

SUMMARY OF O'CONNOR/AVON DOMESTIC VIOLENCE PROJECT¹

January 10, 2010

Background

In 2008, the original adobe home built in 1959 by US Supreme Court Justice Sandra Day O'Connor and her husband John was slated for demolition. Recognizing its historic value, a group of civic leaders and committed volunteers had the O'Connor family home moved—adobe brick by brick—to a new site next to the Arizona Historical Society Museum in Papago Park. Having enjoyed a life of perpetual activity in this home, Justice O'Connor did not want it to now sit idle as just another tourist attraction. Rather, she wanted the house to become a center for dynamic programming, which embodied her life-long commitment to building consensus to solve difficult problems facing our community and our society. Justice O'Connor's vision resulted in the creation and mission of The O'Connor House: "Where civil talk leads to civic action".

In 2009, Justice O'Connor received a \$250,000 five year grant from the Avon Foundation, to establish the Avon Program for Women and Justice at the O'Connor House ("Avon Program"). Justice O'Connor chose the critical and growing problem of domestic violence as the focus of the Avon grant and as the first issue to be tackled by the O'Connor House Avon Program for Women and Justice ("O'Connor/Avon DV project").

The Problem

Statistics in Arizona, and nationally, confirm the need for immediate action to curb domestic violence (also referred to as "intimate partner violence"), provide safety for its victims, and hold the perpetrators accountable.

- An estimated **150,000 incidents** of intimate partner violence occur each year in Arizona. Nationally, **4-6 million women** are victimized each year. Only about 1/3 of incidents are reported, and less than 5% are successfully prosecuted.
- Intimate partner violence is the **leading cause of injury** to women 15-44 years old.
- About **125 women are murdered** each year in domestic violence homicides in Arizona. It is the leading cause of death of pregnant women. Most of these victims had been stalked and/or abused by their partners in the past.
- When surveyed, **1 in 5 high school age girls** reported having been a victim abuse, and dating violence is escalating.
- Domestic violence is one of the most frequent 911 calls received, accounting for almost **30% of all 911 calls** received by many police departments.
- Domestic violence cuts across **all age and socio-economic groups**.
- Estimated costs of domestic violence nationally are **\$5-10 billion annually**; \$1.8 billion are medical costs.

The Process

Justice O'Connor believes that in order to solve any complex problem, you must bring the stakeholders together, discuss all views openly and honestly, and then strive for consensus on

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concrete steps that will advance effective solutions. In that spirit, a diverse group from across Arizona, which included service providers, law enforcement officers, lawyers, judges, court personnel, elected officials, academics, survivors and community activists was convened to examine the issue of domestic violence. Co-chaired by Kim Sterling and Lucia Howard, this committee has been meeting since April, 2009 to formulate projects which will: 1) leverage the Avon grant to provide the greatest benefit to the most victims now and in the future; 2) use Justice O'Connor's commitment and credibility to elevate the priority of domestic violence within the justice system and the community; 3) leverage existing resources and assets by forming meaningful partnerships and collaborations, and 4) produce outcomes which are achievable, sustainable and quantifiable.

After hearing reports from numerous committee members and experts in the field, the committee decided to proceed on two tracks: 1) short term projects aimed at reforming and filling gaps in the existing justice system as it relates to domestic violence, and 2) long-term projects which seek to prevent domestic violence and address its root causes. Based on a survey of members to evaluate priorities, the committee initially focused on the following areas for further study:

1. Recruitment and training of victim advocates
2. Better and more consistent training of law enforcement, prosecutors and judges
3. Improvement of procedures for issuance and enforcement of protective orders
4. Integration and streamlining of data collection between law enforcement and the courts
5. Public awareness and education
6. Grants for domestic violence

Co-chairs and members were assigned to each of these sub-committees, based on the participants' interests and expertise. Each sub-committee prepared and presented a report to the whole committee, reviewing the current status of the each issue, pertinent research and literature, interviews of experts, efforts of other organizations, and gaps in the existing system,.

The Projects

Based on the sub-committee reports, and after an assessment of existing resources, opportunities, and the unique ability of the O'Connor House to reach high level decision makers, the following projects were formulated and are currently being organized and executed:

1. Partnership with Sandra O'Connor College of Law at ASU to Provide Victim Advocates and Legal Services. Victims and law enforcement agree that one of the biggest needs in the existing system is effective legal advice and representation for victims, not only in the prosecution of perpetrators (where the victims are needed as witnesses), but also in other legal matters such as obtaining and enforcing protective orders and child custody. Although there are many dedicated victim advocates associated with police departments, prosecutors and service providers, there are not enough advocates to service the large number of victims, advocates are often not available to victims early in the process, there is a high turnover of advocates, and many advocates do not have sufficient training in the legal system. Budget cuts in all service programs have further limited the availability of legal services, so most victims face court proceeding without an attorney or legal advice. The O'Connor House partnership with the Law School began as a project to recruit and train victim advocates, first utilizing students from the Law school, then bringing in other ASU departments such as social work, nursing, and criminal justice, and finally expanding to community volunteers. As a result of the

enthusiasm expressed by the Dean and law school faculty to partner with the O'Connor/Avon DV Project to make a real difference in the area of domestic violence, and with additional funding obtained by the Law School from local foundations², the project has been expanded into a "holistic" legal clinic, which will provide a range of services to families of domestic violence, including advocacy and direct legal representation. Operating as part of the new Halle Center for Family Justice, the Avon Program will be instrumental in the creation of a dynamic and holistic Domestic Violence Clinic, which will perform a number of functions, including recruitment and training of victim advocates from within the university and the community, direct legal services to families of domestic violence, and training of law enforcement and the judiciary in issues related to domestic violence. In partnership with the Avon Program and the O'Connor House, the Halle Center and the Nextcare Domestic Violence Clinic will also become catalysts for policy reform and social change in the area of domestic violence and related issues. Dean Berman of the SDO College of Law is currently conducting a national search for a clinic director and full time domestic violence faculty member to begin operation of the Clinic in the fall, 2010. This new holistic domestic violence clinic and the partnership between the O'Connor House, the Avon Program and the Halle Center will become a national model for private/public partnerships in the fight against domestic violence.

2. Improvement of the Protective Orders Process. Although domestic violence has been treated as a crime and handled in the criminal justice system for over 30 years, very few perpetrators are actually prosecuted or undergo treatment. Moreover, very little statistical evidence exists to evaluate the effectiveness of many methods currently employed by the justice system in rehabilitating the offenders or keeping the victims safe from further abuse. Studies have, however, shown that when Protective Orders are issued by courts and enforced by law enforcement, they do deter further (and sometimes escalating) abuse by perpetrators against their victims³. In reviewing the Protective Order system in Arizona, this sub-committee found that the process is often confusing and cumbersome, making it difficult for the victim to navigate, especially since most victims do not have lawyers. (For example, after a Protective Order is issued by a court, the **victim** must hand carry the paper order to the appropriate law enforcement agency, sometimes miles from the issuing court, and request that it be served on the defendant. The defendant must then be located and personally served before the order is effective). In addition, because different agencies and jurisdictions have different case management systems, it is difficult to serve, track, and enforce Protective Orders across local jurisdictions or different law enforcement agencies. Repeat offenders are often hard to identify, making appropriate sentencing or other intervention difficult. This sub-committee has analyzed the Arizona Protective Order process from the standpoint of the victim and law enforcement, and has identified "gaps" in the system which need to be filled through statutory change, improved systems, and better agency training and cooperation.

² As a result of the initiatives undertaken by the Avon Program for Women and Justice at the O'Connor House, The Halle Foundation has donated \$1 million over 5 years for the creation of the Diane Halle Center for Family Justice as a permanent part of the Sandra O'Connor College of Law at ASU. Nextcare has pledged an additional \$1 million over 5 years to create the Nextcare Clinic on Family Violence within the Diane Halle Center.

³ See Kentucky study at: www.ncjrs.gov/pdffiles1/nij/grants/228350.pdf

In addition to the O'Connor House committee members, private sector experts and stakeholders are being convened to facilitate development and implementation of solutions in these "gap" areas in the Protective Order process. A panel of private sector technology experts from companies such as Intel has been convened to work with the Arizona Administrative Office of Courts to make recommendations to streamline and integrate data collection and sharing between courts and law enforcement. A panel of law enforcement officers is also being assembled to determine how best to approach the problems of serving and enforcing Protective Orders within the law enforcement community.

O'Connor House hopes to become the catalyst for productive dialogue and collaborations that will allow all stakeholders, including victims, law enforcement, prosecutors and judges, to work together to make Protective Orders an available and effective tool against domestic violence.

3. Education and Public Awareness. This sub-committee was formed to look at long term solutions to curb domestic violence, rather than just treat its aftermath. After surveying the myriad of educational programs already in existence to raise awareness and prevent violence in schools and the broader community, this sub-committee felt that a more focused approach would be more effective. Currently under consideration are projects involving media participation to encourage accurate portrayal of domestic violence and increase awareness in the community.
4. Attorney General Collaboration Recently, the Attorney General's office announced a joint initiative with Walmart and the Coalition Against Domestic Violence for a poster campaign to "End the Silence; End the Violence". Walmart has agreed to produce posters for this campaign which will be placed in every women's bathroom of Walmart stores across the state. In partnership with the O'Connor House and the Avon Program, the Attorney General has agreed to expand this (or a similar) campaign to include the largest employers in Arizona, with the goal of reaching 1,000,000 women. We are beginning discussions on how this project can be funded and executed.
5. Domestic Violence Grants. In addition to the Avon grant, the Grants Committee is investigating other possible funding sources for its (and other) domestic violence projects. O'Connor House has joined with the ASU Law School to apply for additional funding for the Domestic Violence Clinic, and after meeting with the Governor's Office administrator for STOP grants from the US Department of Justice, this sub-committee is reviewing the possibility of STOP and other Department of Justice funding for some of these projects. The O'Connor House, in partnership with other community agencies and/or government entities anticipates applying for one or more of these grants in January and February, 2010. Private foundation grants are also being considered. A possible longer term project for the Grants sub-committee is to develop a data base of public and private funding available for domestic violence projects and services within Arizona, and to assist domestic violence organizations to apply for this funding.

The O'Connor House domestic violence sub-committees are continuing to meet to develop the parameters of these projects, their feasibility, and the resources and time required to accomplish them. Because of the enormity and complexity of domestic violence issues, and scarcity of resources, all of these projects may not be undertaken simultaneously, and new projects may be undertaken as necessity or opportunity dictate. The O'Connor House/ Avon

Program anticipates ongoing work in domestic violence, and expanded collaborations and partnerships with other organizations to leverage all available resources.

Next Steps

On Saturday, January 9, 2010, Justice O'Connor and the Avon Program advisory committee met to consider next steps in the implementation of these projects. By unanimous vote, the committee agreed to allocate up to \$100,000 of the Avon grant to create a full time position of Director of the Avon Program on Women and Justice at the O'Connor House. This position would be responsible for implementation of the O'Connor/Avon Program approved projects, which are currently those projects described in this Summary. This sum would fund the Director's first year salary and related expenses. The Director would be housed at the Sandra O'Connor College of Law at ASU, and would initially spend about 50% of her/his time assisting the Halle Center at the SDO College of Law in the creation of the new Nextcare Domestic Violence Clinic and 50% of her/his time pursuing completion of the other Avon Program projects outlined in this Summary. The Director would work in close collaboration with other community services and resources to complete these projects, and to raise additional funds to continue this work.