

## Misdemeanor Protocols: Opportunities for Enhanced Implementation

Legend: Numbers in brackets [] refer to the related protocols; Numbers in parentheses () show multiple responses for same topic.

A. Initial Response	B. On-Scene Assistance to Victims	C. On-Scene Investigation	D. Arrest Decision	E. Complete Reports
Ensure safety of victim who called for help (i.e., police went to a house 5-6 times before victim's husband held her hostage. Police knocked and then left). [9]	Call an advocate. "Police cannot do their job and be an advocate. They need the help of advocates. They are just there to make it stop." [13] (3x)	Take pictures and collect evidence (i.e., show clear signs of struggle, injuries, search house for evidence, apparatus used to strangle victim). [16] (5x)	Make decision to arrest and do not ask victim if she wants to press charges in front of abuser. [17 - "criminal action initiated by State, not victim"]	Obtain and verify secondary contact information for victims. [22a]
Notify victim of constitutional rights (i.e., time and place of initial court appearance, right to be present and heard). [12]	Provide a referral to someone who can answer victims questions. "They don't have to have all the answers, but it would be great if they would look into it or refer you to someone who does. Give you a connection if nothing else." [13]	Take the time needed at the scene to thoroughly notice, gather, and document signs of abuse (i.e., seem to be in a rush to leave). [16]	Ensure probable cause prior to arresting victim (i.e., telling victim to leave or be arrested, domestic violence charges interfere with getting jobs; hard to get expunged). "I was given probation and fined \$2,500 for him beating me." [20] (3x)	Investigate abuser's history of violent behavior (i.e., police called multiple times but prior incidents not taken into consideration). [23i] (3x)
	Ask victims about their next step, instead of just telling them to go to a safe place (i.e., safety planning, more helpful about what to do to help their situation). "If they have the knowledge, it should be their responsibility to tell or share the information with victims." [14] (3X)	Follow up with victim after incident (i.e., police called a month later to ask how victim was doing, take additional injury photos of delayed bruising). [16d] (2x)	Look for weapons and remove abusers' guns (i.e., even if requires search warrant). [22b] (2x)	Write and file domestic violence reports. "We have been reporting all along but no one is doing anything about it." (i.e., access interpreters when needed, victim had to call police officer's superior officer to get a report written, victim had to ask all the questions to make it happen, do not threaten victim with having to go to trial.) [26] (8x)

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	Police would tell victim “you need to get out or he will kill you and be gone! That is easy for police to say, but then tell me what I have to do for the next step.” [14]	Talk with neighbors who had witnessed situation. [15b] (2x)	Initiate criminal records of offenders by fingerprinting. [22d]	Write detailed Probable Cause statements in Form IVs. [28]
	Develop list of existing community-specific resources (i.e., services and service locations, consistent information) to give victims. [14b]	Talk with victim away from the abuser (i.e., speak to them separately). [15c] (2x)		
	Give victim resources and guidance (i.e., patrol officers, ER, Fire Department, those serving Orders of Protection, detectives) [14b] (11x)	Acquire digital audio recorders and cameras. [15d]		
	Develop relationships between law enforcement and neighboring communities offering victim advocacy services. [14d]			

## Felony Protocols: Potential Areas of Opportunity

	Patrol Response	Prosecution	Victim Services	Probation	Orders of Protection
<b>Protocols</b>		Notify victims prior to offenders' release.			Provide parameters for getting an Order of Protection to protect victims and their children.
					Notify victims when protective orders are served.
<b>Implementation</b>	Take statements of child witnesses.	Use consistent criteria for elevating cases to felonies (i.e., aggravated domestic violence).	Coordinate law enforcement's access to victim advocacy services.	Order supervised probation for second domestic violence offense.	
	Verify protective orders, release conditions, and prior convictions (i.e., in-field access, cross-jurisdictional cases).				
		Hold abuser accountable (i.e., jail time).	Help victims access legal services (i.e., advocates to help prepare impact statements and exhibits to prior to representing herself in court, help create paper trail, get lawyer through Volunteer Lawyers Program).		Easy to complete form for Order of Protection.
		Allow emails and texts as evidence of technology sabotage (i.e., victim provided them but they weren't allowed in court.)			

Institutional Development					
Training	Coordination	Support	Evaluation	Funding	Compassion/Empathy
Develop free and easily accessible training for victim advocates and domestic violence program staff.	Encourage building resources through networking and sharing (i.e., funding for training, transportation and child-care for victims) through informal cross-disciplinary gatherings (i.e., brown bag lunches, invite employer).	Manage and/or cope with secondary trauma (i.e., support groups for victim advocates).	Incorporate victims' input on what determines success for them.	Reduce reliance on grant-making for job positions.	Show empathy and understanding toward victims (i.e., sitting with victims, really listening, believing them, taking the situation seriously, lacked empathy, did not care, showed no compassion for victim, lacked compassion, responded without compassion, attitude of indifference, ignoring victim when she lives with abuser, seem "heartless" and "numb," look at victim with "disgust," "cold and distant," show compassion, need to understand "they are our last hope," shown sensitivity to victim, "calling police is the last straw, "police don't have emotion. We need compassion but we are not getting it," police sat far away from victim lying on a couch after her ex-boyfriend strangled her, a detective yelled at a mother of a sexually abused child that "there is nothing we can do, get over it," acted like "zombies - "they didn't see or hear anything, arresting victim in only a t-shirt and underwear and not allowing her to get dressed or put on shoes). (25x)
Train law enforcement, prosecutors, and judges about domestic violence (i.e., to understand domestic violence and how to recognize it, importance of providing victim with resources, just walking into police department is a "cry for help," victims will be in highly anxious state, how to work with victims who are scared of their abusers, understand the perspective of a domestic violence victim, sensitivity training; more training about the severity, extent, and impact of domestic violence; how to respond without blaming the victim, domestic violence is not "just an argument, same victim may call for help multiple times, leaving children with abuser, victim does not need fixing just because she is emotionally distraught, abuser likely to return within 15 minutes after police leave the scene, not releasing victim to abuser, give victim time to "get her breath" before asking questions. ). (16x)	Communicate and collaborate across service areas to understand each other's experiences and our clients' experiences in all systems (i.e., Child Protective Services, Family Advocacy Centers, Adult Probation, victim advocates, law enforcement detectives and Maricopa County).	Create shadow/mentor program (i.e., observe prosecutor and/or detective staffing sessions).	Acknowledge success is different for law enforcement (arrests), prosecutors (convictions), and victim advocates (safety).	Collaborate more among organizations for grant-seeking (i.e., leverage numbers across small agencies).	Treat victims with respect (i.e., not just when in shelter or seen with shelter staff).

**Institutional Development**

Training	Coordination	Support	Evaluation	Funding	Compassion/Empathy
Train law enforcement and prosecutors on how to best research prior incidents and convictions.	Collaborate to identify opportunities to remove barriers (i.e., requiring ID to enter program instead of entering program, then working with victim to get ID; telling victim she must provide the initial police report number when calling police because her stalker was hiding in her yard.)	Develop tools/resources to assist victim advocates (i.e., inventory of existing training opportunities, domestic violence advocate group meetings, FAQ/quick reference guide).	Include anecdotal data (i.e., number of strangulation and suffocation cases successfully prosecuted since implemented training, number of cases with higher bonds/more jail time since coercive control training initiated in Phoenix).		Provide the option to speak with a female officer. "I'm not comfortable talking with a man about another man abusing me." (2x)
Offer advanced training for specific populations and issues (i.e., strangulation and suffocation, family custody issues, cultural influences, sexual abuse, court process).	Revive community coordinated response teams (i.e., Scottsdale Domestic Violence Action Team and Mesa Domestic Violence Emergency Response Team).	Involve advocates in feeling part of social change (i.e., change is occurring because of their work).	Assess recidivism of offenders identified by as most dangerous.		Know victims have to go into a protective state and anxiety is so high that it is hard for the victim to focus.
Training for management (i.e., writing polices/procedures, grant-writing, how to build programs, volunteer recruitment).	Develop a collaborative process for city and county prosecutors to determine charging as misdemeanor or felony (i.e., seamless transfer without release of offender).	Celebrate victories. (i.e., story banking, learning how to "tell their story.")	Develop survey for self-reporting implementation of the misdemeanor protocols.		Provide program staff with information about safe places for children to go while victim goes to court.
Offer training for law enforcement and prosecutors on using social media for evidence collection.	Establish ongoing feedback loop between law enforcement and prosecutors for successful prosecution (i.e., what information is most needed for successful prosecution).	Provide ongoing support to victims (i.e., help navigate the system, be accessible, follow through on what they are told: "Police said they would come back and check on me, but they never did..." ).			Work with or access an interpreter who can communicate with the victim.

**Institutional Development**

Training	Coordination	Support	Evaluation	Funding	Compassion/Empathy
Develop consistent requirements for victim advocate training (i.e., mandatory training to prepare advocates for what to expect on the job).	Strengthen relationships through inter-occupational and multi-disciplinary interactions, discussions and learning opportunities (i.e., convene affinity and stakeholder groups to discuss the expectations and responsibilities of law enforcement, prosecutors and victim advocates).				Wish police would meet with women who have been through domestic violence and let them know about their experiences. (2x)
Train on how to recognize defensive injuries (i.e., abusers may make marks on themselves, not arresting victim when visible defensive injuries, some visible signs of violence are caused when victims struggle to protect themselves, not arresting victim who was strangled and hit victim to get air, not falsely accusing victim of being the abuser) . (5x)					
Hold mandatory domestic violence training for police, judges, and probation officers on an annual basis.					
Conduct interviews with victims using open-ended questions.					
Take abuse without physical signs more seriously. "Unless you are unconscious or bleeding all over the place, they don't do anything!" (2x)					
Understand the balance of power changes and the potential for retaliation increases for victims and their children once police are called. "Takes so much courage to call. Takes more courage once the ball is rolling. They (abusers) attack worse."					
Show a level of professionalism (i.e., ignored victim's request for a translator, made comments about victim's blouse when responding on scene, getting the run-around by police departments when calling for help, "disappointed is an understatement." ). (6x)					

**Institutional Development**

<b>Training</b>	<b>Coordination</b>	<b>Support</b>	<b>Evaluation</b>	<b>Funding</b>	<b>Compassion/Empathy</b>
Treat domestic violence cases with equal importance to other cases. "I'm a priority." (i.e., making victim feel guilty for calling/wasting their time. "We have better things to do than to babysit adults who can't solve their own problems;" sounding put-out when victim calls for help, act like want to just show up and leave as quickly as possible). (4x)					
Provide victims with better options. (i.e., telling victim to break the law to be safe by leaving the country with her children and changing their names is not helpful).					

<b>Best Practices</b>			
<b>Victim Engagement</b>	<b>Information Sharing</b>	<b>Risk/Lethality Assessment</b>	<b>Coordination</b>
Refer victims to Family Advocacy Center right away (i.e., connected with detective, counseling, given information). (Phoenix Police Department advocates)	Enter release conditions into ILEADS making information available to patrol. (Scottsdale Police Department)	Triage protocol for domestic violence cases benefits all and leads to "good quality investigations." (Phoenix Police Department)	Develop a continuous feedback loop between detectives, city prosecutors, and county prosecutors. (Phoenix Police Department and Prosecutor's Office)
Involve victims early; leads to higher bonds and abuser is rarely released. (Phoenix City Prosecutor's Office)	Benefits of increasing prosecutors' prep time before Initial Appearances. (Montana DV Fatality Review)	Share level of risk, coercion, etc. with advocates to assist in giving more focused resources to victims earlier. (Phoenix Police Department detectives)	
Communicate level of risk to victim for factoring into her decision-making about her safety. Also helps keep victim engaged longer. (Phoenix City Prosecutor's Office)			