-agency teams, comprised of police officers, prosecutors, advocates, and probation officers, set an example for the entire justice community while closing gaps in the system that jeopardize victim safety and offender accountability.

The STOP program has been integral to the development of coordinated community responses. The STOP program designated that grant funds be distributed across law enforcement, prosecution, and victim services. The program also expected criminal justice agencies to work with local community service providers. Consequently, STOP-funded criminal justice agencies have been dramatically changed with increased linkages to victim services. This has led to significant improvement in communication, coordination of activities, and referrals between organizations. Victims today are receiving services never before provided, their complaints taken seriously, and offenders held accountable for their actions.

Table of Contents

Chapter 1. Introduction	1
Overview of the STOP Program	1
STOP Project Activities	2
STOP Activities, 1995	3
STOP Activities, 1999	3
Report Overview	5
 Part One. Local Impacts of the STOP Program 	
Chapter 2. Violence Against Women Legislative Activity.....	6
Legislative Review.....	6
Sexual Assault.....	7
Domestic Violence.....	9
State Reform of Criminal Codes.....	10
State Laws Regulating Criminal Procedure.....	12
Stalking	13
State-by-State Analysis.....	14
Role of the STOP Program on State Legislation	17
State Organizational Capacities	17
Coalition-Building	18
Local Partnerships.....	19
Summary	19
Chapter 3. Law Enforcement Training Trends	21
POST Agencies.....	21
Conducting the Survey.....	21
Survey Results	22
Recruit Training	22
In-Service Training	26
Training and the Violence Against Women Act.....	28
Summary	28
Chapter 4. The Impact of Prosecutor Training Projects	30
The Training Programs	30
California District Attorneys Association (CDA).....	30
Prosecuting Attorneys Association of Michigan (PAAM)	31

Effectiveness of the Programs	31
Needs Assessment.....	32
Background of Attendees.....	32
Findings.....	34
Survey of Prosecutors	36
Usefulness of Training.....	36
Impact of Training on Behavior.....	38
Summary	41
Chapter 5. Implementation of State-Level Training Projects	44
Conducting the Process Evaluation	44
Policy Development.....	45
Clear Policy Objectives.....	45
Involvement of Local Practitioners.....	46
Training.....	47
Program Development	48
Law Enforcement Training.....	49
Prosecution Training.....	50
Delivery Format	51
Institutional Efforts	53
Publications.....	53
Technical Assistance.....	55
Summary	56
 Part Two. State-Level Impacts of the STOP Program 	
Chapter 6. Implementation of Local Projects	58
Conducting the Process Evaluation	58
Policy Development.....	60
Development of Local Policy by Task Force	61
Coordinator/Facilitator.....	61
Participation of Key Agencies and Decision-Making Staff.....	62
Authority to Implement Policies	63
Special Units	64
Law Enforcement Units	65
Placement of the Unit Within the Department.....	65
Staffing.....	66
Operations.....	67
Interagency Collaboration.....	68

Prosecution Units	69
Case Screening.....	70
Vertical Prosecution.....	71
Staffing.....	72
Victim Assistance and Advocacy	73
Interagency Collaboration.....	74
Special Issues for Stalking and Sexual Assault Units.....	76
Summary	79
Chapter 7. The Impact of Specialized Units	81
Dane County Sheriff's Office Domestic Violence Unit	81
Evaluating the Unit	83
Findings.....	85
Unit Performance	85
Help-Seeking Behavior	87
Discussion	88
Stark County's Domestic Violence Felony Prosecutor	88
Evaluating the Project	90
Findings.....	91
Discussion	93
Summary	94
Chapter 8. The Impact of Multi-Agency Team Projects.....	95
Manchester's Domestic Violence Project.....	95
Evaluating the Manchester Project	97
Findings.....	98
Police Response	98
Prosecution Efforts.....	99
Probationer Supervision.....	102
System Advocacy.....	103
Discussion	103
Kansas City/Jackson County's Sexual Assault Project	104
Evaluating the Kansas City Project.....	106
Findings.....	109
Evidence Collection	109
Prosecution Efforts.....	111
Discussion	112
Summary	113
Appendix	

Chapter 1. Introduction

In 1996, the Institute for Law and Justice, Inc. (ILJ), under a grant from the National Institute of Justice,¹ began an evaluation of the law enforcement and prosecution components of the STOP Violence Against Women grant program authorized by the Violence Against Women Act of 1994 (VAWA). This report is the final product of the evaluation.

Overview of the STOP Program

The STOP program establishes a block grant program administered by the Department of Justice's Violence Against Women Office (VAWO) for the purposes of providing states with funds in four purpose areas: Services, Training, Officers, and Prosecutors.² The grants are "to assist States, Indian tribal governments, and units of local government to develop and strengthen effective law enforcement and prosecution strategies to reduce violent crimes against women, and to develop and strengthen victim services in cases involving violent crimes against women." Projects must address the problems of sexual assault, domestic violence, or stalking.

The 1994 VAWA placed several legislative requirements on how STOP funds were to be spent. States were to award 25 percent of their funds to each of three areas: law enforcement, prosecution, and victim services; distribution of the remaining 25 percent of funds was discretionary. STOP awards were restricted to seven legislatively designated purpose areas: (1) training; (2) special units; (3) policy development for law enforcement and prosecution agencies; (4) communications/data system development; (5) victim services; (6) needs of Indian tribes; and (7) stalking. There were no prerequisites on the distribution of funds over the three crimes.

¹ Grant Award Number 96-WT-NX-0007.

² The Violence Against Women Act, Title IV of the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322), provides for Law Enforcement and Prosecution Grants to states under Chapter 2 of the Safe Streets Act.

ILJ's evaluation of the law enforcement and prosecution subgrantees focused on five key questions³:

1. What types of activities are law enforcement and prosecution agencies carrying out under the STOP program?
2. How have local agencies implemented STOP-funded projects?
3. How have the projects impacted victim safety and offender accountability?
4. How has VAWA affected state-level law enforcement and prosecution training?
5. How has VAWA impacted state legislation on sexual assault, domestic violence, and stalking?

To address these areas, ILJ implemented a research design that gauged the impact of VAWA on both local and state levels. At the local level, ILJ conducted site visits and collected information from 8 STOP projects to further understand project implementation issues. Four of these projects were the subject of intensive evaluation. At the state level, ILJ conducted subgrantee surveys, legislative reviews, training surveys, and statistical analysis of the STOP subgrantees database. ILJ also reviewed implementation issues at 4 state-level projects, with impact evaluation of 2 prosecutor training programs.

STOP Project Activities

In 1995 and 1996, state officials were just beginning to make STOP subgrant awards to local agencies. Unfortunately, poor documentation during this period affected the quality and availability of national data. As the STOP program became established the data on STOP subgrantees improved.⁴ This section reviews project activities, as detailed in a survey of 1995 subgrantees and the analysis of the database of 1999 subgrantees, the most complete database at the time of this writing.

³ ILJ's study was part of a comprehensive evaluative effort conducted by five separate organizations. The Urban Institute oversaw the national evaluation of the STOP program, including the assessment of the distribution of STOP funds to states and local projects, compliance with legislative mandates, and the success of STOP in improving community and state responses to violence against women. The National Center for State Courts conducted an evaluation of STOP-funded communication projects. The American Bar Association, and later the Urban Institute, were responsible for evaluating the victim services portion of STOP. The Department of Indian Affairs at the University of Arizona also presented interim findings on funding provided to tribal governments.

⁴ The Urban Institute was able to create and maintain a national database, based on the requirement that subgrantees submit standard forms, known as Subgrant Award Reports (SARs).

STOP Activities, 1995

The 1995 database of subgrantees identified 277 law enforcement and prosecution projects with purpose areas in training or policy development. Most of those subgrantees indicated they had used STOP funds to (1) attend, provide, or develop training; (2) hire personnel; or (3) develop policies. ILJ conducted a telephone survey of this group of 224 subgrantees, using special interview protocols based on the categories used in the Subgrant Award Reports. The response rate was 80 percent.

In 1995, the majority of responding subgrantees reported that their highest priority was training—with 59 percent of the subgrantees using STOP funds for the primary purpose of providing or developing training. About one-fourth of the subgrantees (27 percent) reported that their primary activity was hiring staff, with the remaining subgrantees ranking policy development as their primary STOP-funded activity (13 percent).

Most law enforcement and prosecution subgrantees devoted STOP funds to address the problem of domestic violence. In fact, 81 percent of the subgrantees providing training covered the topic of domestic violence, and 82 percent of the subgrantees developing policy did so in the area of domestic violence. Much less attention was given to sexual assault and stalking.⁵ Police officers were most often the recipient of training.

In 1995, there was some indication that law enforcement and prosecution subgrantees were addressing needs in the area of victim services. One-third of those subgrantees who had focused their efforts on the provision of training covered the topic of domestic violence advocacy. Of those subgrantees prioritizing staff hiring, 33 percent hired victim service providers (e.g., victim/witness specialists), and 15 percent hired court advocates. The majority of new hires in this area worked out of community-based organizations or prosecutor's offices.

STOP Activities, 1999

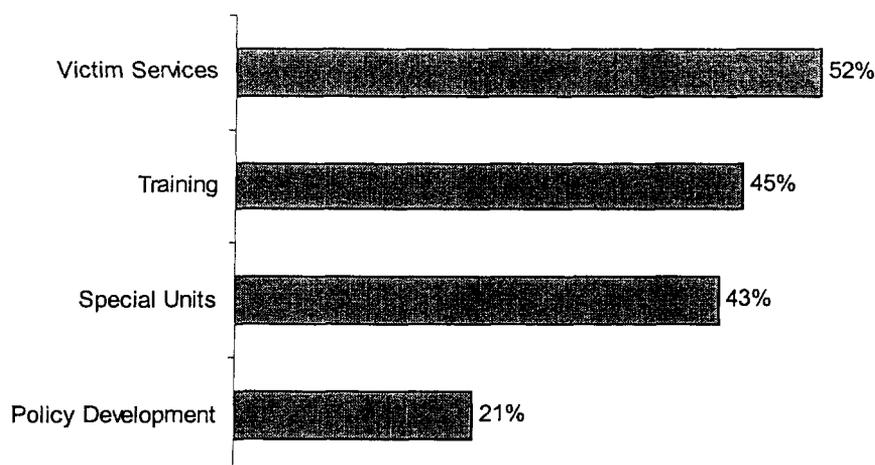
In 1995, ILJ relied on a survey of subgrantees to document STOP program activities, placing subgrantees into mutually exclusive categories based on their primary activity. In later

⁵ Of the subgrantees providing training, 33 percent included sexual assault, and 13 percent covered stalking. Of the policy development subgrantees, 69 percent developed policies on sexual assault, and 30 percent reported development of stalking policies.

years, we were able to examine all subgrantees by analyzing the STOP database maintained by the Urban Institute. While the database provided nearly universal coverage of the subgrantees, reporting categories changed over time and the primary activity of subgrantees could not be distinguished. Consequently, data from the two periods are not entirely compatible. Nevertheless, our review of the Urban Institute's 1999 database suggests that while training is still a common activity, police departments and prosecutor's offices have increasingly used STOP funds to improve victim services within their agencies.

In fiscal year 1999, there were 1,756 subgrantees—677 in the areas of law enforcement and prosecution, with award amounts averaging \$61,000.⁶ Subgrantees were more likely to focus on domestic violence than either sexual assault or stalking.⁷ Exhibit 1.1 shows the most common project activities in 1999.

Exhibit 1.1: Project Activities of 1999 Law Enforcement and Prosecution Subgrantees (n=677)*



*Source: Urban Institute database of STOP subgrantees

In 1999, project activities fell into four areas: (1) victim services, (2) training, (3) special units, and (4) policy development. Subgrantees often indicated more than one type of activity. Several trends emerged from the data analysis.

⁶ Law enforcement accounted for 324 of the subgrants, prosecution for the remaining 353 subgrants.

⁷ Of the law enforcement and prosecution subgrantees, 86 percent reported a domestic violence component, 54 percent reported a sexual assault component, and 42 percent reported a stalking component.

- Victim services was an important activity in 1999—half of the law enforcement and prosecution subgrantees used STOP funds to support victim services.⁸
- Training continued to rank high among subgrantees. In 1999, 45 percent of subgrantees used STOP funds for training purposes.
- The creation or development of specialized units was a popular activity. In 1999, 43 percent of subgrantees reported using STOP funds for such activities.
- The level of attention given to policy development was somewhat low, with 21 percent of subgrantees reporting policy development as a STOP-funded activity in 1999.

In sum, there are some indications that the STOP program has become increasingly victim-focused over its short lifespan. In part, this may be because the availability of STOP funds has enabled agencies to implement or improve services to victims required under state victims rights acts. Additionally, the STOP program continues to be critical to law enforcement and prosecution training, and the development of specialized units. Finally, over the course of the STOP program, domestic violence has remained a focal point, with much less activity devoted toward sexual assault or stalking.

Report Overview

Chapter 1 provides a brief introduction to the STOP project and evaluation goals. Findings are then presented in two parts. Part One concentrates on the impact of the STOP program at the state level. Chapter 2 highlights the legislative context in which the STOP project operated. Chapter 3 reviews law enforcement training trends. Chapter 4 presents data on the impact of state prosecutor training programs. Chapter 5 presents implementation issues from the process evaluation of four state-level projects. Part Two focuses on the local impact of the STOP program. Chapter 6 introduces implementation issues from the process evaluation of eight STOP-funded projects. Chapter 7 discusses the impact of specialized units. Finally, Chapter 8 focuses on multi-agency team projects in both domestic violence and sexual assault.

⁸ The most common types of victim services provided by law enforcement and prosecution agencies were criminal justice advocacy, information and referral, and follow-up contact.

Part One
Local Impacts of the STOP Program

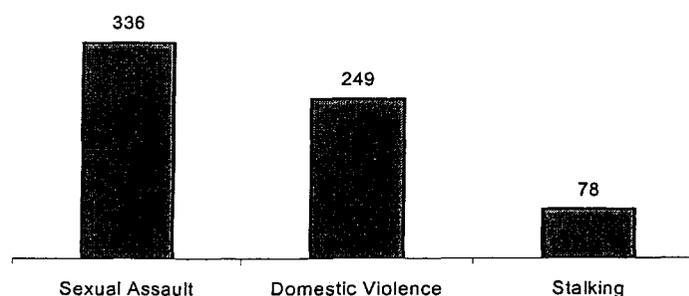
Chapter 2. Violence Against Women Legislative Activity

The Violence Against Women Act included federal provisions that encouraged legislation at the state level. But more importantly, the STOP grant program in particular spawned a tremendous level of community activity, which in turn, created pressures on state legislatures to enact laws that would improve the criminal justice system's response to violence against women. This chapter reviews state legislation in the areas of sexual assault, domestic violence, and stalking. The review is followed by a state-by-state summary, and finally, by a discussion of the impact of the STOP program on state legislation.

Legislative Review

From 1998 through October 2000, state legislatures passed a total of 663 separate bills relating to violence against women. Exhibit 2.1 shows that about half of these bills were in the area of sexual assault. A review of the legislation reveals three trends. First, sexual assault legislation has focused on both defining what constitutes sexual assault and its punishment, and on responding to other federal laws providing incentives for enactment of sex offender registration laws. Second, state legislatures have acted to pass new domestic violence legislation, often with the goal of increasing the penalties for domestic violence crimes. Third, state legislatures continue to modify legislation defining the new crime of stalking.

Exhibit 2.1: Types of State Violence Against Women Laws Passed from 1998 to 2000



Sexual Assault

Laws relating to sexual assault have a much longer history than either domestic violence or stalking legislation. For this reason, the legislative activity revolved around the enactment of provisions to amend current law, rather than create new law. While some of this activity might be attributed to the passage of the Violence Against Women Act in 1994, other federal laws, such as those relating to sex offender registration,⁹ appear to have had a more direct impact on the passage of state sexual assault laws.

A significant trend in sexual assault legislation is the continuing repeal of laws that essentially permitted rape within the context of marriage. The result is that while in 1980,¹⁰ almost all states specifically shielded husbands from the crime of raping their wives, by the end of 2000, every state either had specific marital rape laws that applied to spouses and/or common law partners, or had removed language that formerly excluded spouses.¹¹

Many of the revisions to sexual assault legislation can be attributed to scientific advances in DNA analysis. At least three states have repealed statute of limitations laws for sexual assault crimes involving rape.¹² In Florida, repeal of the statute of limitations for rape was premised, in part, on the emergence of evidence based on DNA testing, which would be unaffected by the passage of time. The widespread use of DNA testing has also encouraged legislation to improve the collection of crime scene evidence. Nine states passed laws to establish police protocols to ensure uniformity and completeness in evidence collection, and 8 states enacted laws relating to training in evidence collection for health care providers.

A number of revisions to sexual assault legislation have increased the penalties for sexual assault. Sentencing law changes were enacted in nearly half the states. For instance, Arizona added three years to the presumptive sentence for rape when a date rape drug is used; Colorado

⁹ The Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act provides states with a financial incentive to adopt effective registration systems for convicted child molesters and other persons convicted of sexually violent crimes.

¹⁰ Lerman, L.G., L. Landis, and S. Goldzweig, "State Legislation on Domestic Violence," in *Abuse of Women: Legislation, Reporting, and Prevention*, Joseph Costa, ed., 39-70. Lexington, MA: Lexington Books, 1983.

¹¹ Four states continue the marital defense where the two parties still live together and where there is no formal separation agreement. Two states limit rape prosecutions to circumstances where a complaint was filed within 30 days of the alleged incident. In the remaining states, spousal rape can be prosecuted either under the state rape law, or under a special spousal sexual assault law, or both.

¹² Florida, New Jersey, and Rhode Island.

added lifetime supervision on parole for certain classes of convicted sex offenders; and Illinois set mandatory minimum sentences for persons convicted of sex offenses.

In addition to these changes, state legislatures have taken action that recognizes the sensitive nature of rape and its impact on victims. Two types of laws, rape shield laws and counselor privilege laws, enhance victims' rights. Rape shield laws limit the evidentiary use of a victim's prior sexual history as part of an effort to undermine the credibility of the victim's testimony. Where the prior sexual history is relevant, however, most states' laws authorize the judge to permit cross-examination on this topic only in limited circumstances.¹³ Furthermore, five states have banned the use of mandatory polygraphs of victims by prosecutors or police. Another revision has been the extension of confidentiality privileges to rape counselors. Nearly all states grant special privileges against revealing the contents of a treatment session with a physician, psychiatrist, or clinical psychologist. In recent years, about half the states have enacted legislation to establish such a privilege between rape victims and their counselors.¹⁴

Several legislative actions have been taken in response to concerns from service providers and the medical community. Medical examinations of rape victims and the simultaneous collection of physical evidence are costly. The majority of states have explicitly stated that victims should not incur the costs of these examinations—38 states have enacted laws that provide that the state will pay for the costs of the examinations. The transmission of AIDS through rape has also been the subject of some legislative action. Thus, 44 states have laws that require that offenders charged or convicted of sexual assault are tested for AIDS and the victim notified of the test results.

Finally, a recent innovation in legislative efforts to reduce sexual assault is the enactment of laws requiring convicted sex offenders to register with police in the community in which they reside. These laws typically provide that community members have access to local registration information. Today, every state has adopted some form of a sex registration law.¹⁵

¹³ Only Arizona does not have a rape shield law.

¹⁴ The Violence Against Women Act of 2000 requires the Department of Justice to study and evaluate the manner in which states have taken steps to protect the confidentiality of communications between sexual assault and/or domestic violence victims and their counselors.

¹⁵ See also Sex Offenders Act 1997, Acts of Parliament Chapter 51.

Innovations:

- Several states have created a separate crime of spousal rape. For example, Connecticut has a separate spousal sexual assault law in addition to general rape law.
 - At least three states (Minnesota, New Mexico, and Virginia) authorize posting of sex offender registration information on the worldwide web.
 - A number of states have authorized civil commitment of certain sex offenders after completion of prison sentence. For instance, Virginia authorizes civil commitment of persons convicted of violent sex offenses and found unrestorable, incompetent, and likely to commit future offenses.
-

Domestic Violence

Two types of domestic violence laws have been passed at the state level. First, states have passed legislation to establish domestic violence provisions in their criminal codes. Some of these new laws are in direct response to federal requirements. Second, civil laws have been passed that impact criminal procedures, especially in the areas of arrest authority and orders of protection. Exhibit 2.2 shows the number of states with specific laws relating to domestic violence for the years 1996 and 2000.

Exhibit 2.2: Domestic Violence Legislation for the Years 1996 and 2000

Type of Law	Law	Number of States in December 1996	Number of States in October 2000
Reform of Criminal Codes	Domestic violence is a specific crime	24	37
	Domestic violence crime includes felony penalties	5	8
	Repeat domestic violence can be felony	11	23
	Single violation of court order can be felony	2	5
Regulation of Criminal Procedure	Warrantless arrest authorized	49	50
	Warrantless arrest mandated	18	21
	Warrantless arrest for court order violation mandated	28	31
	Police incident reports sent to state for state report	8	14
	Local police policies for warrantless arrests required	16	18

State Reform of Criminal Codes

Three developments in the reform of state criminal codes can be identified. First, several legislatures have enacted new laws in response to federal provisions. These provisions have had a direct impact on new laws relating to full faith and credit in criminally enforcing civil orders of protection and gun restrictions. Second, an increasingly large number of states have responded to the seriousness of the crime of domestic violence by defining domestic violence as a separate crime and/or increasing penalties. Third, continuing problems with the registration and enforcement of civil protection orders have led to legislation aimed to legitimize court orders.

State Reform and Federal Provisions

Federal provisions have contributed to new state laws pertaining to protection orders and gun seizures. Full faith and credit, part of the Violence Against Women Act, provides that a civil protection order issued by the court of one state or tribe will be acknowledged and enforced by the court of another state or tribe. In 1997, nine states enacted legislation implementing the federal requirement for full faith and credit between states for orders of protection. Two types of laws were passed: (1) those requiring law enforcement authorities to enforce orders meeting due process requirements, and (2) those first authorizing registration of out-of-state orders with a local court. A variant on the latter approach is for registration of a protective order with the state order registry.

Another federal provision of importance to the domestic violence field is the Lautenberg Amendment (1996) to the Gun Control Act of 1968, which places a gun ban on persons convicted of domestic violence. A number of states have passed corresponding legislation, although considerable controversy arose with the application of these laws on police officers who had such convictions. A significant variation is Tennessee's requirement that offenders offering pleas of guilty to a domestic violence offense must be informed of the federal law barring possession of a firearm.

Domestic Violence as a Separate Crime

At common law, domestic violence was rarely prosecuted. When it was, the crimes charged included homicide, assault and battery (for serious injury), and criminal trespass. In 1996, fewer than half of the states specified domestic violence as a separate crime. By October 2000, 37 states had a separate criminal code for domestic violence. The designation of domestic violence is often coupled with provisions that increase the severity of penalty. In 1996, just 11 states had legislation that allowed for repeat domestic violence crimes to be designated felonies. In 2000, the number of states with this type of legislation increased to 23. By designating domestic violence as a separate crime and by increasing the penalties, states have underscored the seriousness of domestic violence.

Civil Protection Orders

An area of concern for domestic violence victims and advocates has been the lack of enforcement of civil protection orders. In 1997, 41 states and the District of Columbia listed the violation of such an order as a crime. In two states, violating the order invokes a special criminal trespass law. In the remaining states, order violation may be treated as criminal contempt of court. As of 2000, five states had passed legislation that allows for a violation of a court order to be treated as a felony. A number of states now authorize or even mandate the issuance of a criminal protective order as a condition of pretrial release in domestic violence cases.

State Laws Regulating Criminal Procedure

Parallel changes have occurred in the laws regulating criminal procedure. For the most part, these laws have focused on arrest powers. The most significant changes have occurred in the context of (1) warrantless arrests and (2) mandatory or pro-arrest policies.

Under common law, police can make a warrantless arrest only in felony cases. But most cases of domestic violence involve misdemeanor crimes. To resolve this lack of authority, every state today authorizes a warrantless arrest based on probable cause where domestic violence is reported. Furthermore, in 31 states, warrantless arrest is mandated for a violation of a protection order. In the remainder of the states, arrest for violation of a court order is authorized at the discretion of the officer.

Prior to the 1994 Violence Against Women Act, arrests were seldom made in domestic violence cases. Today, 21 states require officers to make an arrest in response to a domestic violence incident. In eight states, arrest is preferred and the officer must explain why an arrest was not made. States have also begun to require documentation of law enforcement policies and procedures, to not only capture data on the incidence of domestic violence, but also to ensure uniformity of response. In 33 states, police must file incident reports in domestic violence cases. In 14 states, police incident reports must be sent to the state to be compiled in a statewide report. And 18 states require local law enforcement agencies to have policies outlining their warrantless arrest procedures.

Legislatures have also begun to strengthen victims' rights laws, victim assistance procedures, and official training. State victims' rights laws require police to inform victims of

their rights. In many states, police responding to domestic violence calls have additional duties, such as helping the victim obtain medical treatment, get to a shelter, or remove personal property from the residence. Some states have begun to mandate prosecutor and police training in handling domestic violence and development of policies and procedures for domestic violence cases.

Innovations:

- Several states now require a minimum amount of jail time for a repeat domestic violence offense. For example, Arizona provides for four months jail time for two priors, and Hawaii 30 days if there is one prior. Wisconsin provides for a 2-year sentencing enhancement for a repeat domestic assault occurring within 72 hours of release after arrest from a first domestic abuse incident.
 - Several states have created new crimes for interfering with the reporting of a domestic violence crime. For example, Minnesota makes interference with a 911 call a crime.
 - Minnesota and several other states require that all protective orders reference the applicable federal criminal code provision for interstate domestic violence. This makes it easier for all police departments to grant full faith and credit to interstate protective orders.
-

Stalking

As shown in Exhibit 2.1, 78 state bills that addressed the crime of stalking were passed in the area of violence against women between 1998 and 2000. These laws dealt primarily with the creation or reform of law, rather than amending existing criminal procedures. Exhibit 2.3 compares stalking legislation for the years 1996 and 2000.

Exhibit 2.3: Stalking Legislation for the Years 1996 and 2000

Law	Number of States in December 1996	Number of States in October 2000
Stalking a crime	49	50
All stalking is a felony	11	12
First stalking conviction can be a felony	10	24
Stalking protection orders authorized	21	26
Specific law for threats	30	36
Specific harassment law	22	26

All states now have anti-stalking laws. In 11 states, any stalking conviction is considered a felony. In another 10 states, the first stalking conviction can be considered a felony. In general, these laws provide more punishment and supplement older remedies such as laws against harassment or threatening behavior. However, in practice, stalking behavior may be prosecuted as a misdemeanor in order to secure a sentence with jail time.

Innovations:

- Several states recently established a confidentiality program for victims of stalking. For instance, California's law makes residential and contact information confidential for stalking and domestic violence victims.
 - Arizona authorizes employers to seek a court order of protection on behalf of employees who are harassed at the workplace.
 - Stalking is now a civil law tort in addition to a crime in several states, such as New Jersey.
-

State-by-State Analysis

The review shows high levels of state legislative activity related to sexual assault and domestic violence. The activity level varied considerably by state. Exhibit 2.4 depicts state-by-state activities on specific types of domestic violence laws for the years 1997 through 2000.

Some states (such as Wisconsin) that had less legislation during this period may already have had adequate laws relating to domestic violence. Other states that passed more legislation may have been trying to catch up to the national norm.

The states that were most active in passing domestic violence and stalking legislation include Arizona, California, Minnesota, Ohio, and Oklahoma. Laws pertaining to domestic violence protection orders were the most common domestic violence-related legislation enacted across states. More than half of the states also passed legislation that made domestic violence and stalking separate crimes and called for full faith and credit of civil protection orders.

Exhibit 2.4: State Domestic Violence and Stalking Legislation Enacted for the Years 1997 to 2000

State	Domestic violence crime law	Stalking crime law	Domestic violence protection orders	Stalking protection orders	Warrantless arrest	Full faith & credit	Victim services
Alabama	✓		✓				
Alaska	✓						
Arkansas	✓		✓				
Arizona	✓	✓	✓	✓		✓	✓
California	✓	✓	✓	✓	✓	✓	
Colorado	✓	✓	✓		✓	✓	✓
Connecticut	✓		✓	✓		✓	
Delaware	✓	✓	✓			✓	
Florida	✓	✓	✓		✓	✓	✓
Georgia	✓	✓	✓				
Hawaii	✓	✓	✓			✓	
Idaho	✓		✓		✓	✓	
Illinois	✓		✓			✓	
Indiana	✓		✓		✓	✓	
Iowa	✓	✓	✓			✓	✓
Kansas		✓					
Kentucky		✓	✓	✓			✓
Louisiana	✓	✓	✓				✓
Maine	✓		✓				✓
Maryland			✓				
Massachusetts							
Michigan		✓	✓		✓		
Minnesota	✓	✓	✓	✓		✓	✓
Mississippi	✓	✓				✓	
Missouri	✓		✓		✓		
Montana			✓		✓		✓
Nebraska		✓		✓		✓	
Nevada	✓	✓	✓			✓	✓
New Hampshire		✓	✓	✓	✓		✓
New Jersey		✓	✓				
New Mexico			✓			✓	
New York		✓					
North Carolina		✓	✓				
North Dakota		✓			✓	✓	
Ohio	✓	✓	✓	✓	✓	✓	
Oklahoma	✓	✓	✓	✓	✓	✓	
Oregon	✓	✓	✓	✓	✓	✓	
Pennsylvania			✓		✓		
Rhode Island			✓			✓	
South Carolina			✓		✓	✓	
South Dakota		✓	✓	✓			
Tennessee	✓		✓		✓	✓	
Texas	✓	✓	✓			✓	✓
Utah	✓	✓	✓	✓			✓
Vermont							
Virginia	✓	✓	✓	✓	✓		
Washington		✓	✓	✓		✓	
West Virginia			✓			✓	✓
Wisconsin				✓			
Wyoming			✓			✓	✓
Total States	28	29	41	15	17	27	15

Role of the STOP Program on State Legislation

The impact of the STOP program on state legislation relating to domestic violence and stalking cannot be directly measured.¹⁶ Legislative changes in each state have built on the state's existing statutory base, which varies across the states. Factors that influence legislative change in a state include a multitude of internal and external forces. As the discussion below suggests, the Violence Against Women Act and its authorization of the STOP program has had a positive impact on new state legislation affecting problems of domestic violence and stalking.

Three specific aspects of the STOP program influenced legislative activity at the state level. First, the STOP program was administered by each state, requiring each state to develop the capacity to evaluate the programs, establish priorities, allocate funds, and provide accountability. The increase in organizational capacity, in turn, created a level of "buy-in" from state administrators and increased state-level awareness of domestic violence and stalking issues. Second, the STOP program, with its designation that 25 percent of the funds go to victim services agencies, created a boost for statewide domestic violence coalitions. These coalitions lobbied state legislators for changes in laws and policies relating to violence against women. Third, a key element of the STOP program was the creation of partnerships between criminal justice agencies and non-profit service providers. These attempts to create a coordinated community response resulted in a cadre of involved local leadership, authorities, and professionals who pushed for legislation that would improve their ability to respond to crimes against women.

State Organizational Capacities

The passage of VAWA signified a new national commitment to reducing violence against women, most notably domestic violence. The Congressional bipartisan recognition of the seriousness of domestic violence sent a strong message to state legislatures that legal reform was needed. Indeed, the Congressional hearings preceding VAWA's enactment documented many of

¹⁶ The enactment of laws relating to sexual assault may have less to do with the passage of VAWA than with other federal laws such as sex offender registration. Laws relating to sexual assault were much older and broader in scope than those involving the two other crimes against women cited in the VAWA bill. Also, implementation of VAWA/STOP has placed less emphasis on sexual assault than on domestic violence. Thus, this discussion focuses on domestic violence and stalking.

the problems requiring new laws. The STOP program, as the most locally visible element of VAWA, provided reinforcement of this message in both symbolic and practical ways.

The new Federal legislation was combined with a funding mechanism that ensured that state agencies would become vested in the Violence Against Women Act. With the infusion of new Federal funds requiring matching state and local funds, states were encouraged to prioritize violence against women initiatives, assess local programs, allocate funds, and develop an accounting mechanism to ensure that funds were properly used. States varied considerably in the location and role of the agency designated as administrator of the STOP program. Frequently, the STOP program administrative agency was under the state's Attorney General's Office, thereby increasing the level of awareness among policymakers who could influence legal reform. The designation of a single state organization responsible for overseeing violent crimes against women had a snowball effect. In some states, the state began to build the capacity, often for the first time, to collect and document incident and arrest data at the local level. This sometimes revealed the inability of local criminal justice agencies to provide accurate statistics on crimes, the absence of uniform policies, and insufficiency of training, among other things. By requiring that the STOP program be a block grant program, the VAWA was directly responsible for increasing awareness of many systemic problems in the laws and criminal procedures at the state level. Consequently, state legislatures were able to address violence against women from a better informed position, and the result has been a considerable amount of consistency in national trends (i.e., laws declaring domestic violence and stalking as separate crimes, increased penalties, and mandatory arrest).

Coalition-Building

The STOP program created new opportunities for coalition-building at the local, state, and national levels. Of particular impact was the army of advocates who were mobilized as a result of STOP funding's new initiatives, especially those projects funded under the 25 percent set-aside for private victim services projects. In some states, STOP funds were used by state domestic violence and sexual assault coalitions to enhance their constituencies. In others, the growth of local projects on violence against women generated momentum to build new state coalitions. Many groups providing local advocacy services also become advocates for law reforms.

STOP funding has also fostered external change agents. Just as the development of new local advocacy groups (funded, in part, by STOP) has aided the growth of state-level coalitions, so too have these state coalitions built national organizations that disseminate information about legislative effectiveness. Also, STOP technical assistance providers and local and national evaluators, along with their advisory boards, have disseminated information about violence against women legislation and programs. All of these efforts coalesced into a push for new legislation and reform of criminal procedures at the state level.

The STOP emphasis on training and collaboration, when combined with coalition-building, produced another form of action. Many statewide training programs involved multi-agency, multidisciplinary training teams. For example, several state prosecutor associations, with STOP funding for training, worked with the state domestic violence and sexual assault coalitions to develop and deliver training. These collaborations encouraged the groups to work together for legislative reform.

Local Partnerships

The intent of the STOP program's allocation formula to law enforcement, prosecution, and victim services was to encourage collaboration among these agencies—with the goal of developing a coordinated community response. At the local level, partnerships were formed between police officers, prosecutors, victim witness specialists, and community advocates. Successful partnerships formed a united front, working not only to change the legal environment but also to educate colleagues by organizing, attending, and delivering training programs. STOP funds also made it possible for local agency staff to visit other jurisdictions and learn how different types of laws operated (and with what success). The effect of the local partnerships, joint activities, and training, was greater awareness in police departments and prosecutor offices of the problems relating to violence against women. These agencies also often became advocates for legal reform.

Summary

Over a three-year period, state legislatures passed 663 separate bills on sexual assault, domestic violence, and stalking. Approximately half of those bills were related to sexual assault, which has a much older legislative history than domestic violence or stalking. Most of the

sexual assault legislation involved the reform of current laws—especially in the areas of spousal rape, DNA testing and evidence collection, and statute of limitations charges. New state laws were also passed that made domestic violence a separate crime, often resulting in stiffer penalties. Criminal procedural laws were also reformed to stress the importance of arrest. Stalking, a recent crime, was the focus of 75 bills. States have legislated stalking as a separate crime and added measures that allow for felony penalties. The state-by-state review of specific laws revealed significant activity relating to domestic violence protection orders and recognition of full faith and credit between jurisdictions.

The Violence Against Women Act and STOP program have had a direct and indirect impact on legislation. Directly, the federal provisions in VAWA, and in other federal Acts, influenced states to pass legislation that covered full faith and credit measures, gun bans on domestic violence offenders, and victims' rights. Indirectly, the STOP program and its funding created a state organizational capacity that provided, sometimes for the first time, documentation and assessment of sexual assault, domestic violence, and stalking crimes. While creating greater awareness among policymakers of violence against women, the states also began to build capacity to respond to the problem. STOP's allocation of resources, especially to victim services organizations, also encouraged coalition-building and legislative activism. The coalitions involved in STOP-funded training with criminal justice agencies began to promote legislative reform. In addition, STOP's promotion of local partnerships brought together a cadre of professionals who advocated for reform of state criminal codes and procedures. STOP has also encouraged the development of legislative models that have guided state legislatures to pass similar laws underscoring the seriousness of sexual assault, domestic violence, and stalking. In conclusion, the STOP program has clearly had a positive impact on state legislative activity.

Chapter 3. Law Enforcement Training Trends

A common activity carried out under the STOP program was training, with police officers most often the recipient of such training. Typically, law enforcement officers receive recruit training through their state Peace Officers Standards and Training (POST) agency. In-service training may be provided by both POST and local law enforcement agencies. ILJ conducted telephone surveys of state POST agencies in 1997 and 2000 to identify training trends in violence against women topics. This chapter reviews the results of these surveys.

POST Agencies

Nearly all states have a commission that has legislative authority to establish and enforce state minimum mandatory standards for criminal justice personnel.¹⁷ Statewide training and accreditation are functions of most these agencies, which are generically referred to as POST agencies here. The International Association of Directors of Law Enforcement Standards and Training (IADLEST) publishes a report that includes basic data for each state POST agency. Nearly half of the states have a POST facility that includes an entry-level academy, while others conduct training at other facilities.¹⁸ Fifteen of the agencies do not conduct training but administer regulatory requirements. According to the IADLEST, the average minimum training hours to conduct a law enforcement entry-level program was 489 hours.¹⁹ Most of the POST agencies (35) also require some form of mandated in-service training for all or part of their criminal justice officers.²⁰

Conducting the Survey

In 1997 and 2000, ILJ surveyed those POST administrators who were responsible for police officer training curricula.²¹ The survey, conducted by telephone and fax, consisted of a

¹⁷ Hawaii and South Carolina do not have a state POST commission, although South Carolina provides training at the state level.

¹⁸ *Executive Summary of the 2000 Sourcebook*, International Association of Directors of Law Enforcement Standards and Training, Waynesboro, VA: CJ Data/Flink & Associates, 2000, p. xxvii.

¹⁹ *Ibid.*, p. xxvii.

²⁰ *Ibid.*, p. xxviii.

²¹ Initial contact information was obtained from the IADLEST report.

combination of open- and closed-ended questions pertaining to training offered in the area of violence against women (domestic violence, sex crimes, stalking). The questionnaire was divided into two sections: (1) recruit training and (2) in-service training. The 2000 questionnaire contained items identical to the earlier questionnaire, but also included questions that addressed changes that had occurred in violence against women training. The number of POST agencies participating in the survey in 1997 and 2000 were 50 and 47, respectively.²²

The surveys have one basic limitation: the accuracy of data is dependent on the knowledge of each POST administrator participating in the survey. Not every participant completed every item on the questionnaire. Also, some respondents had difficulty providing the exact number of training hours devoted to each topic. Nonetheless, the findings of our survey indicate changes in police officer training programs.

Survey Results

The POST surveys focused on training in the areas of domestic violence, sexual assault, and stalking. Findings are discussed in terms of entry-level training for recruits and in-service training programs.

Recruit Training

POST administrators were asked to identify topics covered in recruit training and the number of training hours devoted to each topic. Findings from the 1997 and 2000 surveys are shown in Exhibit 3.1.

Exhibit 3.1: Violence Against Women Topics Covered in Recruit Training, 1997 and 2000*

<u>Topic</u>	<u>Percent of POST Agencies Covering Topic</u>		<u>Median Training Hours</u>	
	<u>1997</u>	<u>2000</u>	<u>1997</u>	<u>2000</u>
Domestic Violence	100	100	8.5	12
Sex Crimes	100	100	4	6
Stalking	86	79	2	2
Protection Orders	96	93	1	2
Victims Rights Act	84	91	2	2

* The number of POST agencies responding to this item in 1997 and 2000 was 49 and 44, respectively.

²² The state POST agencies not responding to our 2000 survey were Hawaii, Washington, and Rhode Island.

All POST agencies offered recruit training on domestic violence and sex crimes. Nearly all agencies also offered training on stalking, protection orders, and the Victims Rights Act. Yet the number of hours devoted to each topic varied. In 2000, the median number of hours devoted to domestic violence increased from 8.5 to 12 hours. On average, two additional hours were added to the sex crimes curriculum from 1997 to 2000, although sex crimes still received just 6 hours of training time. Stalking, a relatively new crime, received very little attention in both 1997 and 2000 (2 hours). In fact, stalking was not a training topic at nine POST agencies, and as shown in Exhibit 3.2, the majority of POST agencies did not include stalking as a separate training topic—instead, stalking was most often covered as part of another topic (such as domestic violence).

Exhibit 3.2: Hours of Recruit Training, by Topic and State, 2000*

	<u>Domestic Violence</u>	<u>Sex Crimes</u>	<u>Stalking</u>
Alaska	24	8	Part of other topic
Arizona	12	4	Not Covered
Arkansas	16	8	1
California	Part of other topic	Part of other topic	Part of other topic
Colorado	4	Part of other topic	Part of other topic
Connecticut	9	2	4
Delaware	24	8	Part of other topic
Florida	Part of other topic	Part of other topic	Not Covered
Georgia	4	4	Not Covered
Idaho	12	4	Part of other topic
Illinois	4	Part of other topic	Part of other topic
Indiana	6	7	Part of other topic
Iowa	20	6	2
Kansas	16	6	Not Covered
Louisiana	20	8	Not Covered
Maine	4	Part of other topic	Part of other topic
Maryland	Part of other topic	Part of other topic	Part of other topic
Massachusetts	20	12	Part of other topic
Michigan	14	6	Part of other topic
Minnesota	Part of other topic	Part of other topic	Part of other topic
Mississippi	Part of other topic	Part of other topic	Part of other topic
Missouri	18	80	20
Montana	14	2	Part of other topic
Nebraska	16	10	Part of other topic
Nevada	Part of other topic	Part of other topic	Part of other topic
New Jersey	Part of other topic	Part of other topic	Not Covered
New Mexico	24	16	4
New York	14	2	Not Covered
North Carolina	12	10	Part of other topic
North Dakota	12	Part of other topic	Part of other topic
Ohio	15	24	Part of other topic
Oklahoma	8	4.5	Not Covered
Oregon	12	8	Part of other topic
Pennsylvania	4	Part of other topic	Part of other topic
South Carolina	16	2	Part of other topic
South Dakota	4	Part of other topic	Part of other topic
Tennessee	8	4	Part of other topic
Texas	16	Part of other topic	Part of other topic
Utah	8	Part of other topic	Part of other topic
Vermont	8	16	Not Covered
Virginia	Part of other topic	Part of other topic	Part of other topic
West Virginia	10	6	Part of other topic
Wisconsin	15	Part of other topic	Part of other topic
Wyoming	14	6	1

* States not responding to this item included Alabama, Kentucky, and New Hampshire. The number of training hours for those topics included in a broader subject matter could not be determined (stalking and sexual assault topics were most often covered in the context of domestic violence courses).

In 2000, POST administrators were asked about changes to the recruit training program. Most of the POST agencies reported that changes had been made to the violence against women curriculum.²³ In addition to the increase in required training hours noted above, POST administrators mentioned changes in two additional areas. First, training delivery techniques have become more innovative. Second, domestic violence training now emphasizes evidence-based investigation, which relies less on victim complaint and more on physical evidence and domestic violence history.

As criminal justice professionals and community advocates have begun collaborating on the problem of violence against women, POST training provided to law enforcement recruits and officers has become increasingly multidisciplinary, delivered by teams of experts. The move toward multidisciplinary training has also influenced delivery styles. In addition to traditional lectures, training is now more likely to incorporate a multitude of delivery formats, such as role-playing, mock trials, and interactive exercises. The advance of multi-media technology in recent years has fueled distance learning and alternative delivery systems. For example, the California POST, perhaps the leader in multi-media training, developed a CD-ROM course and created four videotapes for basic training on domestic violence.

Recently, many state legislatures have passed laws that authorize either pro-arrest or mandatory arrest policies. The legal changes directly impacted law enforcement training in the area of domestic violence. Prior to these legal changes, an arrest on domestic violence charges was contingent on a formal victim complaint. Now, officers are required to arrest the primary aggressor based on probable cause. Consequently, most POST agencies now emphasize evidence-based investigation skills in their domestic violence training programs. For instance, an Illinois administrator noted a paradigm shift in domestic violence training: "Domestic violence used to be traditional, complaint-driven. Now domestic violence is treated as a social problem. Police can make a determination that something has happened and have the responsibility to determine a chargeable offense."

Notable Recruit Training Programs:

- The Arkansas Commission on Law Enforcement Standards and Training increased the hours of recruit training devoted to VAWA

²³ Of the 42 agencies responding to this item, 34 reported changes in the VAW curriculum.

topics, from 18 hours in 1997 to 28 in 2000. Arkansas emphasizes multi-agency cooperation and uses training teams comprised of advocates, prosecutors, Sexual Assault Nurse Examiners (SANE), other medical professionals, and shelter personnel.

- The Illinois Law Enforcement Training and Standards Board revised their basic training for recruits to reflect a new domestic violence statute passed in 1994. Illinois uses innovative training techniques that include the use of actors in role-playing exercises.
- Indiana's Law Enforcement Training Board now spends about 19 hours covering violence against women issues, including sexual assault which was not taught prior to 1997. Among the academy's trainers are victims/survivors of sexual assault and domestic violence.

In-Service Training

In general, POST agencies were less active in providing in-service or refresher training for experienced law enforcement officers.²⁴ In 1997, less than half (23) of the agencies we surveyed developed standards for in-service training. In 2000, 28 POST agencies developed in-service training standards, which typically included a minimum number of training hours and specific course topics. Most POST agencies preferred to accredit local in-service training efforts, finding this practice more cost-effective than delivering training themselves.

In 2000, the survey item was revised to distinguish between in-service training courses that were offered, mandated, or accredited by POST. There are some indications that POST agencies are now more likely to offer in-service training devoted to violence against women topics. In 1997, 12 POST agencies indicated that domestic violence was covered in the in-service training curriculum, and 6 agencies noted that sex crimes and stalking were covered in the in-service training. In 2000, 28 POST agencies offered in-service training on domestic violence, 21 offered training on sex crimes, and 17 offered training on stalking. Relatively few agencies mandated violence against women training in their refresher courses. Exhibit 3.3 shows the number of POST agencies offering and/or mandating in-service training in 2000. Not all agencies that mandated training also offered training.

²⁴ In part, this is because of the absence in many states of any explicit statutory authority for the POST to mandate, or even provide, in-service training to law enforcement officers.

Exhibit 3.3: Violence Against Women In-Service Training for 2000*

	Topic Offered by POST	Topic Mandated by POST
Domestic Violence	28	10
Sex Crimes	21	1
Stalking	17	5

* The number of POST agencies responding to this item was 44.

In-service training varied considerably by state. Some POST agencies offered regular in-service courses through their academies, while others accredited local programs and trainers. For example, many POST agencies offered “train the trainer” modules, in which law enforcement officers are formally trained to deliver local training to their peers.

Notable In-Service Training Programs:

- Kentucky’s Department of Criminal Justice Training offers a 32-hour course on domestic violence and adult sexual assault. Kentucky has mandated that sergeants and officers receive domestic violence training and has incorporated the topic of domestic violence into its mandatory training video.
 - The Massachusetts Criminal Justice Training Council, in partnership with medical organizations, offers a multidisciplinary in-service training program that includes instruction from SANE nurses.
 - The Illinois Law Enforcement Training and Standards Board offers and accredits local in-service training for domestic violence, sex crimes, stalking, and court protective orders—at no cost to local agencies. Working with victim advocates and state coalitions, the Board updated their training on domestic violence and sexual assault. They recently sent each law enforcement agency in the state a new domestic violence guidebook.
 - South Carolina’s Criminal Justice Academy requires 4 hours of domestic violence in-service training every year and mandates coverage of stalking and protection orders. The Academy developed a domestic violence manual and is currently writing a sexual assault manual.
-

Training and the Violence Against Women Act

The Violence Against Women Act had three main impacts on state-level law enforcement training. First, the Act increased public awareness of the problem of violence against women and encouraged the mobilization of community-based groups to advocate for changes in law and criminal justice practices. Furthermore, the Act encouraged collaboration between criminal justice professionals and non-profit victim services organizations. This collaboration expanded to the training area, where law enforcement training is now more likely to be delivered by teams of professionals representing both criminal justice and private organizations. Second, the Act encouraged states to pass pro-arrest or mandatory arrest policies in the area of domestic violence. The enactment of such laws shifted the focus of law enforcement investigations from the complainant to the evidence, and training has followed suit. Third, VAWA's STOP program provided the funding that was required to develop and deliver expanded law enforcement training programs. Administrators repeatedly noted the significance of grant funds to increasing both the scope of the training and their ability to deliver training on a statewide level. A sampling of comments from POST administrators point to the direct and indirect impacts of VAWA.

Victims' rights groups have been successful in passing new laws, so training has changed to take new laws into account. (Texas Commission on Law Enforcement Officer Standards and Training)

[Change was prompted by the] domestic violence movement in the state. Also, pressure from judges and prosecutors. Prosecutors pushed for better investigative process to get more evidence to build solid cases to be able to prosecute domestic violence successfully. ... Grants have helped fund training. (West Virginia Criminal Justice Services)

All changes and upgrades have been funded by VAWA grants that currently total \$7.1 million. (California Commission on Peace Officer Standards & Training)

Agencies... have received STOP grants to provide law enforcement training in the area of sexual assault and domestic violence. The grants have made training more accessible to law enforcement—especially those in rural areas. (Montana Peace Officer Standards and Training Council)

Summary

Entry-level training for law enforcement recruits covered violence against women topics, especially in the areas of domestic violence and sex crimes. In general, recruits received about

12 hours of training on domestic violence and 6 hours of training on sex crimes in 2000. This is an increase from 1997, when 8.5 hours were devoted to domestic violence and 4 hours to sex crimes. While most POST agencies offered training on stalking, the majority of those agencies discussed stalking in the context of other crimes, such as domestic violence.

Some POST agencies offered in-service training programs for experienced law enforcement officers, while other agencies simply accredited local programs and trainers. In 1997, just 12 of the POST agencies surveyed covered the topic of domestic violence in their in-service training program. In 2000, 28 agencies reported that they offered in-service training on domestic violence. In-service training on sex crimes and stalking was offered by fewer than half of the POST agencies responding to this survey item.

The Violence Against Women Act has shaped law enforcement training in three areas. First, VAWA encouraged partnerships between the criminal justice sector and local service providers. These partnerships expanded to the training area, where much of the training on violence against women is now delivered by multidisciplinary teams. Second, VAWA's support of pro-arrest and mandatory arrest policies, and the subsequent passage of corresponding state legislation, shifted the focus of domestic violence training. POST agencies are now more likely to emphasize evidence-based investigation. Third, the funding of POST agencies through the STOP program expanded the scope of violence against women courses, and increased accessibility to such training.

Chapter 4. The Impact of Prosecutor Training Projects

Two STOP-funded projects were selected to study the impact of statewide training programs. Methods used to evaluate the projects included observation of the training programs, review of training material, and analysis of surveys administered to trainees. This chapter reviews both training programs and documents the impact of training on prosecutor performance.

The Training Programs

Numerous training efforts have occurred at the local, state, and national levels with the support of STOP funds. This is an evaluation of two of the more comprehensive training programs at the state level: the California District Attorneys Association Violence Against Women Training Program and Michigan's Violence Against Women Training Project for Prosecutors. Both programs were selected for impact because of the strength of their curricula, the professionalism of the training staff, the reliability of the administrative aspects of the program, and the organizations' willingness to participate in the national evaluation. Both organizations credit STOP funding with the development of training in the areas of sexual assault, domestic violence, and stalking.

California District Attorneys Association (CDAА)

The California District Attorneys Association (CDAА) received \$1.7 million, under 5 grants, from the STOP block grant program administered by the California Governor's Office of Criminal Justice Planning. Part of these funds support training for prosecutors, police, and other agency personnel on topics related to violence against women.

The initial STOP grant funded start-up activities and two seminars in 1996-1997. In the second year of grant funding, 1997-1998, CDAА training increased to include a Violence Against Women Prosecution Symposium, two Violence Against Women Trial Advocacy Skills Workshops, and a Train the Trainer seminar. In the third year of grant funding, 1998-1999, CDAА offered several new training programs, including a domestic violence prosecution seminar, a stalking seminar, and a sexually violent predator workshop. In addition to the

training, CDAA used STOP funds, directly or indirectly, to publish manuals,²⁵ provide tuition support and travel expenses for participants, support professional staff to coordinate the training programs and offer technical assistance, and establish a brief bank that provides examples of court filings.

Prosecuting Attorneys Association of Michigan (PAAM)

Michigan's Violence Against Women Training Project for Prosecutors is sponsored by the Prosecuting Attorneys Association of Michigan (PAAM). PAAM's Violence Against Women Project, which has been in place since the summer of 1996, is totally funded by federal STOP funds. PAAM has received three grants to provide cross-professional training to members of the criminal justice system on issues connected to domestic violence and sexual assault. The grants totaled over \$700,000 for the period of May 1996 through September 1999. Under these grants, 2,172 professionals have been trained by PAAM. Courses have covered diverse topics such as personal protection orders, trial advocacy, expert witnesses, homicide prevention, and DNA analysis.

The PAAM Project charges a nominal tuition to cover the costs of meals, printed materials, and training rooms. While scholarships are not available, many attendees use their county STOP grant, VOCA grant, or Michigan Justice Training Fund dollars to cover tuition. The Violence Against Women Training Project is responsible for writing and publishing a quarterly newsletter and issues specific trial practice manuals. The project also provides technical assistance to individual county prosecutors' offices, women's shelters, and police departments upon request.

Effectiveness of the Programs

Two separate surveys were used to evaluate the impact of both the CDAA and PAAM training programs. First, ILJ conducted a needs assessment. The goal of this study was to better understand the needs of various groups of professionals who attended training. The results of this study were also used to design a questionnaire for the second evaluation strategy, a follow-

²⁵ *Investigation and Prosecution of Domestic Violence* manual, and the *Sexual Assault Investigation and Prosecution* manual.

up survey of prosecutors who attended the training. This second survey was used to examine the relationship between training and changes in prosecutor behavior.

Needs Assessment

Four CDAA and three PAAM courses, held between December 1998 and July 1999, were the subject of the needs assessment study. Questionnaires were constructed for each course. Depending on the course subject, a 26-item to a 36-item Likert scale of relevant training topics was presented, with respondents given the following options: (1) not applicable to duties; (2) no need (well trained); (3) need; (4) high need. A core set of violence against women topics was included in each survey. The surveys were handed out to attendees, along with their registration materials and training notebooks, at the beginning of the program. Attendees were encouraged to return the surveys at any time during the program. Most returned the survey at the close of training along with their other evaluation forms.

Background of Attendees

For the evaluation of the CDAA training program, approximately 300 surveys were distributed in four courses, with completed surveys received from 179 attendees (42 law enforcement officers, 94 prosecutors, and 43 victim witness specialists/advocates. In Michigan, ILJ conducted a needs assessment through three of PAAM's six training programs on violence against women topics. Approximately 240 surveys were distributed in the three courses, with usable surveys received from 161 attendees (37 law enforcement officers, 52 prosecutors, and 72 victim witness specialists/advocates). Exhibit 4.1 indicates the courses included in the needs assessment study and describes the attendees for both California and Michigan training programs. A short summary of the courses can be found in the appendix.

Exhibit 4.1: CDAA and PAAM Courses included in the Needs Assessment and Description of Attendees

	California District Attorneys Association (CDAA)	Prosecuting Attorneys Association of Michigan (PAAM)
Courses Included in Needs Assessment	<ol style="list-style-type: none"> 1. VAWA Advanced Trial Advocacy 2. Violence Against Women Prosecution Symposium 3. Stalking Seminar 4. Domestic Violence Prosecution Seminar 	<ol style="list-style-type: none"> 1. Trial Advocacy 2. Family Violence Seminar 3. PAAM Statewide Domestic Violence Conference
Description of Attendees/Survey Respondents		
Law Enforcement	<ul style="list-style-type: none"> • Half assigned to domestic violence units (50%) • Highly experienced (88% with at least 10 years of experience) • Previously trained (67% with previous training on VAW topics) 	<ul style="list-style-type: none"> • Most assigned to detective or patrol divisions (70%; just 16% assigned to a specialized unit) • Experienced (51% with at least 10 years of experience) • Previously trained (68% with previous training on VAW topics)
Prosecution	<ul style="list-style-type: none"> • Half assigned to a domestic violence unit (49%) • Relatively inexperienced (48% with fewer than 4 years experience) • Previously trained (74% with previous training on VAW topics) 	<ul style="list-style-type: none"> • One-third assigned to a domestic violence unit (35%) • Relatively inexperienced (50% with fewer than 4 years experience) • Previously trained (65% with previous training on VAW topics)
Victim Witness/Advocates	<ul style="list-style-type: none"> • About one-third worked in prosecutor or law enforcement agencies (33%) • Inexperienced (63% with 3 or fewer years of experience with their agency) • Previously trained (77% with previous training on VAW topics) 	<ul style="list-style-type: none"> • About one-third worked in prosecutor or law enforcement agencies (32%) • Inexperienced (60% with 2 or fewer years of experience with their agency) • Previously trained (75% with previous training on VAW topics)

The side-by-side comparison of attendees of the two training programs shows remarkable similarity, but also one major point of divergence. The law enforcement and prosecution training attendees in California were much more likely to be part of a specialized unit than attendees of

the Michigan program. While half of the California law enforcement officers and prosecutors who responded to our survey were assigned to specialized units, one-third of the Michigan prosecutors and just 16 percent of the Michigan police officers belonged to specialized units. In addition, the law enforcement officers attending the Michigan training had, on average, fewer years of experience than their California counterparts. Much of this variance may be due to the greater rural character of Michigan, where smaller police departments and prosecutors' offices cannot accommodate specialized units.

Findings

Exhibit 4.2 lists the top five needs for each group of attendees. The percentage of respondents who expressed a "need" or "high need" for the topic is given in parentheses.

Exhibit 4.2: Training Needs, CDAA and PAAM Attendees

	California District Attorneys Association (CDAA)	Prosecuting Attorneys Association of Michigan (PAAM)
Law Enforcement	1. Risk assessment (95%) 2. Working with uncooperative victims (90%) 3. Stalking law (88%)* 4. Domestic violence law (86%) 5. Civil protection orders (79%)	1. Officer liability issues (76%) 2. Stalking law (76%) 3. Civil protection orders (76%) 4. Child witness interviews (70%) 5. Risk assessment (70%)
Prosecution	1. Child witness use (83%) 2. Domestic violence law (77%) 3. Stalking law (77%) 4. Working with recanting victim/witness (76%)* 5. Victim/witness safety management (76%)	1. Working with recanting victim/witness (88%)* 2. Child witness use (88%) 3. Dealing with expert witnesses (85%) 4. Effective demonstrative evidence (77%) 5. Victim/witness safety management (75%)
Victim Witness/ Advocates	1. Responding to special populations (84%) 2. Batterer accountability (81%) 3. Domestic violence law (79%) 4. Working with prosecutors and law enforcement (79%) 5. Recognizing/addressing ethical issues (79%)	1. Sexual assault law (82%) 2. Child witness special needs (81%) 3. Responding to special populations (81%) 4. Working with prosecutors and law enforcement (76%)* 5. Risk assessment (73%)

* Denotes this item also received the greatest percentage of respondents indicating a "high need."

The CDAA and PAAM training programs are multi-disciplinary, catering to the needs of the criminal justice community on the whole. Training staff are challenged to design programs to meet the varying needs of law enforcement, prosecutors, and advocates. As demonstrated in Exhibit 6.2, each group of professionals has different needs. While child witness use is a concern for prosecutors, this is not a topic of general need reported by the law enforcement officers or advocates. In fact, there is no one topic that all professionals in both states list as their greatest need.

The needs of CDAA attendees are not the same as PAAM attendees. The Michigan law enforcement group appears to be more diverse in their needs than the California law enforcement officers, as indicated by the lower rates of consensus of the top five training needs. Since the California officers are more likely to work in specialized units and have more experience, it stands to reason that, as a group, they are more likely to have common needs. Yet there was some similarity across states, with both groups indicating a need for topics on risk assessment, stalking law, and civil protection orders. There was also some difference in the training needs of prosecutors. While the California prosecutors expressed training needs in the areas of domestic violence and stalking laws, neither type of law made the top five needs of the Michigan prosecutors. Part of these differences may be due to constant changes in statute and case law and greater awareness of stalking crimes in California. Interestingly, common training needs of prosecutors in both states included child witness use, working with recanting victims, and victim/witness safety management. In fact, the same topic received the greatest percentage of prosecutors indicating a “high need” in both California and Michigan: working with recanting victims. When comparing the victim witness specialists and advocates across states, there is some agreement in the need for training on responding to special populations and working with prosecutors and law enforcement.

A review of the curricula for both CDAA and PAAM violence against women courses showed that training was provided on each subject matter identified as a top need. Furthermore, the programs were well attended and virtually all those providing written comments were highly laudatory of the training programs. While CDAA and PAAM training programs met the needs of most criminal justice professionals, we are especially interested in learning about the lasting effect of training on job performance. For instance, has the training enabled prosecutors to increase their ability to convict domestic violence offenders? The question of impact is the

subject of the next section of this report, which describes a follow-up survey of prosecutors who attended violence against women training.

Survey of Prosecutors

A follow-up survey of prosecutors who attended any of the CDAA and PAAM violence against women training courses was conducted. This survey was mailed between six months and one year after the training program, depending upon which program was attended. The survey asked the participants to identify the specific training topics they found useful and how that training had influenced their behavior. For both sets of questions, a four-point Likert scale (strongly agree to strongly disagree) was used to assess the degree of usefulness of the training. An abbreviated list of training topics was chosen for this survey, based on the results of the needs assessment study. In addition, prosecutors were asked to describe a recent case in which the training lessons had been used.

The response rate for the CDAA survey was 54 percent, with 80 of 147 prosecutors responding to the survey. Most of the respondents (63) were responsible for prosecution of domestic violence cases, with 42 prosecutors devoting more than half their time to these cases. Over one-third of the prosecutors also handled stalking and sexual assault cases. About three-fourths of the prosecutors had held that position fewer than 8 years. The response rate to the Michigan survey was slightly less—43 of 101 prosecutors responded to the survey, for a response rate of 43 percent. Almost all of the respondents (40) were responsible for prosecuting domestic violence cases, with about one-third devoting over half their time to these cases. Nearly two-thirds of the prosecutors also handled stalking and sexual assault cases. About three-fourths of the prosecutors had held that position fewer than 8 years.

Usefulness of Training

Prosecutors were asked to describe the usefulness of 10 separate training subjects. Exhibit 4.3 shows those statements that received support from at least 75 percent of respondents.²⁶

²⁶ The percentages include the number of respondents who agreed or strongly agreed with the statement.

Exhibit 4.3: Ranking of Usefulness of Training

Subject	CDAA (n=80)		PAAM (n=43)	
	Percentage	Rank	Percentage	Rank
[CDAA/PAAM] training increased my trial advocacy skills.	90	1	(less than 75)	8
Training increased my knowledge of domestic violence law.*	86	2	88	3
Training improved my understanding of the dynamics of domestic violence.	81	3	95	1
Training improved my knowledge of evidence law and practices.	79	4	75	5
Training improved my ability to evaluate and charge violence against women cases.	78	5	84	4
Training increased my understanding of victims' concerns.	75	6	91	2

* This subject received the highest percentage of respondents who strongly agreed.

Surprisingly, despite different training agendas and audiences, there were similarities between the California and Michigan prosecutors in terms of their evaluation of the usefulness of training components. Exhibit 4.3 shows that the training subjects that were found to be most useful are in the area of domestic violence. Sexual assault and stalking were less emphasized in both CDAA and PAAM training programs, and that prioritization is reflected in the views of prosecutors. In fact, there is remarkable agreement on the usefulness of training in the following areas: (1) domestic violence law; (2) the dynamics of domestic violence; (3) evaluating and charging cases; and (4) victims' concerns. Furthermore, both California and Michigan prosecutors identified the same topic as the most useful: domestic violence law. In contrast to this finding, the pre-test needs survey results showed that only the CDAA attendees rated domestic violence law this high.

The similarities between the two groups underscore common needs of prosecutors and the emphasis of training programs on domestic violence. Yet there was one significant difference between the California and Michigan training programs. The trial advocacy skills taught in the CDAA sessions were rated as extremely useful, with 90 percent of the California prosecutors agreeing or strongly agreeing that CDAA training increased their trial advocacy

skills. In contrast, this topic received a ranking of 8 (out of 10) from the Michigan prosecutors. In part, this was due to CDAA's greater emphasis on trial advocacy training, which undoubtedly affected who attended the training and their reports on both training need and utility. Another difference was in the usefulness of learning the dynamics of domestic violence, including victims' concerns. Both items were higher ranked in terms of usefulness by the Michigan prosecutors when compared to the California prosecutors. Some of this difference may be due to the fact that the Michigan prosecutors, who tend not to be assigned to specialized units, may have greater need in learning about domestic violence dynamics than their California counterparts.

Impact of Training on Behavior

How did training impact prosecutor performance? Ten items were addressed in this portion of the questionnaire, including a statement in which prosecutors could indicate that training did not result in any changes in what and how cases are prosecuted. Exhibit 4.4 shows the top ranked areas of impact for both CDAA and PAAM participants. As a result of differences in the training program and state laws (California evidentiary law), there was one variance in the PAAM and CDAA questionnaire: the inclusion of prior uncharged acts evidence in the CDAA version.

Exhibit 4.4: Impact of Training on Behavior

Subject	CDAA (n=80)		PAAM (n=43)	
	Percentage	Rank	Percentage	Rank
I have increased my use of prior uncharged acts to prove propensity in domestic violence cases.*	69	1	NA	NA
I have increased convictions or "better" (higher charge) convictions.	60	2	63	2
I have increased my assistance to victims.	54	3	56	3
My office has increasingly asked me to prosecute "tougher" cases.	51	4	42	6
I have increased the number of cases prosecuted that might otherwise have been dismissed for lack of victim cooperation.	45	6	65	1
I have improved my communication with shelters and other victim service agencies.	49	5	63	2

* This item, exclusive to the CDAA survey, was the only one to receive at least one-third of respondents indicating "strongly agree."

Up to this point, there have been more similarities than differences between the needs of prosecutors and their ratings of training subjects. When asked how training impacted their behavior, the California and Michigan groups diverge. The highest ranked impact on the California prosecutors was the increased use of prior uncharged acts to prove propensity in domestic violence laws. Both groups of trainees agreed, however, on the high rating given to an increase in convictions or “better” convictions. Michigan prosecutors cited two other impacts. First, the Michigan prosecutors noted an increase in the number of cases prosecuted (even without victim cooperation) and second, an improvement in communication with shelters and other victim service agencies. Similar numbers of prosecutors from both states noted an increase in assistance to victims. A small number of prosecutors (4 in California, 6 in Michigan) reported that training did not result in any changes in prosecution.

Domestic violence is a difficult crime to prosecute. Victims are often uncooperative and various elements of the criminal justice system may not take the crime as seriously as stranger-on-stranger crime. When asked about training needs, prosecutors in both California and Michigan expressed a high need for training on the subject of working with recanting victims/witnesses. In the follow-up survey, California prosecutors stressed the usefulness of training in trial advocacy skills, while Michigan prosecutors placed importance in learning about the dynamics of domestic violence. When loosely tied together, a common theme emerges: the ability to prosecute cases without the victim’s cooperation or participation. Under such conditions, prosecutors must learn to excel at evidence-based prosecution. Indeed, when prosecutors provided real examples of ways in which training had impacted their performance, evidence-based strategies dominated the examples.

Evidence-based prosecution begins with the quality of evidence. Several prosecutors noted that communication with law enforcement had improved and, consequently, so had report writing.

Training has increased my awareness and communication with detectives and patrol officers of things our office would like to see included in reports during the initial investigation, such as photos wherever possible; detailed statements by victims, children or neighbors. Essentially, trying to increase the strength of the case before it ever gets to our office. (California)

In the one year I've been here, I've seen tremendous improvement in the quality of the reports and the strength of our cases due to these changes. (California)

While the quality of evidence is crucial, prosecutors must develop strong case presentation skills. Prosecutors noted three types of actions in this regard. First, in California, the prosecutors noted the importance of training in the use of prior uncharged acts to prove propensity.

I tried a stalking case and was able to use post-5-year incidents in the marriage. The stalking case was not exceptionally strong but the 1109 evidence gave the jury the full picture of the defendant and he was convicted of all charges. (California)

Defendant slapped and choked victim. Defendant was retired police officer and gave no statement. Case was set for dismissal the week after I got back from CDAA training. The day I got back from training, I spoke with victim to see if there were other instances of uncharged acts. She provided me with 5 other instances that she thought didn't mean much. I filed a motion to use the uncharged acts. The judge ruled to allow all and the defense then pled. The case went from a dismissal to a conviction with a jail term for defendant. (California)

Second, several prosecutors believed that their presentation of evidence, and gaining its admissibility in a court of law (*voir dire*) were improved as a result of training.

Definitely improved my re-direct on recanting victims by improved understanding of DV [domestic violence] dynamics. I refer to my training manual on every DV trial. (California)

The training helped me better understand the dynamics of domestic violence, which in turn, made my case presentation more effective. (California)

I have had several cases with a recanting victim where I then provide to the defense attorney a copy of the 911 tape. I have had several cases that might have been dismissed, plead once faced with the prospect of a jury hearing that tape (or the medical records). (Michigan)

I have had 2 jury trials on domestic violence cases where the victim did not appear and 1 bench trial. One jury and the bench were guilty verdicts, evidence seminars were critical to my presentations of the cases. (Michigan)

Third, prosecutors noted that training had increased the use of expert witnesses.

Helped with voir dire and utilizing experts to testify about battered wives, husbands and children. (Michigan)

Thanks to the training I received, I will be calling a local expert to testify about Battered Women's Syndrome since it is a case of ongoing abuse. (California)

In sum, prosecutors can point to specific instances in which training lessons resulted in the prosecution and a conviction of a case that otherwise may have been dismissed. Cases are being built on much stronger evidence, dynamics of domestic violence are accounted for in case presentation, and (the bottom line) offenders are being held accountable. This is not to say that training is the “silver bullet” to problems in the prosecution of domestic violence cases. Prosecutors must be willing to change their behavior, work with other agencies and service providers, and gain the political support of their supervisors.

Summary

Training staff with the California District Attorneys Association (CDAA) and the Prosecuting Attorneys Association of Michigan (PAAM) credit STOP funding as the major contributor to development and delivery of statewide criminal justice training on violence against women. In simple terms, without STOP grants, much of this training would not occur. ILJ conducted a two-phase study of the CDAA and PAAM training programs. First, a needs assessment was distributed in class to identify varying needs of law enforcement officers, prosecutors, and victim witness specialists/advocates. Second, a follow-up survey of prosecutors was conducted to explore the actual impact of training on behavior.

The needs assessment survey showed important similarities between the California and Michigan attendees. A significant proportion of the attendees had received previous training on violence against women topics. The law enforcement attendees tended to have considerable experience while the prosecutors and victim witness specialists/advocates were relatively inexperienced. Yet there was one major difference between the two groups. The California law enforcement officers and prosecutors were much more likely to be assigned to a specialized unit than their Michigan counterparts. This difference is largely due to the greater rural nature of Michigan, which has smaller agencies, which often makes specialized units impractical.

Needs of training attendees vary considerably by profession. Law enforcement needs that were noted by both California and Michigan police officers included training on risk assessment, civil protection orders, and stalking law. Common training needs of prosecutors focused on child witness use, working with recanting victims, and victim/witness safety

management. For prosecutors, the training topic that received the “highest need” score in both California and Michigan was identical: working with recanting victims. Victim witness specialists and advocates noted the need for training on responses to special populations and working with prosecutors and law enforcement. There were differences in training needs between the California and Michigan groups as well. For instance, the California prosecutors had greater need to learn about domestic violence and stalking laws, while the Michigan prosecutors expressed training needs concerning presentation of evidence and use of expert witnesses.

A follow-up survey of prosecutors who attended the CDAA or PAAM violence against women training was conducted to study the perceived usefulness of specific training topics and the impact of training on behavior. Prosecutors reported that, in general, training on domestic violence topics was more useful than training on sexual assault. They also agreed that the following topics were particularly useful: domestic violence law, domestic violence dynamics, evaluating and charging cases, and victims’ concerns. There was one significant difference between the California and Michigan training programs. Prosecutors in California ranked the trial advocacy skills they learned at the training program as most useful to them, while this same item was ranked eighth in terms of usefulness to the Michigan prosecutors. The Michigan prosecutors were also more likely to report benefiting from sessions on domestic violence dynamics and victims concerns than the California group.

Finally, prosecutors were asked to describe the impact of training on their ability to prosecute cases. Here differences between the California and Michigan prosecutors were considerable. One item was specific to the California survey as a result of the state statute that allows for the use of prior uncharged acts to prove propensity in domestic violence cases. This item received the highest level of response from California prosecutors, who agreed that the CDAA training had increased their use of prior uncharged acts as evidence. The California prosecutors also noted that training had led to an increase in the number of convictions or convictions at a higher level. The Michigan prosecutors were much more likely to attribute to the training an increase in the number of cases prosecuted that would otherwise have been dismissed, and an improved communication with shelters and other victim service agencies.

Comments received from both groups of prosecutors had a common theme. Domestic violence cases are often difficult to prosecute because of the likelihood that victims will recant or not cooperate with the prosecution. Prosecutors provided specific examples of cases in which convictions were reached despite the lack of victim cooperation. The real value of training may be, then, in the move toward evidence-based prosecution. Not only had prosecutors noted an improvement in the quality of evidence collected by the police, but also greater skills in their own presentation of evidence in court and use of expert witnesses. In conclusion, the violence against women training in both California and Michigan meets the needs of most criminal justice professionals and has provided prosecutors, in particular, with skills required to advocate on behalf of domestic violence victims.

Chapter 5. Implementation of State-Level Training Projects

STOP funds were critical to state-level efforts to create a uniform response to violence against women. State-level organizations relied on STOP funds to develop policy and deliver training. This chapter provides an overview of four state-level training projects.

Conducting the Process Evaluation

Telephone surveys of POST agencies and state prosecutor associations were conducted to identify programs with strong violence against women programs. Based on the results of the survey, and agency willingness to participate in the evaluation, four training projects were selected for process evaluation. Two of the projects focused on law enforcement training. Two projects were headed by state prosecutor associations and aimed to reach a multidisciplinary audience. Exhibit 5.1 outlines the projects.

Exhibit 5.1: Summary of State-Level Projects Included in Process Evaluation

Site and Date of Evaluation	Project Title and Funded Agencies	Major Tasks
South Carolina (September 1998)	Law Enforcement Training – South Carolina Attorney General’s Office	<ul style="list-style-type: none"> • Policy Development • Training
California POST (February 1999)	Domestic Violence and Stalking Training – California POST	<ul style="list-style-type: none"> • Training
California (May 1999)	Violence Against Women Training – California District Attorneys Association	<ul style="list-style-type: none"> • Training
Michigan (March 1999)	Domestic Violence Training – Michigan Prosecuting Attorneys Association	<ul style="list-style-type: none"> • Training

Evaluation methods included site visits, staff interviews, attendance at training programs, and review of program materials. Following each site visit, ILJ prepared process reports that were sent to local project directors for review prior to public distribution.²⁷

Policy Development

Policy development is often a prelude to training. In South Carolina, the Attorney General's Office used its first STOP grant to develop protocol. This protocol would later become a training tool. The approach used in South Carolina can be generalized as the development of policy by a small core of individuals who have authority to issue a directive. While the final policies were well-received, two lessons can be learned from the South Carolina experience.

1. Policy objectives must be clear and lead to a definite plan of action.
2. Local practitioners must be included in policy development.

Clear Policy Objectives

The development of statewide policy and protocols requires a comprehensive plan. In particular, the objectives of the policies should be stated up front and some guidance must be provided by top-level agents. In South Carolina, the Attorney General's Office used STOP funds to conduct statewide training for criminal justice professionals on the subjects of domestic violence, sexual assault, and stalking. In order to do so, a training manual had to be created. The manual was to be based on statewide criminal justice protocol, which did not exist at the time the project began.

The South Carolina Attorney General's Office contracted with outside organizations and individuals²⁸ to write protocols that would form the basis of the training manual. Unfortunately, the contractors were given little guidance or advice on what was to be included in the protocols and manual. The resulting protocol lacked a coherent policy and was not readily accessible to practitioners. Consequently, grant-funded staff devoted considerable time to revising the protocols.

²⁷ This chapter is based on a compilation of individual site reports. Locally approved individual site reports are available on ILJ's web site, <http://www.ilj.org>.

²⁸ The National Crime Victims Research and Treatment Center and an attorney from People Against Rape wrote the sexual assault protocols. Another private consultant wrote the domestic violence protocols.

Involvement of Local Practitioners

Policies that are driven by directive at the top-level of government should have considerable involvement from local practitioners. There are two reasons why local involvement is so important to policy development. First, the implementation of policy requires widespread acceptance of the policies themselves. Acceptance is more likely if the policies are developed by line staff who are respected in their field. Second, and from a practical point of view, policies developed by non-practitioners may not be readily accessible to practitioners and may even lack credibility among those who work in the area of violence against women on a daily basis. The South Carolina STOP project underscores the importance of these two factors.

In the first year of the project, the Attorney General's Violence Against Women Program Coordinating Review Committee was established to provide a forum for representatives from various disciplines to collaborate and discuss strategies designed to aggressively investigate and prosecute criminal domestic violence, sexual assault, and stalking. The committee included a solicitor (county prosecutor), sheriff, police officer, rape crisis program executive director, domestic violence advocates, and two at-large members chosen by the review committee—their task was to conduct a needs assessment and document which law enforcement agencies in the state had their own protocols. But in terms of the actual development of statewide protocols, input from local criminal justice practitioners was largely absent. The early drafts of the protocols were criticized for being overly technical and poorly written. Inclusion of local practitioners in the development of protocol might have avoided some of these early mistakes.

Focus: South Carolina Protocols

Despite difficulties in protocol development, the South Carolina Attorney General's Office succeeded in creating comprehensive protocols. The protocol was divided into law enforcement and prosecution responses. Excerpts are provided below.

The law enforcement protocol explains the mandatory arrest policy in South Carolina. An officer must make an arrest if probable cause exists that an order of protection or restraining order has been violated or physical manifestations of injury to the victim are present. If none of these factors are evident, then the officer must use his or her discretion in the case. Dual arrest is strongly discouraged. Written documentation is required to support the arrest of both parties. The guidelines the officer should follow

when arriving at the scene follow. These steps show the proper way to report a domestic violence or sexual assault case.

Guidelines for Officer Reporting

Report and separate parties.

Evidence collection. Interview all parties separately and seize weapons.

Photograph suspect, victim and children including injuries, crime scene, pets, and weapons.

Observe injuries, behavior, and body language.

Record exited utterances, spontaneous statements, threats, and present sense impressions.

Tell the victim about safety plans, restraining orders, and community resources.

Since South Carolina laws require that police officers prosecute misdemeanor criminal domestic violence cases, the prosecution section of the manual is very important for them as well as for solicitors. The manual covers how to interview victim, child, and suspect, evidence collection (photographs), arrest procedures, determining the primary aggressor, incident report writing, and other information to help officers at the scene. The manual suggests that prosecutors and officers consider the following when preparing cases for trial.

- Threats to the victim
 - Intimidation by the defendant and his family
 - Economic support issues
 - Children
 - Length of the relationship
 - History of the abuse
 - Use of weapons
 - Low self-esteem of the victim
 - Use of drugs or alcohol by victim and the defendant
-

Training

Training is a common goal for many STOP-funded projects. Among the process evaluation sites, four subgrantees had training components in whole or part. These included the California District Attorneys Association (CDAA), California POST, Michigan Prosecuting

Attorneys Association (PAAM), and the South Carolina Attorney General's Office. With the exception of South Carolina, all of these organizations have additional training components on the topic of violence against women that are not funded through the STOP grant. This section of the report focuses only on those activities funded by the STOP grant. Training is described in terms of program development, course content, delivery formats, and institutional efforts.

Program Development

The experience of the four STOP-funded agencies illustrates the constant process of curriculum review and revision that is required in devising a training program. The four projects generally used the first years of STOP funding to plan their project curriculums, choose faculty staff, and hold initial conferences. They did not conduct large conferences; they conducted more specialized seminars or hands-on workshops until several years into their funding. Once implemented, the format and content of training programs were evaluated and revised over time, using feedback and evaluations from training attendees and further consultation with criminal justice system representatives.

This process of evolution of training programs can be seen in the CDAA's Violence Against Women Training Project. The CDAA used its initial STOP funding to fund two violence against women seminars, and some limited scholarships for travel expenses and tuition for non-STOP training. In the second year of funding, the project offered a prosecution symposium and two trial advocacy skills workshops. In its third year, the project expanded its training to include seminars on stalking and a sexual predator workshop.

The South Carolina program has a somewhat different focus than the other three training projects. There, the training was part of an integrated effort to develop and implement statewide protocols for responding to domestic violence. Thus, a more structured development effort was required. This was accomplished by a coordinating review committee, made up of representatives from law enforcement, prosecution, and victim services, that undertook a statewide assessment of prosecution and law enforcement policies and procedures for investigating criminal domestic violence, criminal sexual conduct, and stalking cases. In the first two years of the project, three statewide domestic violence conferences attended by law enforcement, prosecution, probation and parole, and victim advocate services representatives were useful forums in which training developers could present and gather information. Only in

the third year of STOP funding did the South Carolina Criminal Justice Academy conduct training sessions as part of the protocol implementation.

Law Enforcement Training

Of the four STOP-funded projects discussed in this section, two focused their efforts primarily on training law enforcement on domestic violence, sexual assault, and stalking issues. They are the California POST and the South Carolina Attorney General's Office projects. A very positive feature of the training provided by these two agencies was the consultation and collaboration they undertook with other sectors of the criminal justice system (e.g., law enforcement, prosecution, victim service agencies) to develop their training programs. Training tended to be conducted at police academies or, upon request, at on-site locations.

It is useful to look briefly at what these two projects offered by way of training. The California Commission on POST established and ran two main courses: a domestic violence course for first responders and a domestic violence investigations course for experienced officers. The first responder workshop aimed to assist first responders in the safe and successful handling of domestic violence incidents. The course covered topics such as clarification of court orders, officer responsibilities under primary aggressor law, building the case for prosecution, strangulation injuries, children at the scene, and safety issues. As of 1999, the Commission was working toward a 60-hour first responder course to be held at 40 locations. The other main offering was the Domestic Violence Institute for Criminal Investigation, a five-day course for detectives. Topics covered included the dynamics of domestic violence, elder abuse, cross-cultural issues, evidence, interviewing victims, medical evidence, use of photographs, investigative checklists, and stalking.

The second project that focused its efforts on law enforcement training was that of the South Carolina Attorney General's Office in partnership with the South Carolina Criminal Justice Academy. While the program included some prosecution components, its primary audience was law enforcement.²⁹ Curriculum topics for law enforcement included evidence collection, photographic documentation, collection and preparation of incident reports. As of

²⁹ In South Carolina, law enforcement officers are responsible for prosecuting their own misdemeanor domestic violence cases. However, if the officer gets the victim to sign the arrest warrant, she must prosecute her own case.

1998, the Attorney General's Office training staff conducted 32 eight-hour on-site law enforcement training classes, which were attended by 24 law enforcement agencies and 850 law enforcement officers. Some local shelters also participated.

Prosecution Training

Two of the training projects, the Michigan Prosecuting Attorneys Association (PAAM) and the California District Attorneys Association (CDAA), offered a significant number of courses and seminars in domestic violence, sexual assault, and stalking for a *multidisciplinary* audience made up of law enforcement, advocates, judges, court staff, and victim witness personnel. They also provided discipline-specific training for prosecutors at their trial advocacy workshops. As with law enforcement, the CDAA and PAAM consulted representatives from the wider criminal justice sector in planning their training curricula. Feedback gathered from attendees by the training administrators revealed that participants highly valued the interdisciplinary cooperation at symposiums and seminars.

It is useful to look briefly at what these two projects offered by way of training. The CDAA project used its STOP funding to offer annual prosecution symposiums, a train the trainer program, a stalking seminar, and a violent sexual predator workshop. Its annual prosecution symposiums focused on developing and strengthening strategies to effectively prosecute domestic violence, sexual assault, and stalking cases. Seminar topics included establishing specialized units linking law enforcement with victim services and prosecution, working with medical personnel, multidisciplinary interviewing, and stalking investigation and prosecution. A train the trainer seminar offered classes on general training techniques, as well as more specific trial advocacy skills. A cross-professional stalking seminar and a sexual predator workshop were also conducted. The CDAA conducted trial advocacy skills workshops for new, intermediate, and advanced-level prosecutors. These workshops used trial exercises on the topics of acquaintance rape, date rape drugs, and domestic violence as a basis for instruction. In terms of attendance, the CDAA training project had over 100 attorneys, peace officers, and prosecutors at its prosecution symposiums in 1997-1999, approximately 50 attendees at its 1999 stalking seminar, and 32 attendees at its 1997 train the trainer seminar.

The PAAM also conducted a large number of cross-professional training sessions and seminars on violence against women issues. Its Personal Protective Order (PPO) seminars were

conducted for all professions that encounter PPOs in the course of their work. The Family Violence Homicide Prevention seminars focused on successful investigation and prosecution of domestic violence cases, as well as effective advocacy and intervention efforts for service providers. A statewide sexual assault conference covered topics such as sexual assault between intimate partners, drug induced rapes, and sexual assault nurse examiner (SANE) programs. A statewide domestic violence conference focused on successful investigation and prosecution of domestic violence cases.

The PAAM project also conducted *discipline-specific* training courses. For example, at the PAAM Family Violence Homicide Prevention seminars, law enforcement personnel attended a domestic violence legal update in-service training session, as well as seminars on profiling sexual predators and the use of polygraph examination in criminal investigation. PAAM offered seminars specifically designed for prosecutors, which covered DNA issues, expert witnesses, trial advocacy skills, and advanced felony trial practice. These included a substantial workshop component.

One way that CDAA and PAAM have been able to encourage full attendance at conferences and seminars is through tuition reimbursement and nominal tuition fees. The CDAA program has used STOP funds to waive tuition costs for workshops and symposiums. In contrast to these full reimbursements, the PAAM training project charges participants a nominal tuition fee to cover the costs of meals, printed materials, and training rooms. Many attendees use their county grant funds to cover the costs of training course attendance.

Delivery Format

The four STOP-funded projects under discussion have generally explored creative ways of educating and training. The California Commission on POST and the South Carolina Attorney General's Office's domestic violence project used not only seminars and presentations, but also role playing and theatrical presentations, in their training programs. For example, trainers at the one-week institute for criminal investigation conducted by the California Commission on POST used role-playing by students on relevant topics and their analysis of actor-performed scenarios to gain a sense of the students' current knowledge and skill level. The South Carolina Attorney General's Office project also used interactive theatre in training seminars. A professor with expertise in family violence and sexual assault, and educational

interactive theater used student actors to perform domestic violence, sexual assault, and stalking scenarios in seminars. The actors were also used in a training video.

Training program evaluations collected by the project administrators have been an effective way for all four STOP-funded training projects to constantly review and revise their training methods and materials. Overall, evaluations of instructional techniques, course content and faculty were very favorable. Suggestions for improving the training programs tended to be for longer class time and more group interaction. Attendees of the South Carolina Attorney General's Office training suggested that former victims be involved in training. Participants in the California Commission on POST first responder course wanted more time devoted to 'officer involved' domestic incidents. The respective training projects were able to modify their future training courses accordingly.

The CDAA and PAAM training projects conducted most of their training as a conference, seminar, or workshop. Instructor-facilitated group discussions and panel discussions (including case studies) were also frequently used. Where training was provided in workshop format, attendance was limited to a smaller number of attendees. For example, at PAAM's expert witness seminar, training was specifically limited to 16 prosecutors and 16 service providers.

Technology, in the form of videos, CD-ROMs, and telecourses, has been a significant supplement to traditional training methods in all four STOP-funded training projects. Most of these formats, especially video, have been received positively by trainees who praise their effectiveness in training programs. Video has been useful not only in providing direct instruction, for example on teaching techniques for instructing first responders, but also for generally educating criminal justice personnel about the offense of stalking. It has also been a useful tool in training workshops, particularly for practical trial advocacy skills. For example, the PAAM's training program provides attendees of the expert witness and advanced felony trial practice seminars with a copy of their video-taped final exercise and a critique for future review.

Telecourses are another form of technology that has grown in popularity as a training tool. The California Commission on POST designed and broadcast telecourses on the topics of court orders, cultural issues, and community-oriented policing, as each relate to domestic violence.

CD-ROMs are still another way of providing consistent training programs to a wide audience. In the area of law enforcement training, CD-ROMs not only lead officers through domestic violence, sexual assault, and stalking scenarios; they are also an effective way to update officers about changes in laws. As experienced with other curriculum design, the CD-ROMs have generally been produced following multidisciplinary collaboration. For example, the training CD-ROMs used by the California Commission on POST were developed by a team of law enforcement officers who selected topics for training and created scenarios on several subject areas. A group of district attorneys, law enforcement personnel, and victim advocates reviewed the scenarios before publication.

The participation of experienced faculty has been a vital component of program success. This was particularly true of trial advocacy workshops, in which judges, defense attorneys, and service providers critiqued attendees following their courtroom exercises. Their participation apparently helped to make exercises 'real' and 'challenging.'

Institutional Efforts

One of the goals of the STOP-funded training programs was to institutionalize the way crimes against women are investigated and prosecuted throughout the state. To accomplish this, the publication and distribution of manuals and reference guides for widespread distribution was an integral part of the training programs. Furthermore, training staff have been increasingly important as technical assistance providers, responding to specific requests from law enforcement agencies and prosecutors' offices.

Publications

All four STOP-funded projects put significant efforts into producing publications, either for use in their training programs or as reference guides for criminal justice personnel. Publications tended to fall into two categories. First, there were those used as training aids for STOP-funded training programs. For example, the California Commission on POST project developed workbooks that covered violence against women issues for use at its training academies. The trainers were given a special workbook that provided guidance and suggestions on how to use the materials.

Second, there were publications that served as reference guides for criminal justice personnel working in law enforcement, advocacy, the courts, or victim services. Naturally, the training publications tended to be written and published early in the STOP funding period. The reference guides were often products of lessons learned and research gathered while developing and conducting the violence against women training. For example, in its third year of funding, the CDAA established a brief bank that contained examples of court filings and other materials (e.g., training videos). CDAA publication plans for 1999-2000 included an orientation package for new district attorneys.

The high quality of the training materials is indicated by the fact that many materials are now, as a matter of course, distributed to practitioners working in the criminal justice field. The CDAA published the *Investigation and Prosecution of Domestic Violence Manual*, which was provided free of charge to all state prosecutors' offices and distributed to participants and instructors at POST training. The South Carolina Attorney General's Office prepared and distributed approximately 10,000 domestic violence manuals to law enforcement agencies and prosecutors across the state, both during the training seminars and on request.

Training projects generally allocated STOP funding for periodic reviews and revisions of such manuals. The South Carolina Attorney General's Office domestic violence training manual was revised in 1998 to incorporate a section for judges.

The newsletter is another publication training projects have used to provide information and education on violence against women issues to a wide audience. Newsletters produced by the STOP-funded agencies usually covered both domestic violence and stalking issues. They were distributed widely to prosecutors, law enforcement, service providers, courts, legislators, and other state government agencies and helped to maintain communication between agencies. To give an idea of circulation, as of 1999, the CDAA newsletter (*Homefront*) had reached a circulation of 6,000.

The four reviewed STOP-funded projects have also contributed to other agencies' publications. As an ancillary project, the CDAA prepared revisions of California's Peace Officer Legal Sourcebook materials on domestic violence and court probation orders.

Technical Assistance

All four STOP-funded projects have taken on technical assistance functions that are ancillary to their main training programs but provide education and assistance to training program attendees, agencies or legislatures working toward related goals, and members of the public who have been referred by law enforcement or service providers. Training project coordinators and staff have often acted as liaison between their own and other programs with related goals. The PAAM training attorney liases with the Michigan Batterer Intervention Standards Task Force and PAAM's Family Court and Elder Abuse Committees. The South Carolina Attorney General's Office training staff attends the South Carolina Coalition on Domestic Violence and Sexual Assault meetings (SCCADVASA).

Training program staff have also frequently provided curriculum advice to other training projects. The CDAA has provided curriculum advice to the California Medical Center at UC-Davis and training to the California Sexual Assault Investigators Association and to the Association of Threat Assessment Professionals. The CDAA has also assisted with Office of Community Oriented Policing Services, DOJ, (COPS) conferences and the Community Policing Institute.

Some STOP-funded training projects also sponsor related programs. For example, PAAM's training project sponsors Michigan's Victim Assistance Academy at Michigan State University.

Focus: CDAA Training

The California District Attorney's Association (CDAA) received \$1.7 million in STOP grants to develop and deliver statewide training in the areas of domestic violence, sexual assault, and stalking. Prior to the STOP program, the CDAA offered only a few training sessions about violence against women topics, sexual assault prosecution being the most common. With their STOP grant, they were able to expand their curriculum and gain greater participation (by providing tuition support). The CDAA offers workshops and classes for prosecutors as well as multi-disciplinary sessions designed for law enforcement, prosecution, victim

advocacy, and probation. Latest efforts include the development of training programs especially for the rural community.³⁰ The CDAA sponsors a number of workshops, seminars, symposiums, and conferences. Many of the courses are in such great demand that the CDAA cannot accommodate all registrants.

In May 1999, the CDAA held its Domestic Violence Symposium. This symposium was held in San Francisco over a four-day period, and recorded an attendance of 120 persons. This program included a wide variety of subjects. Some of the sessions are highlighted below.

Determining Primary Aggressor – this session focused on the definition of self-defense and how to determine the primary aggressor at the crime scene. The determination of primary aggressor was discussed in terms of (1) factors to consider and document; (2) defensive vs. offensive injuries; (3) interviewing the parties; and (4) corroboration.

Strangulation Cases – this session begins with a medical perspective of strangulation and the importance of identifying “choking” as strangulation cases. Course material included a list of follow-up questions to ask the victim, investigative steps to take to document this type of injury, including the use of forensic investigators and nurses at the time of investigation, and the use of expert witnesses at trials.

Investigation and Prosecution of Stalking Cases – this session covered the uniqueness of stalking cases, especially identifying the “course of conduct” necessary for charging and convicting a stalking crime, provided an overview of different types of stalkers, discussed the importance of threat assessment in stalking cases, and introduced steps to take to prove violations.

Summary

The basis for agency operations is a standard protocol that guides staff response so that it is consistent with policy. Yet the development of protocol is not a simple matter—especially when the protocol encompasses multiple jurisdictions and agencies. In South Carolina, STOP funds were used to develop criminal justice protocol and deliver training on a statewide level.

³⁰ A course entitled “Rural County Strategies to Stop Violence Against Women” is scheduled for February 2001 in San Diego.

While the development of criminal justice protocols at the state level assured inter-jurisdictional adherence to policy, the lack of local participation can result in ambiguous documents that do not have support from local agencies.

All four state-level projects included in the evaluation created and delivered violence against women training programs. The training programs began with curriculum review and revision before taking on the challenge of conducting large conferences, specialized seminars, and workshops. These programs, which included faculty from multiple disciplines, were innovative in their delivery formats, complementing the traditional lecture format with interactive theatre, panel discussions, the creation of videotapes and CD-ROMS, and broadcasting telecourses. Each training project made significant attempts to institutionalize their efforts by publishing manuals, reference guides, and newsletters, and by offering technical assistance to agencies throughout the state. High attendance at conferences is proof that training needs on violence against women issues remain high.

Part Two
State-Level Impacts of the STOP Program

Chapter 6. Implementation of Local Projects

STOP grants were used to fund a variety of law enforcement and prosecution projects. While some of the projects involved multiple agencies and objectives, others were narrowly focused. In order to evaluate project implementation at the local level, ILJ conducted process evaluations of eight STOP-funded projects. This chapter presents an overview of the process evaluation and discusses policy development and the creation of specialized units.

Conducting the Process Evaluation

The first task for the process evaluation was the selection of sites. In selecting sites, ILJ had four objectives. First, we wanted a sample of sites that was representative of the types of projects funded through the STOP program overall. Second, we looked for projects that could be replicated by other jurisdictions and had some indications of successful outcomes. Third, we sought an overall sample that was geographically representative. Fourth, we included all three types of crimes specified in the VAWA: domestic violence, sexual assault, and stalking.

The selection of sites proved more time-consuming and problematic than originally expected. The STOP program, as a block grant program administered by each state, was characterized by poor documentation. At the federal level, there was no master list of projects receiving such grants; and the national evaluator, the Urban Institute, had considerable difficulty in its effort to develop a subgrantee database, with many states failing to report the specifics of each grant award. Although this documentation problem has improved as the STOP program has stabilized, there was no usable master list of subgrantees available to ILJ from which to select the initial sample for evaluation.

To compensate for the lack of documentation, ILJ undertook an informal telephone survey of state STOP administrators. We relied on each administrator's expertise and experience with the program to direct us to prospective evaluation participants. Although we had considerable success in some states, there was substantial variance in administrators' knowledge of STOP recipients from one state to the next. We also used recommendations from the

Violence Against Women Office and the federal technical assistance providers.³¹ Once we received recommendations, it was necessary to obtain local permission for participation in the national evaluation, which was not always granted. For these reasons, the final selection of sites included in the process evaluation should not be considered entirely representative of the total population.

Once sites were selected, process evaluation focused on the planning and implementation of each project. ILJ staff conducted 3- to 5-day site visits. These included personal interviews with project staff, including administrators and line staff, and a host of other activities. For instance, ILJ researchers participated in ride-alongs with police officers and probation officers, observed courtroom proceedings, attended training sessions, and interviewed victims/survivors. We also collected program documentation, such as locally-prepared statistics and progress reports, and conducted telephone follow-up interviews where necessary. Following the site visits, ILJ prepared process reports that were sent to local project directors for review prior to public distribution.³²

Most of the local projects received STOP grants totaling less than \$200,000. A summary of the sites included in the process evaluation is provided in Exhibit 6.1. The projects will be discussed in terms of policy development and special units. Some of the special units were part of broader multi-agency projects, and focused on more than one task over the duration of STOP funding.

³¹ The technical assistance providers are known as the STOP-TA Project. Officially, the STOP-TA Project is a unit of the Pennsylvania Coalition Against Domestic Violence.

³² This chapter is based on a compilation of individual site reports. Locally approved individual site reports are available on ILJ's web site, <http://www.ilj.org>.

Exhibit 6.1: Summary of Local STOP Projects Included in Process Evaluation

Site and Date of Evaluation	Project Title and Funded Agencies	Major Tasks
Yavapai County, Arizona (August 1998)	Domestic Violence Response Protocols – Yavapai County Task Force on Domestic Violence	<ul style="list-style-type: none"> • Policy Development
King County, Washington (October 1998)	Juvenile Court Domestic Violence Program – King County Prosecuting Attorney’s Office	<ul style="list-style-type: none"> • Policy Development • Special Unit (prosecution)
Dane County, Wisconsin (April 2000)	Domestic Violence Detective Unit – Dane County Sheriff’s Office	<ul style="list-style-type: none"> • Special Unit (law enforcement)
Mesa, Arizona (August 1998)	Center Against Family Violence, Domestic Violence Unit – Mesa Police Department, Maricopa County Attorney’s Office, Mesa City Prosecutor’s Office, Center Against Sexual Assault, Child Protective Services, area hospitals	<ul style="list-style-type: none"> • Special Unit (law enforcement) • Multi-agency Team Project
Stark County, Ohio (February 1999)	Felony Prosecution Unit – Stark County Prosecuting Attorney’s Office	<ul style="list-style-type: none"> • Special Unit (prosecution)
Los Angeles County, California (January 2000)	Stalking Unit – Los Angeles District Attorney’s Office	<ul style="list-style-type: none"> • Special Unit (prosecution)
Manchester, New Hampshire (April 2000)	Domestic Violence Team Project – Manchester Police Department, Hillsborough County Attorney’s Office, New Hampshire Department of Corrections	<ul style="list-style-type: none"> • Special Unit (prosecution) • Multi-agency Team Project
Kansas City/Jackson County, Missouri (April 1999)	Sexual Assault Project – Kansas City Police Department, Jackson County Prosecuting Attorney’s Office, SANE, MOCSA	<ul style="list-style-type: none"> • Special Unit (prosecution) • Multi-agency Team Project

Policy Development

The development of policies and procedures is seldom the sole focus of a project. For instance, the King County’s juvenile domestic violence project included the creation of a task force that recommended policy and process changes. This section of the report summarizes

policy development in both King County, Washington and Yavapai County, Arizona. This is followed by a brief discussion of the Yavapai County development of protocols.

Development of Local Policy by Task Force

Local protocols tended to be created by task forces comprised of representatives of various justice and victim services agencies. In general, this approach proved effective in creating policies that were widely accepted; but implementation of those policies across agencies and jurisdictions proved more difficult to accomplish. The King County Juvenile Court Domestic Violence/Sexual Assault Task Force and the Yavapai County Domestic Violence Task Force are two examples of projects that worked to influence or create policy.

Task forces tended to go through waves of activity and interest. However, there were certain elements that increased the level of activity and effectiveness of task forces. The following might be considered key ingredients to policy development by a task force.

1. The effectiveness of the task force is greatly improved with a coordinator or facilitator who can network with a variety of agencies and create an environment of open dialogue.
2. Participation from each major agency is necessary for products to be widely accepted. Additionally, key decision-makers should be involved with the task force.
3. The task force membership must include those who have the authority to implement policy.

Coordinator/Facilitator

Task forces can be formed on a temporary basis to address a particular problem, or they can be long-standing committees with relatively stable membership. In King County, Washington, a Juvenile Court Domestic Violence/Sexual Assault task force was created for the expressed purpose of increasing coordination and communication within the Juvenile Court system. To accomplish this purpose, STOP funds were used to hire a professional facilitator to oversee the task force. By all accounts, this facilitator was instrumental in bringing focus to the task force and opening dialogue between a wide variety of individuals with sometimes opposing interests. In Yavapai County, the local task force had floundered for several years, partly because the task force did not have a designated coordinator who could perform administrative tasks and devote time to networking. The effectiveness of this task force noticeably improved

with the addition of a STOP-funded coordinator who was able to expand membership and gain widespread participation.

In addition to a coordinator, the effectiveness of a task force will be affected by the qualifications of that coordinator and his or her connections to the criminal justice system. In Yavapai County, grant funds were used to support the salary of a county assistant prosecutor. In addition to handling domestic violence cases, the prosecutor's responsibility was to draft a prosecution protocol that would be accepted across the county, including the numerous city prosecutors who try the majority of misdemeanor domestic violence crimes. The special prosecutor had access to police departments, city prosecutors' offices, and judges that could not have been attained by an individual outside the criminal justice system. By adding a designated prosecutor to the project and involving the prosecutor in protocol development, the task force received a great deal of credibility from criminal justice agencies throughout the county.

Participation of Key Agencies and Decision-Making Staff

The presence of an independent coordinator increases the likelihood of broad participation in a task force, but there are no guarantees that membership will be complete. In fact, certain agencies may simply refuse to participate under any situation. These are the struggles faced by task forces across the country. It is unlikely that a task force will survive if key agencies refuse to participate.

Task force participation is affected by interagency and interpersonal politics. In King County, ongoing friction between the Prosecuting Attorney's Office and the Department of Youth Services influenced the effectiveness of the task force. And in Yavapai County, a key city prosecutor declined offers to attend task force meetings. Not only must the stakeholding agencies participate in the task force, but they should be represented by high-level individuals who have some ability to influence policy-making within their agency. The absence of such individuals diminishes the seriousness of the problem at hand and makes implementation of any policies that develop from the task force less likely. At a minimum, the task force must include the prosecutor, key law enforcement agencies, and victim services providers.

Authority to Implement Policies

The types of policies developed under the STOP program are relatively complex because they involve the criminal justice system as a whole. Thus, multiple agencies serving a wide array of citizens must agree on policy and then must take efforts to ensure that the policy is followed. A policy manual or directive is a first step, but real change can only be incurred by training and gaining support from mid-level managers who oversee day-to-day action. Task forces must balance their need to gain widespread support with the need to create task-oriented policy that can be carried out at the local level.

The local task forces included in our study, while doing an excellent job at creating systemic policies that had widespread support, had more difficulty in the area of implementation. In King County, the task force spawned debate and a new awareness in the way juveniles accused of domestic violence offenses are treated by the system. Because the problems were systemic, it was the responsibility of several agency heads to work together to implement a new policy. But due to interagency conflicts and lack of involvement from agency heads who could affect policy, the protocols did not lead to any immediate change in the way cases were treated. Fortunately, much of the impetus for change has been coming from the Juvenile Court judges who are in a position to influence the overhaul of the entire system. Yavapai County faced similar problems. Despite the development of countywide protocols, the implementation of protocols was at the discretion of individual agencies. Consequently, the development of a systematic countywide response was haphazard at best.

Focus: Protocol Development in Yavapai County

Yavapai County, a territory of 8,000 square miles, has a population of 135,000.³³ Geographically, the county is divided by the Mingus mountain range, which has effectively created a political fracture between West Yavapai and the eastern, less populated area known as Verde Valley.

In 1997, under the leadership of the local battered women's shelter, STOP funds were provided to the Yavapai County Domestic Violence Task Force for the purposes of hiring a coordinator and domestic violence prosecutor to assist with the development of a

³³ The largest city and county seat in Yavapai County is Prescott (population 30,606). It is located 94 miles north of Phoenix.

countywide domestic violence response protocol.³⁴ The goal of the project was to unify all county law enforcement, prosecution, and judicial agencies in their response to domestic violence. The hiring of a task force coordinator propelled the task force into active policy development.

The hiring of a coordinator proved essential in bringing recognition to the task force and increasing participation from nearly every community in the county. In particular, the political divisions between West Yavapai and Verde Valley had to be breached to create a unified response. This was achieved through separate task force meetings held in Verde Valley, and by hiring a prosecutor working out of the County Attorney's Office who provided a conduit to the city prosecutors and judges for developing uniform charging practices. After several protocol drafts and review by local law enforcement agencies and prosecutors' offices, a final draft was prepared and distributed countywide in 1998.

The success of the task force in producing a countywide protocol created high expectations that the various county agencies would begin to respond to domestic violence crimes in a uniform manner. Several law enforcement training sessions were held, and a general improvement in law enforcement response was noted by several non-profit agencies that served battered women. But the task force had no authority. Essentially, the implementation of the protocol was dependent on each agency, some of whom refused to accept countywide standards. In sum, the task force brought the criminal justice community together to develop protocol, but because the task force had no official authority, these policies could not be implemented uniformly.

Special Units

Two types of special units were part of the process evaluation. Law enforcement special units included the creation of a domestic violence detective unit in the Dane County Sheriff's Department in Wisconsin, and the development of the police department's Center Against Family Violence in Mesa, Arizona. Five projects focused on special prosecution. These projects included Stark County's (Ohio) designated domestic violence felony prosecutor; specialized prosecution in the King County Juvenile Court (Washington); the Los Angeles County District

³⁴ Funds were also used to hire a domestic violence prosecutor in the County Attorney's Office and to conduct training on the protocols.

Attorney's Stalking Unit; specialized sex crimes prosecutors in the Jackson County Prosecutor's Office (Missouri); and creation of a misdemeanor prosecution unit in Manchester, New Hampshire. Three of the projects also had a multi-agency component: Mesa's Center Against Family Violence, the Manchester/Hillsborough County domestic violence project, and the Kansas City/Jackson County sexual assault project.

Law Enforcement Units

In general, there are two types of special law enforcement units concerned with domestic violence and sexual assault crimes, investigative units and specialized service teams. Some law enforcement agencies have implemented teams of patrol officers, who may be paired with advocates, to provide victims with on-scene services and ensure proper investigation of sensitive cases. Specialized teams are not as common as investigative units. Nearly all metropolitan law enforcement agencies already have a Sex Crimes Unit of specialized detectives and, increasingly, a Domestic Violence Unit. Only a handful of agencies specialize in stalking cases. The two case studies in this evaluation are investigative units. In Dane County (Wisconsin), the Sheriff's Office used funds to create a Domestic Violence Unit of three detectives (two supported by the grant). In Arizona, the Mesa Police Department was awarded a STOP grant for the development of a multi-agency Center Against Family Violence, which included a new Domestic Violence Unit to work alongside the Sex Crimes Unit. While the Mesa Center is a complex organization that includes several agencies, this discussion focuses on the one attribute shared by both police departments—the creation of a specialized unit of domestic violence detectives.

Placement of the Unit Within the Department

The creation of a new unit seems like a simple matter. But structurally, the creation of a unit can take several forms. In Dane County, the Sheriff's Office created a stand-alone unit of three domestic violence detectives who report to the same supervisor. In Mesa, the Family Violence Unit, comprised of three detectives, is also identified as a separate unit. But Mesa's Family Violence Unit works alongside the Sex Crimes Unit, reporting to the same supervisor. While this difference seems minor, it is compounded by state laws that in some respects diminish the seriousness of family violence crimes in contrast to sex crimes.

In explanation, Arizona law generally identifies sexual assault as a serious felony³⁵ while nearly all domestic violence crimes are misdemeanors. Naturally, felonies are given the highest priority within the police department. While this is true of all police departments, Mesa's placement of the Family Violence Unit alongside a unit that handles primarily felony sex crimes has unintentional consequences on the visibility of domestic violence and unit staffing. In some regards, domestic violence takes a backseat to sexual assault in this type of arrangement. Staff interviews also indicated that domestic violence detectives in Mesa were more likely to see their position as a stepping stone to the Sex Crimes Unit, which had greater prestige in the department. The Dane County stand-alone unit seemed to avoid these types of issues.

Staffing

Staffing a unit, whether it focuses on sexual assault, domestic violence, or stalking, can be done by assignment or competitive bidding. In some law enforcement departments, labor unions and seniority scales tie administrators' hands in selecting the best personnel for individual assignments. Ideally, law enforcement administrators would fill positions with qualified, experienced detectives who have a real interest in the nature of the crime. The sensitivity of these types of crimes, which requires additional staff training, makes staffing a particularly crucial matter. In Mesa, detectives are not assigned to units on a voluntary basis; this sometimes results in detectives being assigned to units they find undesirable. In Dane County, the Domestic Violence Unit detectives were selected from a pool of detectives who competed for the job, although union and seniority considerations did influence the final selection. The result of these practices can be a mix of detectives—some choose to join the unit based on the challenge of addressing these sensitive crimes, others volunteer for the assignment based on preferable work hours or other department perks (i.e., use of a detective car), and still other detectives are unwillingly assigned to the unit and grudgingly “serve their time.” Fortunately, both law enforcement agencies have strong supervision that has minimized difficulties that might otherwise be brought on by poor staffing decisions.

³⁵ At the time of this site visit, Arizona laws considered sexual assault to be a serious felony—except when the victim and offender are married, in which case the charge may be dropped to a misdemeanor. Misdemeanor violations are heard by the Municipal Court while the Superior Court of Arizona handles felony cases.

Turnover has been a particular problem in staffing domestic violence units. While some of the turnover is a result of the rotation cycle used within large police departments, some turnover is a result of the stresses of the job. Domestic violence crimes are often particularly troubling because of the victim's lack of cooperation with the criminal justice system. On the one hand, detectives who are ill-trained in the dynamics of domestic violence or who do not have the patience and disposition to handle these types of crimes may not perform well in this area. On the other hand, some of the detectives we encountered truly enjoyed the challenges of this particular assignment and took considerable pride in their ability to provide services to victims. A self-selection process may occur more frequently for detectives handling domestic violence, in comparison to other assignments. Regardless of the cause of turnover rates, training is a critical element. Both departments have taken steps to ensure special training for domestic violence and sex crimes detectives, who are generally appreciative of training opportunities. Stalking training, if offered at all, is typically limited to domestic violence-related stalking.

Operations

The tasks of a special unit are not pre-determined and can vary from one department to the next. The major difference between the two domestic violence investigative units covered in this evaluation was the scope of cases to which they could be assigned. In Dane County, the Sheriff's Office serves a rural population and responds to over 600 domestic violence incidents each year. Prior to the creation of this unit, investigators from the general pool would handle domestic violence cases only if the suspect had fled the scene, special investigative assistance was requested by the patrol division, or the seriousness of the case required additional evidence collection. Since the Domestic Violence Unit was established, the Unit sergeant reviews all complaints for domestic violence incidents, and all such cases are assigned to a detective. By screening all complaints and requiring follow-up action, the Sheriff's Office has identified cases that might not previously have been labeled domestic violence. By contacting all victims, the detectives have learned that some of the "minor" complaints have occurred in the context of long-term abuse; consequently, the detectives have upgraded cases to reflect the seriousness of the situation. This information has enabled detectives to forward additional charges to the District Attorney's Office, offer safety devices and referrals to victims, and monitor the case for further incidents.

The Mesa Police Department, serving an urban jurisdiction of 360,000 with the same number of domestic violence detectives as Dane County, restricts the detective's caseload to those incidents in which the suspect has fled the scene or those cases requiring additional investigative support. In the first part of 1998, the Family Violence Unit was on schedule to handle nearly 500 cases that fell under its domain. Mesa's Domestic Violence Unit operates in a manner that is consistent with most metropolitan police departments. Given the volume of calls for service and complaints, there is no mechanism available in which all complaints could be screened for domestic violence. Indeed, the detective staff could not handle a caseload that was inclusive of all reported domestic incidents. At the time of this evaluation, the Mesa Police Department had plans to supplement their detective unit with an on-scene specialized response team. By doing so, they would add an important dimension to their domestic violence work and expand the population of victims they presently serve.

Operations also vary in another important aspect, and that is the provision of advocacy and referral services. In Mesa, the Center Against Family Violence houses the Victim Services Unit. Victim Services Specialists are on-call and able to offer referrals, assistance with victim compensation forms, and in some cases, counseling services. In Dane County, the Sheriff's Office does not have its own unit of victim advocates. While the domestic violence detectives in Dane County work closely with victim specialists from the District Attorney's Office, the detectives must themselves provide substantial referral information and safety planning to victims of domestic violence crimes. Despite the time demanded by and given for these actions, the detectives are still not able to provide yet other important services that could be offered by victim advocates such as support, counseling, and legal advocacy.

Interagency Collaboration

Both domestic violence units collaborate closely with other agencies. However, Mesa's Center Against Family Violence has numerous advantages based on the fact that key organizations and agencies are housed in the same facility with the special unit officers or detectives. Furthermore, since domestic violence detectives work alongside sex crimes detectives, this arrangement facilitates the investigation of cases that involve the co-occurrence of domestic violence and sexual assault. Counselors and advocates are on hand to respond to crisis cases and provide services to victims. The Center has greatly improved the relationship

between the police department, Center agencies, and the local non-profit sexual assault service provider. Less attention has been devoted to improving the relationship between prosecutors and police.

In Dane County, the detectives are housed in the same facility and on the same floor as the District Attorney's domestic violence specialists, who provide referral information and assistance to victims. The strong relationship between the detectives and specialists is a direct result of the creation of this new unit in the Sheriff's Office. Similar to the Mesa Center, the detectives have less contact with prosecutors. Interagency collaboration has also benefited from training opportunities. Detectives, prosecutors, domestic violence specialists, and community advocates have worked to develop multidisciplinary training sessions for law enforcement.

Prosecution Units

Five of the projects we evaluated used grant funds to support a special prosecutor or prosecution unit. The projects discussed below are extremely diverse. The King County, Washington, project was perhaps the most unique—it addressed domestic violence at the juvenile level. The development of a dedicated domestic violence felony prosecutor in Stark County (Ohio) was a direct outcome of grant funding, a progressive prosecutor's office, and a change in state law. In Manchester, New Hampshire, the County Attorney's Office used STOP funds to designate a prosecutor to handle misdemeanors at the District Court level. In addition to these special units that addressed domestic violence at various levels, we studied prosecution units that focused on stalking (Los Angeles County District Attorney's Office) and sexual assault (Jackson County, Missouri).

The rationale for creating special prosecution units or dedicated prosecutors is three-fold. First, domestic violence, sexual assault, and stalking cases can be extremely time-consuming, especially where the crimes involve a pattern of abuse that must be documented and litigated by prosecutors (e.g., with procedures such as obtaining the victim's medical records). By designating special prosecutors, many of these time-consuming tasks can be made routine, enabling the cases to move through the system quicker while also relieving non-specialist prosecutors of time-consuming cases. Second, specialized training on domestic violence legal issues (e.g., questions about evidence law involving hearsay rule exceptions) and crime dynamics can be targeted to those prosecutors who need this training. Training on crime

dynamics is especially important since the nature of these crimes requires sensitivity and understanding of the dynamics of violence perpetrated against women. A special prosecutor trained in these issues can offer victims greater sensitivity and, hopefully, better advise the courts on appropriate sentences for defendants. Third, designated staff can offer vertical prosecution, in which the same prosecutor handles the case from arraignment through trial or conviction.

Vertical prosecution is preferred as it provides stability for the victim and the prosecutor can track new related incidents. It also allows for greater accountability among assistant prosecutors handling these cases, office supervisors, and managers.

Case Screening

Typically, specialized prosecution requires that cases are first screened to judge their appropriateness for the unit. This varies somewhat by the type of crime and the way in which such crimes are identified in law enforcement incident reports. In both Manchester and Stark County, misdemeanor domestic violence cases are sent to the Municipal Prosecutor's Office. However, in Manchester, domestic violence misdemeanor cases are then put aside for the domestic violence prosecutor, who is employed by the County Attorney's Office. In Stark County, the domestic violence felony prosecutor reviews cases from two of the municipal courts and selects those cases that qualify for direct indictment. In King County, juvenile arrests are screened by an experienced prosecutor, and domestic violence cases are identified for the assigned advocate and prosecutor.

The Jackson County Prosecuting Attorney's Office receives relatively few adult sex crimes cases referred from the Kansas City Police Department. In addition to cases where there is a sexual assault charge, prosecutors review cases that have been not been referred by the police department. Upon review, the prosecutor may request that the case be sent back for investigation, so that prosecution may still occur. This extra screening practice improves the quality of the case and ensures that all serious efforts to build a prosecutable case have been made.

Without a doubt, case screening for stalking crimes is a complicated manner. In order for stalking behavior to be a crime, a pattern of threatening behavior must be established. A stalking case cannot be built on an individual episode. The Los Angeles County District Attorney's Stalking and Threat Assessment Team (STAT) is responsible for prosecution of felony cases

involving stalking, workplace violence (government only), and other high profile or dangerous threats. This unit receives about 400 referrals yearly, retaining around 125 to 150 for monitoring or filing.³⁶ A STAT prosecutor reviews each referral, accepting cases that fit the following criteria:

- Firearm or other deadly weapon is used.
- Victim or family member is killed or seriously injured.
- It is a second or third strike cases in which the new charges include stalking.³⁷
- Defendant has a prior conviction for stalking or terroristic threats.
- It is a complex, serious, or long-term stalking case that involves multiple offenses, witnesses, victims, locations and/or law enforcement agencies, or a case of widespread public interest.
- Victim is an elected or appointed government official.
- Case involves any other special preparation and/or investigation where there is a serious threat to the victims' safety, including cases involving multiple violations of prior restraining order.

Case screening, while seemingly routine, becomes more complicated as the charges invoke felony punishments or the often imperfectly understood crime of stalking. Furthermore, case screening can indicate to law enforcement additional evidence or investigation that would build a case that does fit prosecution criteria.

Vertical Prosecution

Most special prosecution units use vertical prosecution in some fashion, subject to local court structure and practices. In Stark County and Manchester, there is only one dedicated prosecutor. In each of these cases, the courts have made accommodations to schedule domestic violence hearings and trials in a manner that enables the special prosecutor to attend such events. By doing so, the prosecutor can handle all proceedings without relying on other prosecutors to cover court appearances. In Los Angeles County, however, the Superior Court has refused to

³⁶ The highest number of case referrals comes from the Los Angeles Police Department's Threat Management Unit. Other cases are referred to STAT by the District Attorney screening units at the downtown office and the 26 branch offices, victim services agencies, employer security directors, and walk-ins or call-ins.

³⁷ California has a "three strike" law that significantly increases the penalties for serious recidivistic crimes as defined by the law.

permit stalking cases to be consolidated in the central court docket. As a consequence, the stalking prosecutors there must travel all over the county for hearings on these cases. Because a significant portion of their time is spent in exhausting travel, they are unable to accept as many cases as they otherwise would.

Two other factors that impact vertical prosecution are the rotational cycle within prosecutor's office and the length of time to trial or disposition. In King County, the structure imposed by the prosecutor's office, along with a hectic Juvenile Court schedule, makes vertical prosecution improbable. A particular problem is the rotational schedule used by the prosecutor's office. After a stint at the District Court, new prosecutors in the office are rotated to the Juvenile Court, where they might practice for 6 to 8 months before being rotated to a new assignment. In such a setting, prolonged and complex cases are very likely to be handled by more than one prosecutor. In Jackson County, a felony sexual assault case can take over a year from intake to disposition. During this time, turnover within the office makes it likely that more than one prosecutor will handle the case during different stages. These problems are not insurmountable, however; prosecutor replacement procedures can be used to minimize these problems.

Vertical prosecution is nearly a necessity in stalking cases where individual incidents must be brought together to create a pattern of behavior. Oftentimes, it is not until one investigator or prosecutor accumulates a history of incidents that the pattern of stalking emerges. The Los Angeles STAT unit practices vertical prosecution. Because they also monitor complaints that may escalate into stalking and perform post-conviction services, the prosecutors become familiar with each stalker's patterns and can quickly respond to future incidents.

Staffing

Staffing is an issue for special prosecution units in two respects: turnover and experience. Turnover seems to be especially problematic for prosecution units that focus on misdemeanors. For example, over a 3-year period in Manchester, five different Assistant County Attorneys have taken on the job of prosecuting misdemeanor domestic violence cases. The high volume of misdemeanors, combined with large numbers of uncooperative victims and the perceived relatively low importance of prosecuting misdemeanors, are likely to account for some

of this turnover. In contrast, Stark County's felony domestic violence prosecutor and the Los Angeles STAT unit prosecutors have been in their respective positions for several years.

While part of staff turnover can be explained by promotions and rotational cycles that require transfers within the prosecutor's office, some of the turnover can be attributed to burnout. Jackson County's prosecution unit addresses sex crimes. The majority of these crimes victimize young children. The personal toll on prosecutors handling violent crimes against children can be enormous. Turnover will continue to be a likely symptom of special prosecution units that handle child victims.

The experience of prosecutors assigned as dedicated domestic violence prosecution staff varied considerably across sites. In Manchester, the STOP grant paid for an entry-level prosecutor, which may have contributed to the high turnover rate. The King County project was staffed by very inexperienced prosecutors, with the exception of the unit head. For many of the prosecutors, this was their first position upon graduation from law school. Again, the assignment of inexperienced prosecutors to dedicated units or positions seems largely an outcome of the relative unimportance placed on misdemeanor cases. Each of the felony-level units were staffed by prosecutors with considerable experience.

Victim Assistance and Advocacy

An increasingly important role of prosecution is the victim assistance component. Victim assistants in prosecutors' offices (sometimes referred to as advocates) have a wide range of responsibilities. Duties of victim assistants can include case screening for referrals, conducting interviews, providing assistance with safety planning, offering referrals to community service providers, assisting with the filing of victim compensation and restitution forms, and providing help with protection orders. All of the five prosecution units included in-house victim assistants or specialists. Several of the projects also had close links with victim service providers from the community.

Across sites, victim assistants have an extraordinarily high caseload that limits the amount of time they can spend with victims. For example, in Jackson County, the Sex Crimes Unit has just one advocate handling a caseload of over 500 victims per year. In addition, there is oftentimes a role conflict between providing victims with services and referrals and supporting

the prosecutor's efforts, if those efforts are not in the victim's own perceived best interest. This is especially true in domestic violence cases in which the victim refuses to participate in the prosecution of the defendant. On more than one occasion, prosecutors have requested that victim assistants work to bring a victim "on board."

There is considerable variance in the level of contact between victims and prosecutors across sites. In misdemeanor domestic violence cases, it is quite probable that the prosecutor will have had no personal contact with the victim. In these cases, prosecutors primarily work through victim assistants; and, although this depends somewhat on the individual prosecutor, they will rely on the office's victim assistant to gauge the victim's willingness to prosecute. The high volume of misdemeanor level crimes is one of the reasons cited for the lack of prosecutor contact with victims. At the same time, the advocates can be used to identify cases in which prosecutor contact with the victim is required.

The crimes of domestic violence, sexual assault, and stalking require specialization from victim assistants. A traditional Victim Assistance Unit might not recognize and therefore not reward victim specialists for performing non-traditional tasks. The performance of advocates assigned to King County's Juvenile Section is measured by the number of restitution filings. Restitution is mostly irrelevant in juvenile domestic violence cases, which typically involve a son or daughter assaulting the mother. Consequently, some of the nontraditional work, such as outreach, performed by the domestic violence advocate went unrecognized by superiors. However, in general, most prosecutors' offices acknowledged the wide range of services and tasks performed by victim assistants.

Interagency Collaboration

Each of the special prosecution units was part of a larger community effort to address domestic violence, sexual assault, or stalking. Yet the degree of collaboration varied considerably across sites. Two of the sites had difficulties with interagency collaboration (King County and Stark County). The Manchester, Jackson County, and Los Angeles projects are more integrated into the community and have developed a cooperative environment between criminal justice agencies.

In King County, juvenile cases were historically screened and prosecuted by staff of the county's Department of Youth Services. The introduction of attorneys from the Prosecuting Attorney's Office to the screening process created a rift in the juvenile courts between these two actors, influencing current attempts of collaboration between the two agencies. Furthermore, most of the juvenile domestic violence project efforts from the prosecutor's office were actually undertaken by the advocate. Local law enforcement officers who worked on juvenile cases were largely unaware of the STOP grant or any special prosecution efforts. While a local task force created more community awareness of the problem, interagency collaboration was never developed on this particular project.

A related point is the scope of agency participation. In Stark County, there are 24 police agencies and 3 municipal courts serving the county's townships, cities, and villages. The Stark County Prosecutor's Office has taken a leading role in the local task force and in developing policies that address domestic violence. Unfortunately, some police departments do not participate in the task force and countywide protocols; and one of the municipal court prosecutors (Alliance) does not subscribe to the direct indictment process used by the felony domestic violence prosecutor in the other two courts. Collaboration between these agencies could be improved.

The Manchester, Los Angeles, and Jackson County projects have a substantial collaboration between prosecutors, law enforcement, advocates, and community advocates. In Manchester, this collaboration extends to the probation department. (This unique team project is discussed in greater detail below.) Los Angeles' STAT unit benefits from the Los Angeles Police Department's Threat Management Unit and an active movie and television community that is concerned about stalking. In Jackson County, the prosecutor's office works closely with the Kansas City Police Department, especially with the latter's crime lab, which conducts DNA analysis, and has built a relationship with several local hospitals' SANE programs.³⁸ The local multi-agency task force, the Kansas City Interdisciplinary Response to Sexual Assault (KCIRSA), is a particularly active force and meets regularly to discuss concerns, develop recommendations, and seek solutions to the problem of sexual assault.

³⁸ SANE is Sexual Assault Nurse Examiners.

This analysis points to several factors that influence interagency collaboration. First, working collaboratives are easier to form where the jurisdiction includes just a few major agencies. For instance, the Manchester project involves just one police department; the Jackson County Prosecutor's Office primarily works with the Kansas City Police Department; and the Los Angeles STAT unit works with a specialized unit within the city's police department. Second, multi-agency collaborations start at the highest level. The task forces that seem to have the most impact have participation from top-ranking officials or at least some involvement from agency heads. Third, collaborations are built through frequent interagency contact. The task force in King County was a successful but short-lived activity, and the Stark County task force has gone through varying periods of activity. At the other extreme, the Manchester project holds team meetings on a weekly basis, and the Kansas City task force schedules regular monthly meetings.

Special Issues for Stalking and Sexual Assault Units

The prosecution units that handled stalking and sexual assault crimes had additional features as a result of the nature of the crimes. Stalking, a repetitive behavior, is difficult to document, and even when the case ends in conviction, stalkers may continue their behavior during and after their sentence. Therefore, Los Angeles' STAT prosecution unit includes substantial monitoring of cases even before they are filed and following conviction. In Jackson County, the STOP-funded program focused on sexual assault. The advancements made in DNA analysis and the standardization of evidence collection played a major role in the ability of sex crimes prosecutors to bring cases forward.

Monitoring of Stalking Cases

Typically, a prosecutor's job begins when the case is filed and ends when a disposition is reached. Los Angeles' STAT unit takes a different approach. The state Penal Code specifies that stalking occurs only where the victim has a reasonable fear for his or her safety or that of the victim's family and that there be an overt or explicit threat. Not all stalking meets the threshold requirements. In cases where the seriousness of the stalking behavior has been escalating but is not yet stalking under the statutory definition, the STAT unit may monitor the case. This monitoring involves periodic checks with victims to determine if the threat level has significantly increased. It may also involve investigator "interventions" in which the unit's investigator

delivers a warning to suspected stalkers that they are approaching criminal behavior. By monitoring the pattern of behavior and intervening before criminal codes are broken, the STAT unit tries to prevent escalation.

The STAT unit also works on the back-end, following conviction and sentencing. In some cases, prison and other punitive measures do not deter the stalking behavior. When a stalker is convicted and put on probation, victims are encouraged to call the STAT unit's investigator or the District Attorney's 24-hour command post to report new stalking incidents. The STAT Deputy District Attorney handling the case will also make periodic calls to the victim and to the probation or parole officer supervising the stalker. In addition, the Deputy District Attorney may assist the victim by asking the Parole Board to place restriction on the parolee's terms of release from prison. By taking these measures, the STAT team optimizes the possibility that new incidents will be identified and fully prosecuted and offers a sense of safety for stalking victims.

Evidence Collection in Sexual Assault Cases

In sexual assault cases, the meticulous collection of medical evidence and definitive results of DNA analysis are of prime importance in building the prosecutor's case. For this reason, the Jackson County Prosecutor's Office's Sex Crimes Unit has developed a very close working relationship with several local hospitals and the Kansas City Police Department to improve evidence collection. STOP grants have supported training for the SANE nurses who are responsible for properly collecting evidence with a standard rape kit and documenting physical trauma. The police department's Criminalistics Laboratory has also benefited from STOP grants and was able to establish a quicker, more efficient way to analyze DNA evidence. These developments have increased the quality and quantity of physical evidence, which has in turn increased the number of chargeable cases in the Sex Crimes Unit.

This evaluation was limited to grant-funded operations that fell under the Violence Against Women Act. The Act restricts funding to programs that address crimes committed against women over the age of 12. Sadly, the majority of sexual assault crimes investigated and prosecuted by the Jackson County special unit had child victims under the age of 12. The young age of the victims certainly underscores the significance of obtaining quality physical evidence, especially when the victim cannot speak for herself.

Focus: Manchester's Domestic Violence Project

In Manchester, New Hampshire, three different agencies—the Manchester Police Department, Hillsborough County Attorney's Office, and the New Hampshire Department of Corrections—collaborated to develop a team-oriented STOP project. The original goal of the project was “to create a criminal justice team approach in the interventions for domestic violence cases, in order to effect a more efficient and consistent judicial outcome.”

The Manchester project begins with the police department's Domestic Assault Response Team (DART), comprised of two patrol officers whose main priority is responding to domestic violence calls.³⁹ These officers are part of the department's Domestic Violence Unit, which features a detective and advocates supervised by a sergeant. Arrest reports for misdemeanor-level crimes are forwarded to the City Solicitor who turns over all domestic violence cases to the County Attorney's domestic violence prosecutor, who tries misdemeanors in the District Court. An advocate works alongside the prosecutor to inform victims of court status, inquire about their wishes, and provide referrals. The preferred sentence for those convicted of domestic violence charges is probation and attendance at a batterer intervention program. Probationers are under the watchful eyes of two specialized domestic violence probation officers, who make unannounced home visits and place most probationers under intensive supervision.

Team-building activities include regular meetings and team training. Team meetings are held every Friday to discuss upcoming cases on the court calendar. The meetings, led by the special prosecutor, give each participant the opportunity to provide input on recommended sentences and court action and alerts police officers to situations that may escalate. Several team members also attend regularly scheduled monthly meetings of the Domestic Violence Council, headed by the District Judge. Training is an additional responsibility taken on by the team. In addition to providing training sessions for Manchester police officers, the team has provided general training to other agencies within the city and the state.

The Manchester team project is particularly interesting because of the periodic budget crises it has experienced and each agency's dedication to continue funding for the project. A long-term commitment from either the city or county to continue this project once grant funding expires has not been secured. Yet the various

³⁹ The DART unit is funded under VAWA's Grants to Encourage Arrest Policies program.

agencies have been able to reroute funds to continue to staff the project in light of budget emergencies.

Summary

The Institute for Law and Justice's evaluation of eight STOP-funded local projects focused on the areas of policy development and the creation of special units. Overall, the projects covered all three types of crime targeted under the Violence Against Women Act—domestic violence, sexual assault, and stalking. Comparisons of the projects helped identify practices that can be used by other practitioners to build a response to violence against women. Project reviews have also suggested some of the difficulties faced by staff as they implemented these projects.

Policy development at the local level was challenging. The projects included in the local evaluation developed policies through task forces comprised of staff from a number of agencies. The primary purpose of these task forces was the creation of a criminal justice protocol that would guide each agency's response to domestic violence. The addition of STOP-funded coordinators proved critical to expanding participation in the task force, creating focused policy, and increasing the level of task force activity. But the effectiveness of the resulting policy was dependent on full participation of all agencies. Ultimately, the task forces did not have authority to mandate policy and implementation was discretionary.

The creation or development of special units was common under the STOP program. The special units included in this study had important linkages to other criminal justice agencies, advocacy services, and local non-profit victim service providers. Two STOP-funded law enforcement units used their funds to create a unit of domestic violence detectives. Unit operations varied—mostly a result of jurisdictional differences (urban vs. rural) and differences in the volume of cases handled. There was some evidence that a stand-alone domestic violence unit may be preferable to a domestic violence unit that is actually part of larger unit where the priority may be on felony crimes (e.g., sexual assault).

The five special prosecution units included in this evaluation emphasized vertical prosecution and coordinated advocacy services. Special units addressing the prosecution of stalking and sexual assault presented additional issues. In particular, stalking cases required

nontraditional activities such as monitoring of cases by the prosecutors, both prior to filing charges and following the conviction. The prosecution of sexual assault cases, with high demands for physical evidence, benefited from close working relationships with crime laboratories and the medical community.

In conclusion, to create effective policy, there must be an authoritative body that can require policy implementation across agencies and jurisdictions. Local task forces can provide the impetus and fundamentals of policy, however, multi-jurisdictional policies must fall under the realm of the state. The STOP program has played a fundamental role in the creation of special law enforcement and prosecution units. An extremely promising version of the special unit is the multi-agency team that includes law enforcement, prosecution, advocacy, and probation. The team approach minimizes the chance that victims will get “lost” in the system and increases the likelihood that offenders will be held accountable for their crimes.

Chapter 7. The Impact of Specialized Units

A common activity of STOP projects is the creation of specialized units or dedicated staff. This chapter summarizes data from two such projects. In Dane County, Wisconsin, STOP funds were used to create a specialized unit of domestic violence detectives. In Stark County, Ohio, the County Prosecutor's Office used a STOP grant to fund a dedicated domestic violence felony prosecutor. This chapter reviews each project and explores the unit's impact on the criminal justice system and domestic violence victims.

Dane County Sheriff's Office Domestic Violence Unit

Dane County (population 424,586) is located in southern Wisconsin and has both rural and urban characteristics. Dane County's largest city is the state capital, Madison, with a 1998 population of 209,306. Aside from the metropolitan Madison area, the remainder of the county is rural. The population is predominantly White (91 percent), with the largest minority groups being Asian (3.5 percent) and African American (3.4 percent).

The Dane County Sheriff's Office, with 381 sworn officers, is one of two major law enforcement agencies in the county.⁴⁰ The Sheriff's Office has jurisdiction over the unincorporated areas of Dane County. Additionally, the Sheriff's Office provides emergency coverage and investigative services for some of the smaller communities in the county that are not capable of 24-hour patrols. From 1994 to 1997, the Sheriff's Office experienced a 31 percent increase in the number of domestic violence complaints (from 482 to 631). In Dane County, most domestic violence offenders are charged with disorderly conduct or battery.

Prior to this grant, the Field Services Division had 20 detectives, 15 of whom investigated domestic violence and sexual assault cases along with other types of cases. The STOP grant enabled the Sheriff's Office to create the county's first and only unit of specialized domestic violence detectives.⁴¹ Two of the three detectives who work in the domestic violence unit are

⁴⁰ The second largest agency is the Madison Police Department, with 366 sworn officers.

⁴¹ To create a specialized domestic violence unit, the Dane County Sheriff's Office received \$162,975 in STOP funds from the Wisconsin Office of Justice Assistance to cover the period September 1, 1998 to June 30, 1999. They received \$175,027 more in September 1999 to extend the project an additional year.

supported by STOP grant funds acquired through the Wisconsin Department of Justice. The third detective is salaried through the Sheriff's budget and does not work domestic violence cases on a full-time basis. The unit, which began operations in September 1998, has experienced considerable turnover. Just one of the detectives has been with the unit since its inception.

The types of activities carried out by the domestic violence detectives can be grouped into two areas: (1) case review/follow-up and (2) victim services. Case review/follow-up includes contacting all domestic violence victims for whom a report was filed, conducting follow-up investigations, and locating and arresting offenders who were not apprehended at the scene of the incident. The types of victim services offered by the detectives vary; they can include installing and testing *varda* alarms and emergency cell phones, assisting victims with safety planning, and providing transport to court. From the start of the unit to the end of June, 1999 (a period of 9 months), the unit reported serving 282 victims (212 female victims), about 31 victims a month.

The Domestic Violence Unit is under the immediate supervision of the Sergeant of Field Services Investigations. The detectives, assigned to the unit based on their experience and familiarity with domestic violence crimes, receive specialized training from the local shelter/service provider—Domestic Abuse Intervention Services (DAIS). The detectives are also responsible for collaborating with members of the domestic violence task force, making referrals to community resources, and conducting a series of community education initiatives in the rural communities of Dane County.

Wisconsin has a mandatory arrest law. Law enforcement officers are required to make an arrest in domestic violence incidents when certain criteria are met under Section 968.075. Law enforcement officers should evaluate whether or not they are required to make an arrest of an adult⁴² suspect based upon the following criteria:

1. The officer has reasonable grounds (probable cause) to believe that the person is committing or has committed domestic abuse and that the person's actions constitute the commission of a crime.
2. The relationship between the suspect and the victim can be defined as "domestic" by one of the following statements: (a) spouse; (b) former spouse; (c) adult with whom the person resides or formerly resided with; or (d) adult with whom the person has a child in common.

⁴² In Wisconsin, 17-year-old suspects are considered adults.

3. The suspect's acts constitute domestic abuse as defined in sec. 968.075(1)(a)1-4 Wis. Stats. (e.g.,
4. Either the officer has a reasonable basis to believe that continued domestic abuse against the victim is **LIKELY** and/or there is **EVIDENCE OF PHYSICAL INJURY** to the victim.
5. The domestic abuse is reported within 28 days of its occurrence.

The complex nature of domestic violence crimes was cited as a primary reason for the creation of a specialized unit. Domestic violence crimes often involve offenders in denial and victims who recant or fail to cooperate. Investigations are difficult and time-consuming. The special unit would be able to speed up the investigation of domestic crimes and increase the level of support given to rural victims—with the ultimate goal of enhancing the prosecution of offenders.

Evaluating the Unit

Dane County's Domestic Violence Unit was difficult to evaluate for a number of reasons. Much of the unit's activities reflected a change in the quality of law enforcement response, and this change could not be documented by traditional statistical data. For instance, the detectives provide referral services and safety planning—activities that would enhance victim safety but would not affect the number of incidents or arrests. Furthermore, the Sheriff's Office did not compile data on the types of services offered each victim.

Even when statistical data would have been useful, it was not available. As an example, the Sheriff's Office STOP proposal suggested that the special unit, by improving victim participation in the criminal justice system, would result in increased conviction rates. But the District Attorney's Office does not record the law enforcement agency in its database; therefore, performance could not be measured by agency. Another data problem was in the area of warrants requested and served. While this statistic would have provided some measurement of the impact of a special detective unit on incidents in which an arrest was not made at the scene, the Sheriff's Office is unable to pull out warrant information on only domestic violence cases. The only statistical indication we had to suggest detective activity in cases where the suspect had fled the scene was in the number of arrests. In 2000, the domestic violence detectives made 11 arrests on domestic violence charges. These arrests would not have been made prior to the unit.

Given the lack of statistical data, and the victim-service focus of the unit, the evaluation concentrated on surveys of domestic violence victims. In fall 2000, ILJ sent surveys to domestic violence victims served by the Sheriff's Office. A survey was also sent to victims served by a comparably-sized police department in the state that did not have a specialized unit of domestic violence detectives. ILJ's survey instrument consisted of both open-ended and closed-ended questions designed to capture the victim's perceptions of the law enforcement agency's response to the domestic incident referred to in the cover letter. The survey was divided into four parts: (1) incident background, (2) immediate response to the incident, (3) contact with the detective, and (4) overall thoughts on police response. Respondents were asked to complete the questionnaire and provide comments. One version of the survey was sent to victims served by the Sheriff's Office Domestic Violence Unit between January 1 and June 30, 2000—165 victims. The domestic violence incidents included any case brought to the detectives, including those where an arrest was not made.⁴³ A second version was sent to victims of domestic violence served by the comparison police department. Due to the large number of incidents in the comparison city, a sample was drawn, with 202 surveys sent to victims of domestic violence where the offender was arrested at the scene.⁴⁴ These incidents occurred between June 1, 2000 and Oct. 15, 2000. For both samples, the few incidents involving the arrest of both parties were excluded.

Traditionally, mail surveys of crime victims suffer from poor response rates. Yet the sensitive nature of the topic and our promises of confidentiality limited our ability to conduct follow-up interviews. Consequently, our response rates were quite low. Of the 165 victims surveyed in the Dane County Sheriff's sample, 33 surveys were completed and returned, for a response rate of 20 percent. The sample of 202 victims served by the comparison police department was surveyed in October 2000, and yielded 16 responses—a response rate of 8 percent. Despite the low response rates, the inclusion of open-ended questions made it possible to draw some conclusions. Specifically, the richness of the write-in comments allowed us to focus on variations in the quality of law enforcement response.

⁴³ The survey was mailed to victims in August 2000, with a follow-up mailing sent in September.

⁴⁴ The comparison police department could not identify domestic violence calls for service; therefore, arrests were used as the primary selection criteria.

Findings

Domestic violence victims in rural Dane County who responded to the survey were likely to be white married women, with no physical injuries reported during the incident in question. While few of the victims suffered injuries, some experienced damage to their personal property. The majority of surveyed victims reported that they felt threatened and concerned for their own or their children's safety at the time of the incident.

This evaluation focused on the extent and quality of law enforcement services provided to victims. Two findings are discussed below.

1. The specialized unit has performed well, receiving high marks from the victims they served.
2. Victims served by the Dane County Sheriff's Office were more likely to seek help from law enforcement in future domestic violence situations than victims served by a comparable police department in the county.

Unit Performance

Detectives are expected to contact all victims of domestic violence in which the Dane County Sheriff's Office responded. Contact can come in the form of telephone follow-up calls and personal visits. With few exceptions, victims reported being contacted by the detectives, with one-third of the victims receiving a personal visit from a detective.⁴⁵ Victims noted that the detectives carried out a number of follow-up activities, including taking photographs and interviewing witnesses. The detectives also offered a number of services to victims. Most of the victims received information about the legal system and other resources (84 percent were briefed about the legal system). One-third of the victims were offered safety equipment and one of every four victims reported that detectives helped design a safety plan.

The detectives received special training on the dynamics of domestic violence, which should have improved their ability to interact with victims. Exhibit 7.1 summarizes victim perceptions of their interaction with the detectives. The results show that nearly all respondents found the detectives to be supportive.

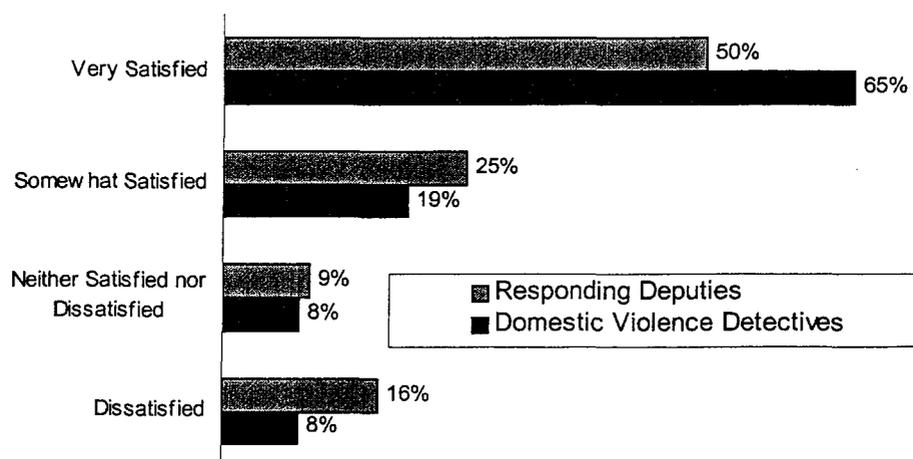
⁴⁵ It is not known if this is a representative sample, since the Sheriff's Office cannot provide data on how many victims received a personal visit from a domestic violence detective.

Exhibit 7.1: Victim Interaction with Dane County Sheriff's Specialized Detectives*

<i>Which of the following things did the Detective do?</i>	<i>Percent in Agreement</i>	
Listen to your side of the story	88	n=26
Seem to believe what you said	92	n=25
Support your decisions	92	n=24
Do anything that made you feel safer	65	n=23
Blame you for the violence	4	n=26
Discourage you from continuing with the case	8	n=25
Try to pressure you into pressing charges	0	n=25
Do anything that made you feel more in danger	4	n=23

* The numbers reflect the total number of respondents who answered yes or no to each item (responses marked not applicable were excluded).

For the most part, victims had a positive experience with the Sheriff's Office in general, and with the domestic violence detectives in particular (see Exhibit 7.2). In fact, 65 percent of the victims reported being 'very satisfied' with the detective's response to the incident. Just two individuals reported being dissatisfied with the detective's response.

Exhibit 7.2: Victim Satisfaction with Dane County Sheriff's Office, by Type of Response*

* A total of 32 victims responded to the satisfaction item referring to responding deputies, and 26 victims responded to this item in regard to the domestic violence detectives

Levels of satisfaction seemed contingent on several factors, including the timeliness of response, deputy/detective demeanor, and level of involvement. The few respondents who noted dissatisfaction were unhappy with the amount of time it took deputies to respond to the scene or the demeanor of those who did respond.

Help-Seeking Behavior

Perhaps the true measure of an agency's performance in the domestic violence field is the victim's willingness to contact that agency in the future. When victims were asked if they would contact the police again if they were involved in a domestic violence situation, there was a significant difference between victims served by the Dane County Sheriff's Office and the comparison police department. Exhibit 7.3 summarizes the results.

Exhibit 7.3: Victim Willingness to Engage Law Enforcement in Future Domestic Violence Situations, by Agency*

	Dane County Sheriff's Office (n=31)	Comparison Police Department (n=16)
Definitely Will	58%	25%
Probably Will	19%	37%
Will Not	23%	38%

* Survey question: *If you were ever to be involved in a domestic violence situation again, how likely is it that you would call the police?*

More than half of the domestic violence victims served by the Sheriff's Office reported that they would definitely call the police again in a domestic violence situation, compared to just 25 percent of victims served by the comparison police department. Generally, victims served by the comparison agency did not receive follow-up investigative services and were considerably more dissatisfied with the agency's initial patrol response. The extra effort of the detectives employed by the Dane County Sheriff's Office was appreciated by a number of victims and affected their willingness to seek help in the future. For instance, one victim wrote that "The detective cared and was very kind. He will be the first person I contact if another problem arises or when I choose to leave this man."

Discussion

The Dane County Sheriff's Office unit of domestic violence detectives began operations in September 1998. The detectives received training on domestic violence dynamics to improve their understanding of the complexity of the problem and their interaction with victims. This training has apparently paid off, as nearly all victims responding to our survey felt that the detectives were supportive. Individual comments were indicative of victims' interactions with the detectives.

He [detective] made me feel like I did the right thing by calling 911.

[The detective] seemed to really care about the situation. I felt more embarrassed than anything for wasting everybody's time. He assured me I was not doing such.

[The detective] made sure I was safe right away. Made sure I knew all the steps to take to continue to be safe.

[The detective] seemed very concerned and sincere. He spent half an hour talking to me (phone) and advised me to have the locks changed, to buy a tape recorder, and to phone the dispatcher if my estranged husband ever returned. He was very reassuring and most polite.

The detective took quite a bit of time to just talk and listen to what I had to say. He seemed very personal and gave great, sound advice. I was pretty impressed.

The detective kept me informed about the case, as well as what had happened with my husband, informed me basically of everything. That was wonderful, there was no guessing what was happening.

In conclusion, the Dane County Sheriff's Office specialized unit of domestic violence detectives has performed well. Victims were very satisfied with both the initial deputy response and the detective's response to the incident. Consequently, victims were more likely to contact the Sheriff's Office in future domestic violence situations than were those victims served by the comparison police department.

Stark County's Domestic Violence Felony Prosecutor

Stark County is located in northern Ohio and has a population of about 327,000. Its largest city is Canton, with a population of approximately 80,000. Four of the county's five

cities (including Canton) experienced a decline in population between 1970 and 1990. In addition to the county's five cities, there are several villages and townships, which results in a fragmented criminal justice system (there are 24 law enforcement agencies in the county). Three municipal courts handle adjudication of all state and parallel municipal misdemeanors, as well as preliminary hearings in felony cases. Felony cases are heard by the Stark County Court of Common Pleas in Canton. In an effort to alleviate a jail overcrowding problem, the county prosecutor began a direct indictment process in 1996. This process allows the county prosecutor, working with two of the three municipal courts, to bypass a preliminary hearing and present the case directly to the grand jury. About one-third of felony domestic violence cases follow this pattern of direct indictment.

Two significant changes in Ohio criminal statute directly impacted the county's response to domestic violence. In 1994, the General Assembly enacted new domestic violence legislation (Senate Bill 335), which authorized a preferred arrest policy in domestic violence cases.

Domestic violence is defined as:

- (A) Knowingly causing or attempting to physically harm a family or household member
- (B) Recklessly causing serious physical harm to a family or household member; or
- (C) Knowingly, by threat or force, causing a family or household member to believe that the offender will cause imminent physical harm to the family or household member.

An individual who violates any of these sections for the first time is guilty of a misdemeanor. The law also required law enforcement agencies to adopt written domestic violence policies and procedures in conjunction with local domestic violence shelters and other community organizations.

The second major change occurred in 1997 with the passage of House Bill 1, which affected criminal and civil domestic violence statutes as well as the guidelines for civil protection orders. This law made the second and subsequent conviction of a domestic violence charge, or of a violation of a municipal ordinance that was similar to domestic violence, a felony. Repeat violations of either division (A) or (B) are considered felonies of the fifth degree, while a violation of division (C) of this section is deemed a misdemeanor of the third degree.

The 1994 pro-arrest policies resulted in a tremendous increase in the number of arrests made on domestic violence charges. Consequently, there was a huge strain on the resources of the municipal courts. With the passage of the 1997 revised statute, the Stark County Prosecutor's Office and the Court of Common Pleas have been inundated with domestic violence cases. Due to this increase in the volume of cases, the Stark County Prosecutor's Office applied for funding under the umbrella of the Stark County Commissioners. While the Prosecutor's Office was the lead agency, the STOP proposal was a collaboration involving four agencies in the county with the support of other law enforcement entities and Community Corrections.⁴⁶ The primary objective of the project was to create a specialized prosecutor position to handle felony domestic violence cases. In addition to regular prosecution duties, the designated prosecutor would be responsible for training law enforcement and working with specialized domestic violence officers, and collaborating with various agencies.

Evaluating the Project

The evaluation of the Stark County project focused on its primary activity: the prosecution of felony domestic violence cases. In order to assess the impact of a designated prosecutor, several sources of data were used. First, arrest data was collected from the Ohio Attorney General's Office, which compiles statistics by law enforcement agency in the state. The submission of data was voluntary and not all law enforcement agencies in the county submitted data for the period under study, 1993 to 1999. Second, data from the Stark County Prosecutor's Office was used to compare pre-grant and post-grant case filing statistics. This strategy also had a downside. Particularly problematic was the inability to identify all cases of domestic violence prior to 1997—due to the fact that the cases were not marked as domestic violence in the database. Consequently, the pre- and post-grant data are not entirely comparable. The pre-grant data includes only those felons charged under the specific domestic violence statute (Code 2919.25), and the primary offense tended to be a felony of the fourth degree; while the post-grant data included every felony domestic violence case, with the primary offense more likely to be less severe (felony of the fifth degree). This aberration also affected the third strategy—tracking cases through the court system. Only cases involving intimate partner

⁴⁶ The first grant, in the amount of \$27,235, was awarded in June 1997, with a second grant of \$47,044 awarded in 1998 (matching funds came from the Stark County Prosecutor's Office).

violence, with a male offender and female victim, were included in the samples to ensure some level of comparability. All 50 such cases identified from the 1996 database and a sample of 50 cases from 1999 (from a total of 205 cases) were tracked. Again noting the problems with identifying domestic violence cases prior to the grant, the 1996 cases were more likely to include felons of the fourth degree than the 1999 sample. A fourth evaluation strategy was the facilitation of a focus group of domestic violence victims.

Findings

The designation of a specialized domestic violence prosecutor and advocacy support had four notable impacts:

1. Charging policies and aggressive prosecution have lessened the likelihood that felony charges would be reduced to misdemeanors, while increasing conviction rates.
2. There has been a decrease in the length of time to disposition.
3. There has been a change in sentencing, which has increased the likelihood that convicted felons will spend time in prison.
4. Victims are more likely to be involved in prosecution.

Since the 1994 passage of the preferred arrest policies law, the number of domestic violence arrests in Stark County averaged 575 per year over a 5-year period.⁴⁷ In 1999, the number of arrests peaked at 662, as did the number of complaints (941). As a result of the increase in arrests, the courts were overwhelmed with domestic violence cases. For instance, in 1994, the Canton Municipal Court heard 381 domestic violence offenses. In 1995, the year following preferred arrest, this figure leaped to 1,329. Similarly, with the addition of felony penalties for repeat offenders in 1997, the number of felony domestic violence indictments handled by the Stark County Prosecutor's Office went from 38 in 1996, to 98 in 1997. This figure increased to 170 felony indictments in 1998. Undoubtedly, the legislative changes created the dramatic increases in the number of arrests of domestic violence offenders.

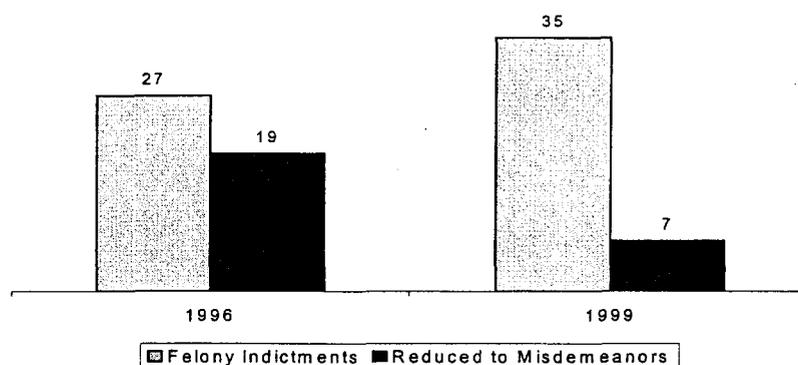
Domestic violence felony offenders included in the case tracking system tended to be white, married men with an average age of 32. Not surprisingly, the majority of the offenders had prior domestic violence offenses (more than 70 percent of the 1999 offenders in the sample

⁴⁷ Source: Ohio Attorney General's Office.

had at least one prior offense). Despite the fact that the 1996 sample was more likely to include offenders charged with a higher level felony, the percentage of women injured, according to the police reports, actually increased from 1996 to 1999 (54 percent to 88 percent). There was also some indication that local law enforcement had improved their documentation of such injuries. In 1996, patrol officers took photographs of 37 percent of the injured victims; in 1999, this figure increased to 52 percent. Thus, the domestic violence prosecutor was handling an increasing number of cases that involved victim injuries with improved documentation.

With the addition of a specialized prosecutor, the number of felony cases reduced to misdemeanors decreased significantly. Exhibit 7.4 illustrates this decrease.

Exhibit 7.4: Felony Indictments and Cases Returned to Municipal Court*



*Source: Case tracking system (n=50 cases in 1996; 50 cases in 1999)

In 1996, almost 40 percent of all felony cases were later reduced to a misdemeanor. In 1999, just 14 percent (7 of the 50 tracked cases) of the felony cases were sent back to the municipal courts as misdemeanors. When a case was reduced to a misdemeanor, it was usually because the victim refused to be involved in prosecution. Not only are more cases being prosecuted at the felony level, those cases are being prosecuted successfully—conviction rates increased from 50 percent in 1996 to 76 percent in 1999. These changes are likely to be a result of both dedicated prosecution and victim willingness to participate in the court process.

A common complaint of most court systems is the length of time that is required to reach a disposition. The domestic violence prosecutor worked closely with the Canton and Massillon

municipal courts to prosecute cases efficiently by using the direct indictment process. In 1996, the average time to disposition of a felony domestic violence case was 77 days (arrest to disposition). With direct indictment and dedicated prosecution, this figure dropped to 66 days in 1999.

In addition to changes in charges, convictions, and time to disposition, there has been a parallel development in sentencing practices. The percentage of convicted domestic violence felons who received straight prison time was around 50 percent for both 1996 and 1999. However, in 1999, the use of judicial release became more common (22 percent of convicted felons received judicial release in 1999, compared to 8 percent in 1996). Judicial release refers to the practice of requiring a convicted felon to spend part of his sentence in prison and part on probation, which may include counseling and alcohol/drug treatment. If the offender violates probation, the remainder of the sentence is served in prison. Over the course of this STOP grant, the amount of time served in prison has also increased. For those cases included in our tracking system, the average prison term was 6 months in 1996. In 1999, those sentenced to prison were given, on average, a one-year prison term.

In addition to changes in offender treatment, there is some indication that victims are more involved in the process. Twice as many victim impact statements and victim interviews were completed in 1999 than in 1996. The vast majority of women requested that the offender be given some combination of counseling and jail time.

Discussion

The Stark County project demonstrates the impact that one dedicated professional can have in a smaller community. While changes in state domestic violence laws resulted in a huge increase in the number of domestic violence felony-level crimes, these cases received the full attention of the county prosecutor. Conviction rates increased while cases were processed through the courts more efficiently. Those convicted on domestic violence charges were more likely to be sentenced to prison. In the long run, habitual batterers will be paying the consequences of their violent behavior, and as batterers are sent to prison, victims will be provided with a golden opportunity to leave the violence behind them.

Summary

In recent years, states have passed laws that promote or mandate arrest in domestic violence situations. While this has eased the victim's burden of pursuing criminal action, domestic violence continues to be a difficult crime to investigate and prosecute. Frequently, police and prosecutors must pursue cases without the victim's cooperation. Specialized police and prosecution units have the potential of improving victim safety and increasing offender accountability.

In Dane County, Wisconsin, the creation of a specialized team of domestic violence detectives has improved the quality of the response provided to victims, who tended to be very satisfied with their experience with the detectives. Victims served by the special unit were more willing to seek assistance from law enforcement in future domestic violence situations than were victims served by a comparable police department. Essentially, the detectives offered a "safety net" for many of the victims.

The creation of a dedicated felony domestic violence prosecutor had an unequivocal impact on offenders in Stark County, Ohio. Not only were fewer felony cases dropped to misdemeanors, conviction rates increased and prison sentences lengthened. The creation of the special prosecutor position also resulted in greater efficiency, with the number of days from arrest to disposition decreasing over time.

In conclusion, the success of any specialized unit is partly contingent on the training and dedication of those who staff the units. Domestic violence detectives can improve evidence collection, mentor patrol officers who initially respond to calls for service, provide a point of contact for other agencies and victim service providers, and most importantly, work with victims to enhance their safety. Dedicated prosecutors underscore the seriousness of domestic violence and can have a direct impact of the likelihood that offenders will be held accountable for their crimes. These specialized units have a clear potential for affecting victims' perceptions of safety in their community.

Chapter 8. The Impact of Multi-Agency Team Projects

An overriding goal of the STOP grant program was the development of a comprehensive and consistent response to violence against women. In some communities, several agencies received STOP funding for the purpose of organizing a unified response. This chapter focuses on two “team” projects that incorporated several different criminal justice agencies and community service providers. The Manchester, New Hampshire project focused on the problem of domestic violence, while the Kansas City/Jackson County, Missouri project addressed sexual assault. This chapter summarizes each project and presents selected findings.

Manchester’s Domestic Violence Project

Manchester is located in southeastern New Hampshire, 58 miles north of Boston, Massachusetts. Located in Hillsborough County, Manchester is the largest city in New Hampshire, with a population of approximately 105,000. According to the New Hampshire Office of State Planning, the population of Manchester is predominantly white (94 percent white). Although local statistics are not available, authorities indicate that there has been a recent influx of Eastern European immigrants (especially Bosnian), many with limited English-speaking skills.

The Manchester/Hillsborough County STOP project is difficult to describe, as the agencies involved shared resources and staff. Over time, grant funds were used to provide a domestic violence prosecutor for the city of Manchester (through the County Attorney’s Office), a probation/parole officer to monitor domestic violence offenders, and a court advocate hired through the Manchester Police Department.⁴⁸ Staff from each agency attend weekly team meetings to discuss individual cases. A brief description of the key agencies follows:

- Manchester Police Department – this department, employing 176 sworn officers, has a Domestic Violence Unit. The unit is staffed by a detective sergeant, an

⁴⁸ The project initially received \$84,626 with Fiscal Year 1995 funds, although the program was not operational until the latter half of 1996. Continuation funds averaged around \$200,000 annually since the initial grant.

investigator, an advocate, a clerk, an AmeriCorps volunteer advocate, and two Domestic Assault Response Team (DART) officers.⁴⁹

- Hillsborough County Attorney's Office – this office, using STOP funds, provides a specialized domestic violence prosecutor to the City of Manchester to handle domestic violence misdemeanor cases heard in the Manchester District Court. The Domestic Violence Unit consists of the prosecutor, an advocate (funded through the Manchester Police Department), and a secretary (funded through the New Hampshire Department of Corrections). The unit is housed in the District Court building.
- New Hampshire Department of Corrections – this state agency used STOP funds to designate one full-time and one half-time probation/parole officer (PPO) to monitor Manchester's domestic violence probationers. The PPOs make unannounced home visits and provide intensive supervision to domestic violence probationers.

The Manchester Police Department has a mandatory arrest policy, requiring officers to make arrests where probable cause exists. New Hampshire has a preferred arrest policy, complicated by a 6-hour rule, which allows for warrantless arrest only within a 6-hour period following the incident (RSA § 594:10). Officers must have an arrest warrant based on the victim's signed complaint for an arrest to be made after the 6-hour time limit. The law also discourages dual arrests, or arrest of both parties on domestic violence charges (RSA § 173-B:9). Instead, the law instructs officers to arrest only the primary physical aggressor, based on the relative degree of injury or fear inflicted and the history of abuse.

The overarching goal of this project was to reduce the incidence of domestic violence in the Greater Manchester area through aggressive enforcement, community education, and agency cooperation. In terms of impact, the original and continuation proposals identified several desirable outcomes, including:

- Decrease in the number of cases *nol prossed*⁵⁰
- Mutual arrests lowered to less than 3 percent
- Quicker advocacy contact with victims
- Increase in prosecution and conviction rates
- Increase in percentage of batterers sentenced to treatment
- Increase in number of supervised probationers.

⁴⁹ The DART team is supported by a grant from the VAWA's Grants to Encourage Arrest Policies program.

⁵⁰ "*Nol pross*" is a type of disposition occurring after filing of a case in court and before judgment. They are viewed as prosecutor's dismissals.

Evaluating the Manchester Project

Five approaches were used to evaluate the Manchester project. First, basic statistics were collected, where available, from each of the major criminal justice agencies. Second, samples of offenders from both the pre-grant and post-grant period were tracked from the arrest to disposition. The purpose of this case tracking system was to supplement the basic statistics and identify changes in the processing of cases that may be attributed to the grant project. Third, a content analysis of police incident reports from pre- and post-grant periods was carried out to gauge any changes in report writing. Fourth, several focus groups were conducted to gather information on the quality of the criminal justice response. Fifth, interviews were conducted with victims to document their experiences with the criminal justice system, and to better understand the factors that contribute to victim safety and well-being.

The compilation of statistics from each agency was challenging. The police department provided incident and arrest statistics, but their record management system did not permit a detailed breakdown of statistics by various categories (e.g., use of weapon, injury level, relationship between parties). The prosecution and probation data were also lacking, as neither agency had computerized records that could identify domestic violence cases. Local research staff resorted to case files and notecards as a source for compiling their statistics.

The case tracking system was limited to a subset of domestic violence offenders: male offenders who had battered their female intimate partners. We selected a random sample of 100 men arrested on domestic violence charges during a specific pre-grant period (first half of 1996) and a sample of 100 men arrested in the post-grant period (first half of 1999). We also attempted to track habitual offenders, dual arrests, and domestic homicides for both periods, but there were so few cases that fell into these categories that they were eventually dropped from the analysis.

Three types of focus groups were conducted: police officers, community advocates, and women who had been arrested on domestic violence charges. Naturally, the focus groups were limited by the fact that participants were mostly selected by supervisors or local service providers; and therefore, may not be truly representative of the larger population. The victim interviews were restricted to women whose domestic violence cases had been processed through the criminal justice system. These interviews, lasting approximately 90 minutes, consisted of 86 questions covering a wide range of topics—severity of the violence experienced, social support

networks, police response, satisfaction with the process and the sentence, and experiences in court. The local consultants experienced considerable difficulties locating domestic violence victims/survivors and securing their participation. In the end, findings from the victim interviews are based on the analysis of 11 interviews of women. All of the women had experienced an incident of domestic violence in which the male offender was arrested and his case prosecuted.

Findings

The goals of the Manchester project were to improve the criminal justice system's response to domestic violence. Our evaluation indicates that the Manchester project has been successful in many areas. However, the primary goal of increasing the prosecution and conviction of offenders was more complex than originally anticipated. Four findings are highlighted here:

1. The Manchester Police Department has improved the quality of reports written on domestic violence incidents.
2. Prosecution efforts have been mixed. Conviction rates remained steady, despite the increase in cases *nol prossed*. Sentencing trends showed an increase in abuser treatment programs, but a decrease in probation and jail.
3. Probation supervision of domestic violence offenders appears to increase offender accountability, although much of the supporting evidence is anecdotal.
4. Most victims had a positive experience with system advocates. However, services are delayed as a result of case processing.

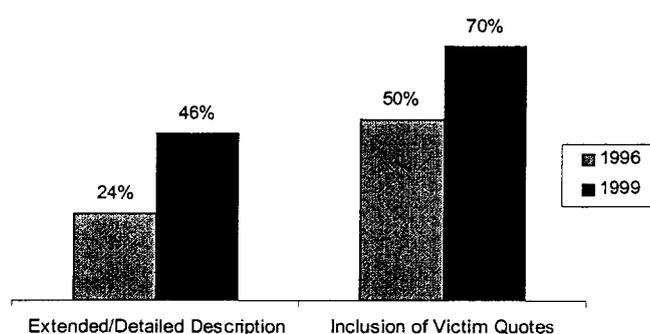
Police Response

From 1995 to 1999, the Manchester Police Department has received, on a yearly basis, about 1,400 domestic violence calls. In 1995, 36 percent of the domestic violence calls for service resulted in an arrest on a domestic violence charge. The arrest rate increased to 45 percent in 1996, the first year of the STOP grant, and has remained steady since. The number of dual arrests, or arrests of both parties at the scene on domestic violence charges, was almost negligible (4 percent in 1999). Police department statistics indicated that offenders tend to be white males under the age of 35. In recent years, there has been an increase in offenders between

the ages of 19 and 24.⁵¹ The majority of offenders were charged with simple assault (75 percent of charged cases), a class A misdemeanor.

The STOP project included law enforcement training sessions. This training appears to have made an impact in report writing and documentation of domestic violence crimes. Report writing skills improved over the grant period. A content analysis of incident reports for pre- and post-grant periods showed progress in report writing in two areas that are often critical to prosecution: narrative detail and victim quotations. Results from the content analysis are displayed in Exhibit 8.1.

Exhibit 8.1: Percentage of Incident Reports with Detailed Narratives and Victim Quotations, 1996 and 1999*



* *n* = 100 incident reports (50 reports from 1996, 50 reports from 1999)

In addition to an improvement in report writing, patrol officers are now more likely to conduct background checks and document injuries. Data from the case tracking system showed that patrol officers increased the number of offender background checks—police officers obtained a criminal history in 55 percent of domestic violence arrests in 1996, and 78 percent of arrests in 1999. Also in 1999, police officers photographed 40 percent of those victims who appeared to be injured, compared to just 15 percent in 1996.

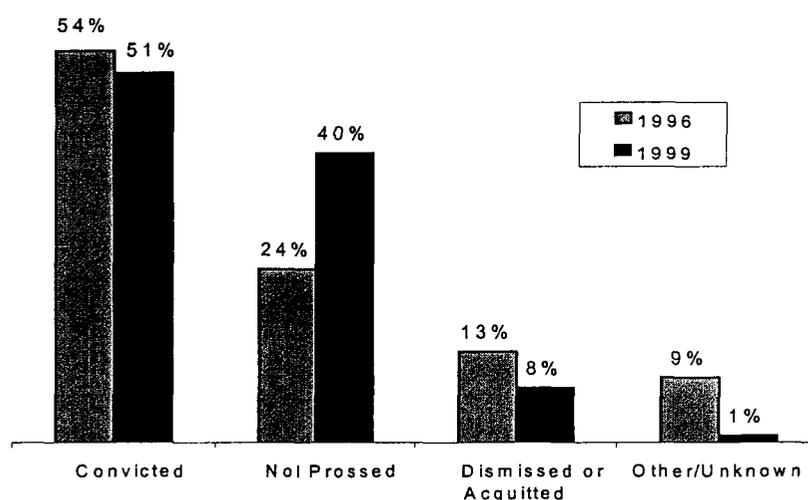
Prosecution Efforts

A central feature of the Manchester STOP project was dedicated prosecution of domestic violence misdemeanors, which would theoretically lead to improvements in prosecution and

⁵¹ The proportion of offenders between the ages of 19 and 24 rose from 6 percent in 1995 to 21 percent in 1999.

conviction rates. Yet prosecution was subject to external factors, such as police reporting, the role of the defense bar, and judicial standards. Prosecution in Manchester was also impacted by internal factors, especially turnover and experience in the prosecutor position. Our data from the case tracking system show that there have been changes in prosecution, convictions, and sentencing. However, these changes are not in the direction as predicted in the original proposal. Exhibit 8.2 shows the disposition of misdemeanor domestic violence cases for 1996 and 1999.

Exhibit 8.2: Disposition of Domestic Violence Cases, 1996 and 1999*



* Source is the case tracking system consisting of 204 cases (100 cases in 1996, 104 cases in 1999).

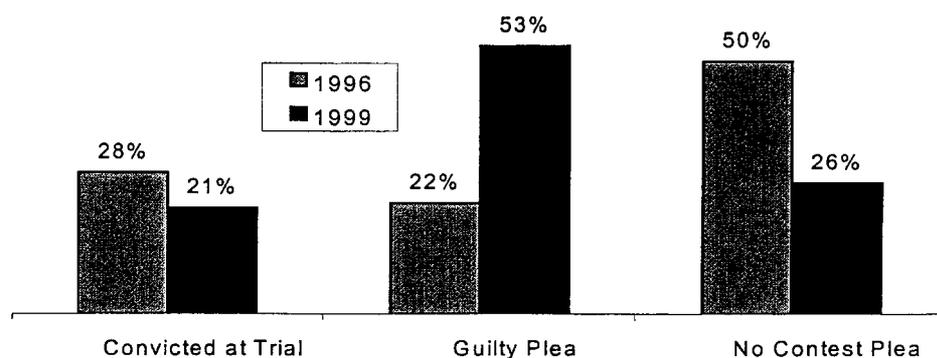
While the conviction rate remained steady, at around 50 percent, a higher proportion of cases were *not prosecuted* in 1999. The major reason given by the prosecutor for *not prosecuting* a case was “victim failure to appear.” This suggests that the presentation of cases without the victim’s presence stands little chance of success in the courtroom. But interviews with victims revealed that another factor may play an important role in the increase in *not prosecuted* cases: the defense bar.

By assigning a county attorney to domestic violence cases traditionally handled by the city prosecutor, the criminal justice system underscored the serious nature of domestic violence. This “formula” may have had an unintended consequence—an increase in involvement of the local defense bar. The interviews found that victims were being contacted by the defendant’s attorney on a consistent basis. One woman who was dissatisfied with the outcome of her criminal

case, said, “the defense attorney wore me down. I was intimidated by his lawyer and his friends.” Another victim shared a similar experience: “Defense attorney caused consistent aggravation and problems for me. I didn’t appreciate being contacted numerous times from his attorney.”

A change in pleas substantiates the ongoing relationship between prosecution and defense bar. Exhibit 8.3 shows a change in the way convictions were obtained.

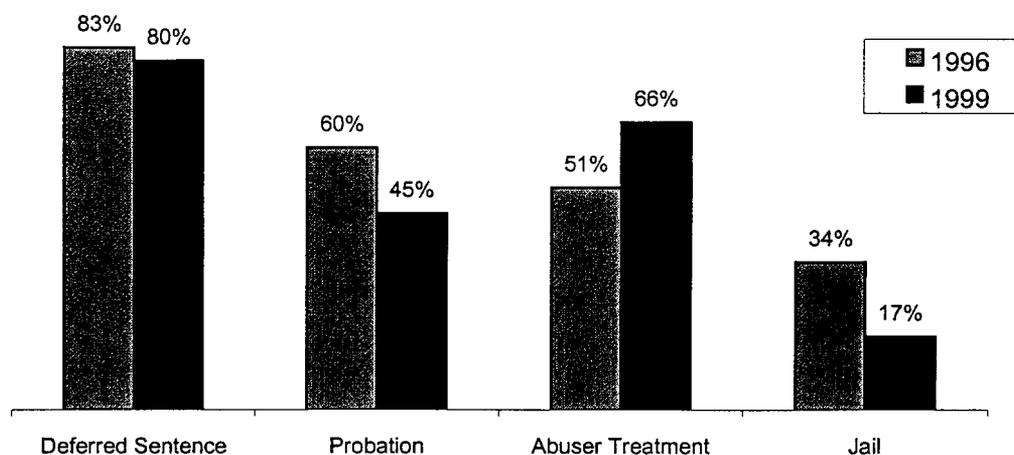
Exhibit 8.3: Convictions by Year*



* Source is the case tracking system, which includes 54 convictions in 1996 and 53 convictions in 1999.

In 1996, half of the convictions were entered as “no contest” pleas. In 1999, just 26 percent of the convictions were in the form of a “no contest” plea, with the difference made up by an increase in “guilty” pleas (from 22 percent in 1996 to 53 percent in 1999). This suggests that case outcomes and sentences are now more likely to be negotiated between prosecutor and defense attorney. For instance, an attorney may negotiate a “guilty” plea in exchange for a lighter sentence, whereas a “no contest” plea is entered without an attorney, with the offender accepting the prosecutor’s recommended sentence on the filed charges. Exhibit 8.4 shows the sentences for those batterers convicted of simple assault. Typically, offenders were sentenced to more than one type of sanction.

Exhibit 8.4: Sentences of Domestic Violence Offenders Convicted of Simple Assault, 1996 and 1999*



* Source is the case tracking system, which includes 47 simple assault convictions in 1996 and 35 simple assault convictions in 1999.

Sentencing data shows an increase in the percentage of batterers sentenced to intervention programs (from 51 percent to 66 percent), but a drop in the percentage of convicted offenders who received probation (from 60 to 45 percent). Part of the decline in probation sentences may be an outcome of the seriousness by which probation is taken by defense attorneys, and caseload limitations of the domestic violence probation officers. The percentage of men convicted of simple assault receiving jail sentence also declined, from 34 percent in 1996 to 17 percent in 1999.

Probationer Supervision

Probation played a major role in the Manchester project. While a smaller percentage of convicted offenders received probation, the level of supervision is substantial. From sentencing until the probation period expires, usually one year, the domestic violence probation officers utilize a variety of tactics to monitor the offenders and intervene before the chance to re-offend arises. For instance, the officers may make unannounced home visits and work with batterer intervention programs to assure probationer attendance and participation.

The lack of aggregate probation statistics and the small number of probationers in the case tracking system make it difficult to document the impact of probation. The strongest indications we have of the effectiveness of the specialized unit of domestic violence probation officers came from victim interviews.

I called the probation officer to see if they could get him into a drug rehab. He was very helpful. Him and the attorney got him into that rehab.

[I'm satisfied] because I feel that he needs someone to keep an eye on him. Make sure he follows through with things.

He is better on probation. Obeys all the rules, stays clean. Gets along with the probation officer, like a baby-sitter. Better for him, he knows that. He was great the whole year when he was on probation.

System Advocacy

The STOP project funds victim advocates who work within the criminal justice system. While victims were mostly satisfied with their contact with system advocates, a process issue interfered with the delivery of services. Police advocates make early contact with the victim. Case files are then forwarded to the city prosecutor's office where domestic violence cases are eventually sorted and delivered to staff from the County Attorney's Office. This results in a considerable lag (up to 30 days) between the time of the incident and first contact from the prosecutor's domestic violence advocate. It is probable that victims are being contacted by the defendant's attorney during this time period, making it more difficult for the prosecutor to gain the victim's support. The reduction of this time lag may increase prosecution prospects.

Discussion

A common goal of the STOP project was the creation of an efficient and consistent response to domestic violence in the Manchester community. To a large degree, program staff have met this goal. Communication among agency staff is excellent, with weekly meetings to discuss individual cases. Staff have shared stories where coordination of services led to an arrest or conviction. This was no small task considering the three criminal justice agencies that formed the core of this project have different jurisdictional authority (city, county, state).

Statistically, the results of the Manchester project are mixed. There is consistent data that shows an improvement in police response. The quality of incident reports has gotten better, with

victim narratives now more descriptive and victim quotations noted. Yet the prosecution data raise some concerns. While conviction rates remained the same, the percentage of *nol prossed* cases increased, and the proportion of offenders convicted of simple assault receiving a jail or probation sentence declined. This suggests that prosecution has become more challenging, and it is likely that the local defense bar plays a significant role in both dispositions and sentences.

Probation and advocacy play major roles in this project. The performance of the domestic violence probation officers could not be documented by statistics. Instead, victim interviews provided the strongest evidence that intensive supervision of domestic violence probationers may have some deterrent effect. Victims were mostly satisfied with their contact with advocates from the police department and prosecutor's office. But the ability to provide quick prosecution advocacy services was dampened by inefficiency in case processing between city and county offices.

In sum, the impact of the Manchester project is greater than the sum of its parts. With each agency cooperating to achieve similar goals, victims are receiving consistent messages of support. If there is room for improvement, it is in the areas of training for patrol officers, interaction with the community victim services providers, and judicial education. With additional resources and continued dedication, the Manchester project can become a national model for other communities.

Kansas City/Jackson County's Sexual Assault Project

Kansas City, Missouri (population 443,000) is the largest city in a metropolitan area of 1.6 million people. The population is relatively diverse (66 percent white, 30 percent African American, and 4 percent Hispanic). The metro area straddles the Missouri-Kansas state line and includes more than 136 cities and 11 counties. Kansas City, Missouri lies in parts of four counties—Jackson, Platte, Clay, and Cases.

From 1997 through 1999, over \$700,000 in STOP funds were awarded to various agencies in Jackson County for the expressed purpose of improving its response to sexual assault. The driving force behind this funding was the multi-agency task force known as the

Kansas City Interdisciplinary Response to Sexual Assault (KCIRSA).⁵² The original task group was established to coordinate the organizations dealing with sexual assault and opportunities presented by the Violence Against Women Act. According to the original grant proposal, in 1996, KCIRSA's community plan included the following components: (1) improve the collection and analysis of physical evidence after sexual assaults; (2) increase the capacity of the prosecuting attorney's office; (3) train police, prosecutors, and medical personnel in prevention and evidence collection procedures; and (4) improve prevention-related outreach and services to targeted communities. Ultimately, the goal of the STOP project was to increase the prosecution and conviction of sexual offenders.

There were four major agencies or programs that collaborated on the STOP project:

- Kansas City Police Department – this department, employing over 1,300 sworn officers, has a specialized Sex Crimes Unit, consisting of 12 detectives and 2 sergeants. The unit handles sexual assault, child abuse, kidnapping, harassment of a sexual nature, and stalking.⁵³ The department has a Regional Criminalistics Laboratory, which is responsible for DNA analysis as well as other types of forensic analysis. STOP funding supported the salaries of laboratory staff and the procurement of equipment to enhance its DNA analysis capabilities.
- Jackson County Prosecutor's Office – this office has a Sex Crimes Unit consisting of 5 prosecutors, 1 victim advocate, and 1 support staff. The unit handles cases involving adult sexual assault, child sexual/physical abuse, and child homicide cases. A goal of the unit is vertical prosecution, in which a single prosecutor handles the same case from start to finish. STOP funds supported prosecution, advocate, and administrative staff.
- Sexual Assault Nurse Examiners Program (SANE) – the SANE program, established at Kansas City's Truman Medical Center, and more recently, at Saint Luke's Hospital, is an integral element of the STOP project. SANE nurses are specially trained to document injuries and collect evidence in a rape kit.⁵⁴ Officers are encouraged to transport sexual assault victims to these facilities.
- Metropolitan Organization to Counter Sexual Assault (MOCSA) – this non-profit social service organization provides sexual assault services, child abuse treatment, a 24-hour crisis line, and educational and outreach support for the greater Kansas City area. Within the context of KCIRSA, MOCSA is the coordinating agency for meetings. MOCSA received STOP funds to provide victim services.

⁵² KCIRSA has its roots in the Sexual Assault Task Force that was formed as a result of efforts by Kansas City's Manager's Office in 1994.

⁵³ The unit handles only those stalking cases that occur outside the context of domestic violence.

⁵⁴ Rape kits contain laboratory forms, rape examination recording forms, and equipment and labels for clinical samples. These kits are helpful in providing materials to hospital personnel to ensure correct documentation and are designed to facilitate maintaining the chain of evidence.

The STOP program, and the Violence Against Women Act, was restricted to projects that benefited women and girls over the age of 12. Therefore, this evaluation focused on the sexual assault of women (aged 17 or older). According to Chapter 566.015(2) of the Missouri Revised Statutes, sexual assault includes the acts or attempted acts of rape, forcible rape, statutory rape in the first degree, statutory rape in the second degree, sexual assault, sodomy, forcible sodomy, statutory sodomy in the first degree, statutory sodomy in the second degree, child molestation in the first degree, child molestation in the second degree, deviate sexual assault, sexual misconduct, and sexual abuse. Missouri lists sexual assault as a Class C felony and also includes what is known as “deviate sexual assault.”⁵⁵ Class C felonies are punishable to up to seven years in prison.⁵⁶

Evaluating the Kansas City Project

The methods used to evaluate the Kansas City project were similar to those used to evaluate Manchester’s STOP-funded team project: statistics, case tracking, focus groups, and victim interviews. There were several complications in carrying out the evaluation. The data we received from the Kansas City Police Department covered only basic incident and arrest numbers on sex crimes. In terms of the prosecution data, their database was not created until 1996 and some cases were not entered, making it difficult to gather an accurate picture of pre-grant prosecution rates. Data from SANE was also sparse, with no 1996 data. While the Crime Lab was able to provide data on an annual basis, this data did not always match up with the number of cases investigated, as a backlog and prioritization system means that evidence may not be analyzed in the same year in which the incident occurred.

These limitations impacted the ability to document changes that may have resulted from the STOP grant. However, a more serious problem was the process by which rape cases are actually handled by the criminal justice system. A substantial number of cases never make it

⁵⁵ According to Missouri State Code Chapter 566.070, a person commits the crime of deviate sexual assault if the person has “deviate sexual intercourse” with another person knowing that he does so without that person's consent.”

⁵⁶ The Missouri code does list one exception to the classification of sexual assault offenders. According to Missouri State Code Chapter 566.100(2), the crime can become a Class B felony if the “actor inflicts serious physical injury or displays a deadly weapon or dangerous instrument in a threatening manner or subjects the victim to sexual contact with more than one person or the victim is less than fourteen years of age.” Class B felonies are punishable by 5 to 15 years in prison, up to 5 years probation and up to a \$5,000 fine.

into the official records. Both the police department and the prosecutor's office refer to the practice of "yellow-sheeting." For the police department, if there is insufficient evidence to support a case, the Sex Crimes Unit will "yellow-sheet" the case (it is not considered a "rape" by official standards) and the case will not be forwarded to the prosecutor's office. According to the Jackson County Prosecutor's Office, less than 50 percent of all incidents of sex crimes are referred to the prosecutor's office. Once a case arrives at the prosecutor's office, the case again may be filed or "yellow-sheeted":

- 1) The prosecutor files the case and takes it to court. These cases are considered filed cases with an assigned criminal court record number. Once presented, the courts may take the following actions:
 - Cases may be thrown out by the judge. These cases are considered closed with the reason being the case was dropped or charges are declined.
 - Cases heard by the court in which a decision has been reached are considered "disposed." These cases result in either a sentence or dismissal. Sentencing may include jail time, probation, etc.; while cases that are dismissed are usually done so for lack of evidence.
- 2) The prosecutor "yellow sheets" the case. In these cases, the evidence is considered insufficient to gain a guilty verdict in a court of law. These files still contain evidence, such as rape kit results, and photographs.

"Yellow-sheeted" cases are not entered into either the police department database, or the prosecutor's database.

The practice of "yellow-sheeting" directly influenced our goal of tracking cases from the time of the incident to arrest and disposition. The number of verified rape cases in which an arrest was actually made was quite small, and the number of cases filed by the prosecutor's office even smaller. Furthermore, there was no means to track down cases that were "yellow-sheeted" by either agency. Since the primary goal of this project was prosecution, we restricted our case tracking system to only those cases that were referred to the prosecutor's office. Therefore, we tracked all 50 adult cases (female victims) referred to the prosecutor's office in 1996 (pre-grant) and all 58 cases referred in 1998 (post-grant).⁵⁷

In addition to quantitative documentation, we relied on focus groups and victim interviews to assess qualitative changes that might be attributed to the STOP grant. In Kansas

⁵⁷ Due to the length of time it takes to prosecute sexual assault cases, data for 1999 was incomplete. For this reason 1998 was used as a comparison year.

City, 10 focus groups were conducted representing the following groups: Kansas City Police Department detectives and uniformed officers, Jackson County Prosecutor's Office prosecuting attorney staff, MOCSA staff and volunteers, SANE nurses, and victim/survivors. The focus groups were semi-structured, with a core set of questions designated for each type of group. Participant guidelines/criteria were given to representatives of the Kansas City Interdisciplinary Response to Sexual Assault (KCIRSA) team, who were responsible for identifying prospective focus group participants. The most common recruitment method was in the form of a memorandum asking for volunteers. Victims/survivors were also contacted by a community advocate and recruited for the focus groups. These methods proved successful in collecting a diverse group of individuals, but the participants' views may not be truly representative of the greater population.

Originally, two groups of women were identified for participation in personal interviews: (1) female victims of a sexual assault in which the male offender was arrested, but not prosecuted (i.e., case rejected, charges not filed, dismissed by prosecutor); and (2) female victims of a sexual assault in which the male offender was arrested and prosecuted. This framework would allow us to analyze the impact of prosecution on victims' experiences and perceptions. However, as noted in the discussion of the case tracking system, there were very few cases that were actually prosecuted. As a result, local researchers were unable to locate and recruit enough women to form this second group of interviewees. In the end, local researchers, working with the Kansas City Police Department and MOCSA, after recruiting methods that included sending out nearly 200 letters⁵⁸ and making telephone calls from a list of over 260 victims in the Jackson County area, conducted interviews with 26 women. Each interview, conducted face-to-face, lasted an average of 20 minutes. Victims/survivors participating in focus groups and those interviewed were compensated.⁵⁹ The interviews provided rich data; however, the difficulty of locating a large segment of known victims calls into question the representativeness of this sample.

⁵⁸ Thirty-eight percent of the letters were returned "address unknown." The source of this list was the Kansas City Police Department.

⁵⁹ Interviewees were paid \$25 and compensated for any child care and transportation costs.

Findings

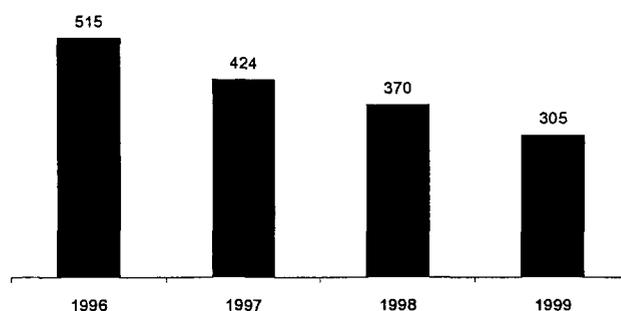
The goals of the Kansas City/Jackson County project were to improve evidence collection and prosecution efforts. Two findings pertaining to these specific activities are presented below.

1. The number of sex crimes cases examined by the crime lab has remained steady, despite a significant decrease in the number of reported incidents. However, insufficient evidence remains a primary reason for lack of prosecution.
2. Conviction rates are high for the few sex crimes cases that are prosecuted. Prosecuted cases that included rape kits were especially likely to result in conviction.

In terms of background, the Kansas City Police Department reported that half of all suspects in sex crimes incidents are African American males. Our data from the case tracking system, which is limited to referrals to the Jackson County Prosecutor's Office, is consistent with this information (African American defendants comprised 55 percent of the referrals, White men comprised 41 percent of referrals). The average age of offenders and victims were 35 and 32, respectively. The vast majority of women were acquainted with their attackers (76 percent). The use of weapons, besides physical force, was documented in 30 percent of the referred cases.

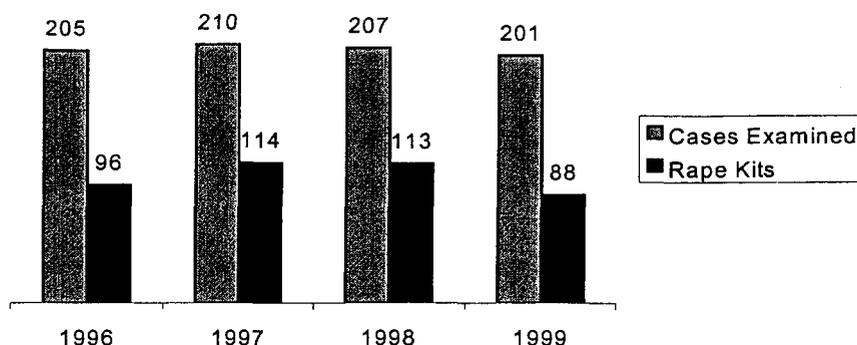
Evidence Collection

From 1996 to 1999, the Kansas City Police Department reported a decline in the number of adult sex crime incidents (rape, attempted rape, sexual abuse, sexual misconduct, sodomy, attempted sodomy), from 515 incidents in 1996 to 305 incidents in 1999. This trend is documented in Exhibit 8.5. This "official" decline of sex crimes was substantiated by MOCSA, where services provided to sexual assault victims decreased from 605 in 1996 to 457 in 1999, a decline of 26 percent.

Exhibit 8.5: Sex Crimes Incidents for the Years 1996 to 1999*


* Source: Kansas City Police Department

An overriding goal of the Kansas City project was improvement in the collection and analysis of evidence. The police department's crime lab, responsible for analyzing DNA, trace evidence, and probative evidence, also conducts training sessions for law enforcement, prosecutors, and SANE nurses.⁶⁰ The crime lab documents the number of cases examined each year, and in the case of sexual assault crimes, notes the presence of rape kits. Exhibit 8.6 displays crime lab data reported for adult sexual assault cases.

Exhibit 8.6: Adult Sexual Assault Cases Examined by Kansas City's Crime Lab from 1996 to 1999*


* Source: Kansas City Police Department. A case may be counted more than once if it was examined in multiple years.

⁶⁰ From 1996 to 1999, the Kansas City police department's crime lab trained 577 people.

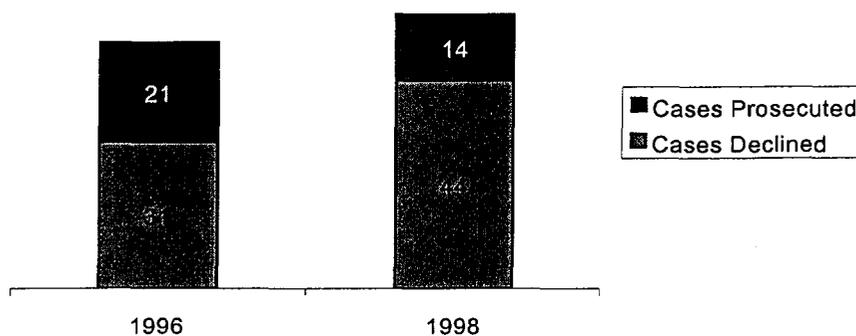
The crime lab statistics include multiple counts. For instance, if evidence from a case was analyzed over a period of several years, that case will be counted for each year in which it was examined. Therefore, the number of cases examined is not a direct function of the incidence of sex crimes. Nevertheless, with the large drop in incidents from 1996 to 1999 (41 percent), some decline in the number of cases examined by the crime lab would have been expected. But the crime lab's level of work has remained steady, averaging 206 sex crimes cases per year. This suggests that either evidence is being recovered from a greater proportion of incidents, or that more cases are held active over a longer period of time. About half of the sexual assault cases examined by the lab included a rape kit.

Prosecution Efforts

In 1996, 52 adult sexual assault cases were referred to the Jackson County Prosecutor's Office. In 1998, there were 58 referrals. Since the number of incidents declined, the proportion of cases referred actually increased—from 10 percent in 1996 to 16 percent in 1998.

Upon referral, each case is screened by the prosecutor's office based on the evidence and supporting testimony. The majority of referrals did not meet prosecution standards. Exhibit 8.7 shows the number of adult sexual assault cases handled by the Jackson County Prosecutor's Office in 1996 and 1998.

Exhibit 8.7: Status of Adult Sex Crimes Cases Referred to the Jackson County Prosecutor's Office, 1996 and 1998*



* Source: Review of case files obtained from the Jackson County Prosecutor's Office.

In 1996, 40 percent of the referred cases were prosecuted, compared to 24 percent in 1999. Of all cases declined, nearly all are declined as a result of insufficient evidence (50 percent) or lack of victim participation (40 percent).⁶¹ Conversely, those cases that were prosecuted were likely to have substantial evidence and supporting victim/witness testimony. In 1996, 16 of the 21 prosecuted cases (76 percent) resulted in a conviction. In 1999, 13 of the 14 prosecuted cases (93 percent) ended in conviction.

There were some indications of the significance of medical evidence and the SANE program to successful prosecution. A review of the prosecuted cases in 1996 and 1998 showed the presence of a rape kit collected by a SANE nurse in 17 of the 35 cases.⁶² In 16 of the 17 cases, the defendant was convicted of a sex crimes charge.

Discussion

There were four key groups participating in the Kansas City/Jackson County project: police, SANE nurses, prosecutors, and community advocates. The primary goal of the project was the improvement of evidence collection and prosecution. Yet most referred cases were rejected for prosecution due to insufficient evidence or lack of victim testimony. This project could greatly benefit by improved police reporting and increased advocacy.

The quality of police response is a major determinant of prosecution efforts. In Kansas City, patrol response is considered the “weak link” in sex crimes investigations. Patrol officers do not receive training in sex crimes outside of the academy. Patrol officers, detectives, prosecutors, advocates, and SANE nurses indicated a dire need for police training, especially in the areas of victim sensitivity and report writing. While the patrol response was largely considered inadequate, the sex crimes detectives received considerable praise for their investigative skills and sensitivity to victim needs. The detectives have a reciprocal relationship with the specialized prosecutors, but the high percentage of declined cases indicates a strong need for cross-training between prosecutors and patrol officers.

Advocacy is lacking in Kansas City/Jackson County. The provision of victim/witness services by the police department and prosecutor’s office is deficient. Interviews showed that

⁶¹ In 1996, 58 percent of declined cases were done so for lack of evidence. In 1999, this figure was 43 percent.

⁶² In 1996, a rape kit completed by a SANE nurse was documented in 12 of the prosecuted case files. In 1998, this figure was 5 cases.

victims were not informed of case status, seldom received basic referral or victims' rights information, and were not notified when the case was dropped. In general, the criminal justice agencies did not provide victims with referrals to MOCSA, and most victims were only acquainted with MOCSA through the efforts of a SANE nurse. Furthermore, the SANE program itself showed signs of low visibility, high turnover, and poor morale.⁶³ The lack of system advocacy is a result of severe understaffing. For instance, one advocate in the prosecutor's office provides victim services for all sex crimes and child abuse victims in Jackson County. Victim participation in the criminal justice effort is unlikely to improve without more resources devoted to advocacy.

Finally, the strength of the Kansas City/Jackson County project has been interagency coordination and communication. Criminal justice agencies and community organizations, such as MOCSA, are working together to address the problem of sexual assault. The sex crimes detectives and dedicated prosecutors have partnered to improve the quality of cases. The SANE program appears to have made an impact on the collection and documentation of evidence. Dedicated prosecution shows promise, especially if efforts can be made to improve patrol response and provide victims with basic advocacy services.

Summary

Team-oriented projects involving multiple criminal justice agencies have the potential of sending a consistent message to offenders that acts of violence committed against women will not be tolerated. In Manchester, New Hampshire, staff meet weekly to discuss individual cases and are pro-active. In Kansas City, the criminal justice agencies work with social service agencies to improve the system's response to sexual assault.

This evaluation examined the short-term impact of STOP projects. Each project showed some promising developments, but there were considerable gaps in system response that limited the impact of each project. In Manchester, there were clear indications of improvements in police response to domestic violence, especially in terms of report writing. Yet the special prosecution unit was unable to reach many of its goals. Here an active defense bar and a time lag

⁶³ The SANE nurses felt that their services were not valued by the medical establishment or the prosecutor's office. Generally, SANE nurses reported that physicians and hospital administrators were not supportive. They also noted that communication between prosecutors and nurses could be improved.

between advocacy contact was partly responsible for difficulties in prosecution. In Kansas City, the STOP grant focused on evidence collection and prosecution of sexual assault cases. The crime lab reported a steady number of evidence examinations, despite a decline in sex crimes incidents. But the prosecutor's office continued to reject most referred cases due to insufficient evidence or lack of victim testimony. While communication among agencies had improved, prosecution was impacted by the poor quality of patrol response and the lack of victim services.

Finally, a major impact of team-oriented projects went unmeasured. Site visits and staff interviews indicated a significant increase in communication between agencies and local service providers. While improved multi-agency communication may not lead to largescale statistical changes, it is likely to lead to greater consistency in system response. In the long run, the criminal justice system may indeed become a "safety net" for victimized women.

Appendix

California District Attorneys Association (CDAA)

Four of the CDAA's training programs for 1998-1999 were included in the needs assessment study. Each of the training programs lasted three to four days long, with attendees including professionals representing law enforcement, prosecution, victim witness, and probation officers.

1. VAWA Advanced Trial advocacy (prosecutors only)
This seminar offers five days of comprehensive trial advocacy training focusing specifically on cases and issues involving violence against women. The training was designed for experienced prosecutors. December 1998.
2. Violence Against Women Prosecution Symposium
This three and one-half day symposium is designed for intermediate-level prosecutors, law enforcement officers, and victim advocates. It will focus on developing and strengthening strategies to effectively prosecute violent crimes against women. February 1999.
3. Stalking Seminar
This three-day seminar will provide information on the investigation and prosecution of stalking cases. This course will cover all aspects of stalking including domestic violence cases, workplace and celebrity stalking. This course is intended for prosecutors and law enforcement personnel of all levels. 3 days. March 1999.
4. Domestic Violence Prosecution Seminar
This seminar is designed for prosecutors new to domestic violence cases, victim advocates and law enforcement personnel. It will offer four days of comprehensive training in the complexities of the domestic violence case. May 1999.

Prosecuting Attorneys Association of Michigan (PAAM)

A needs assessment survey was distributed to training participants at three of PAAM's six training programs on violence against women topics.

1. Trial advocacy (prosecutors only)
This three-day seminar features lectures from top Michigan trial prosecutors. Attendees will prepare and try a misdemeanor domestic violence case in which the victim recants. December 1998.
2. Family Violence Seminar

This one-day seminar features two nationally known domestic violence experts. The seminar will focus on the successful investigation and prosecution of domestic violence cases. March 1999.

3. PAAM Statewide Domestic Violence Conference

This three-day conference covers domestic violence and stalking, and features a special session on elder abuse. The conference is designed for police, prosecutors, service providers, victim/witness staff, and judges. July 1999.