



**Joint Statement of
The Office of Community Oriented Policing Services,
The Office for Victims of Crime, and
The Office on Violence Against Women
on**

Addressing Gender-Discrimination in Policing

Over the last few decades, the United States has increasingly recognized that domestic and sexual violence are serious crimes that should be treated as such by law enforcement. The Violence Against Women Act (VAWA) and other federal laws and programs have helped build criminal justice capacity and expertise, trained thousands of officers, and resulted in more effective law enforcement. DOJ is proud of our long-standing partnership with law enforcement agencies across the country working every day to ensure that justice is served for women who are victims of violence. We have made tremendous strides in response by law enforcement to sexual assault and intimate partner violence since the passage of VAWA in 1994. However, the rate of crimes against women remains deeply troubling. According to a recent survey by the Centers for Disease Control, nearly 1 in 5 women in the U.S. has been raped and 1 in 4 has experienced severe physical violence at the hands of an intimate partner.¹

Law enforcement agencies face difficult challenges in addressing violence against women. Our understanding of effective strategies for providing police services free from gender bias has advanced significantly over the past 20 years, and many departments have taken important steps to ensure that they have the policies, training, staffing, and supervision necessary to conduct conclusive, reliable investigations. Unfortunately, reports of law enforcement agencies failing to investigate or adequately respond to domestic and sexual violence periodically surface. While a failure to properly respond to crimes against women may have many causes, in some instances gender bias plays a role in undermining the effective response by law enforcement to crimes against women.

The U.S. Constitution and federal statutes prohibit discriminatory policing of domestic or sexual violence by law enforcement agencies – such as under-enforcement of domestic or sexual violence laws or enforcement caused by gender bias. The

prevention of sex-based discrimination, including sex-based discrimination by law enforcement, is a top priority of the Civil Rights Division of the Department of Justice. Most recently the Division announced three related agreements with the University of Montana – Missoula, the University’s campus police force, and the Missoula Police Department to address serious concerns that these entities were discriminating against women by failing to adequately respond to and investigate reports of sexual assaults of women, including students at the University of Montana.²

The Civil Rights Division has conducted investigations addressing whether women were subject to discriminatory practices related to police services and has found a pattern of discrimination in the New Orleans Police Department and similar problems with the Puerto Rico Police Department and the Maricopa County Sheriff’s Office. These law enforcement agencies are not alone in their need to improve their response to sexual assault and all forms of violence against women. Indeed, through their agreements with the Department of Justice, Missoula, New Orleans, and Puerto Rico are working to implement reforms that will stand as models to other law enforcement agencies across the country. We encourage other jurisdictions across the country to follow their lead and review and revise policies, protocols, and, most importantly, practices, to ensure they are free from gender bias.

The Office of Community Oriented Policing Services (COPS Office), the Office for Victims of Crimes (OVC), and the Office on Violence Against Women (OVW) join together in our commitment to providing law enforcement agencies with the resources, technical assistance, and support that they need to ensure safety for all members of their communities and achieve compliance with applicable federal laws. Our grantees and technical assistance providers have produced model policies, training curricula, best practices, and a host of resources for law enforcement on how to appropriately address domestic and sexual violence cases. Examples include:

AI/AN SANE-SART Initiative (www.ovc.gov/AIANSane-Sart)

OVC, in partnership with the FBI and the Indian Health Service (IHS), implemented the American Indian/Alaska Native Sexual Assault Nurse Examiner – Sexual Assault Response Team (AI/AN SANE-SART) Initiative to enhance the capacity of AI/AN communities to provide high-quality multidisciplinary, coordinated services and support for adult and child victims of sexual assault. This multi-component initiative includes the provision of tailored training and technical assistance to AI/AN communities to develop effective culturally relevant services and programs that can serve as models for other AI/AN communities nationwide.

EVAW International (www.evawintl.org)

End Violence Against Women International (EVAW), working in partnership with OVW, has developed the OnLine Training Institute to bring state-of-the-art training on the topic of criminal justice response to sexual assault. The OnLine Training Institute provides the opportunity for interested professionals to expand their knowledge of cutting edge developments in the criminal justice and community response to sexual

assault, with particular emphasis on those crimes committed by someone who is known to the victim (i.e., non-strangers).

IACP (<http://theiacp.org/>)

The International Association of Chiefs of Police (IACP), working in partnership with OVW, produced “[Investigating Sexual Assault Model Policy](#)” and “[Sexual Assault Incident Reports: Investigative Strategies](#).” These documents provide guidelines for responding to reports of sexual assault and developing a coordinated response to these crimes.

Working in partnership with OVC, IACP developed “[Enhancing Law Enforcement Response to Victims](#),” a comprehensive set of resources for agencies to use in improving their approach to victims, including victims of sexual assault. Resources include an implementation guide, accompanying implementation tools, and training enhancements. A DVD about the initiative, “Service, Support & Justice: Law Enforcement Response to Crime Victims,” highlights the benefits, challenges, methods, and responsibilities of placing a high priority on crime victims’ interests.

IAFN (<http://safeta.org/>)

The International Association of Forensic Nurses (IAFN), in partnership with OVW and key stakeholders in the field, developed Sexual Assault Forensic Examiner Technical Assistance (SAFEta) to promote and disseminate the “National Protocol for Sexual Assault Medical Forensic Examinations of Adults and Adolescents” and to provide training and technical assistance for all sexual assault responders about sexual assault forensic examinations and related issues. The SAFEta website is designed for multi-disciplinary team members who are working with victims of sexual assault and includes the section “Especially for Law Enforcement,” highlighting the sections of the SAFE National Protocol and other resources that may be most helpful for law enforcement.

NCRLE (www.cji.edu/ncrle-saproject.html)

The University of Arkansas National Center for Rural Law Enforcement (NCRLE), working in partnership with OVW, developed a sexual assault curriculum for law enforcement executives in rural areas nationwide. NCRLE also offers the “Sexual Assault Training for Rural Law Enforcement Personnel Online,” ensuring that sexual assault training is accessible to all rural law enforcement agencies, both management and investigator, regardless of staffing resources and budget limitations.

Oregon SATI (<http://oregonsatf.org/>)

The State of Oregon Sexual Assault Taskforce, working in partnership with OVW, provides ongoing training and technical assistance through “the Sexual Assault Training Institute” (SATI) to all members of a sexual assault response team, including law enforcement, through a series of statewide and regional trainings.

OVC Training and Technical Assistance Center

The OVC Training and Technical Assistance Center (TTAC) is the gateway to current training and technical assistance for victim service providers and allied professionals

who serve crime victims. The aim of OVC TTAC is to build the capacity of victim-serving organizations and agencies across the country through a variety of training and technical assistance. OVC TTAC has numerous resources focused on enhancing the capacity of professionals, including law enforcement, to assist victims of sexual assault.

Problem-Oriented Guides for Police

Working in partnership with the COPS Office, the Center for Problem-Oriented Policing has produced two guides to strengthen police response to violence against women.

Sexual Assault of Women by Strangers (<http://ric-zai-inc.com/ric.php?page=detail&id=COPS-P217>) provides police with an overview of the problem of sexual assault of women by strangers and the factors that increase its risks, and *Domestic Violence* (<http://ric-zai-inc.com/ric.php?page=detail&id=COPS-P123>) is an essential tool for law enforcement to help analyze and respond to their local problem.

SART Toolkit (<http://ovc.ncjrs.gov/sartkit/>)

OVC released the SART Toolkit, an online collection of resources for communities considering establishment of a SART team or those seeking to improve their existing coordinated response to victims of sexual assault. The resources contained in the Toolkit are intended to assist, formalize, expand on and evaluate SART responses by providing guidance on such topics as: culturally specific services; increasing accessibility of services; expanding services to improve investigative and prosecutorial practices; enhancing multijurisdictional responses; and forming permanent partnerships within the community to help ensure the SART model is sustained over time.

For more information about the Civil Rights Division's Letters of Findings and Settlement Agreements, please click on the following links:

University of Montana

Findings Letter: <http://www.justice.gov/crt/about/edu/documents/montanaletter.pdf>

Settlement Agreement:

<http://www.justice.gov/crt/about/edu/documents/montanaagree.pdf>

University of Montana Office of Public Safety

Findings Letter: http://www.justice.gov/crt/about/spl/documents/missoulafind_5-9-13.pdf

Settlement Agreement:

http://www.justice.gov/crt/about/spl/documents/missoulasettle_5-9-13.pdf

Missoula Police Department

Findings Letter: http://www.justice.gov/crt/about/spl/documents/missoulapdfind_5-15-13.pdf

Settlement Agreement:

http://www.justice.gov/crt/about/spl/documents/missoulapdsettle_5-15-13.pdf

New Orleans Police Department

Findings Letter: http://www.justice.gov/crt/about/spl/nopd_report.pdf

Settlement Agreement:

http://www.justice.gov/crt/about/spl/documents/nopd_agreement_1-11-13.pdf

Puerto Rico Police Department

Findings Letter: http://www.justice.gov/crt/about/spl/documents/prpd_letter.pdf

Settlement Agreement:

http://www.justice.gov/crt/about/spl/documents/prpd_agreement_12-21-12.pdf

Maricopa County Sheriff's Office

Findings Letter:

http://www.justice.gov/crt/about/spl/documents/mcso_findletter_12-15-11.pdf

Working together, we at OVW, COPS and OVC commend and stand ready to support jurisdictions like Missoula that are prepared to do the hard work of ensuring that all victims of violence, regardless of gender, have access to the justice and safety they deserve. For additional information on funding and/or training and technical assistance opportunities in support of your communities' efforts, please visit our websites at www.cops.usdoj.gov, www.ovc.gov, and www.ovw.usdoj.gov.

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Footnotes

1. http://www.cdc.gov/ViolencePrevention/pdf/NISVS_Executive_Summary-a.pdf
2. The Department of Justice's Civil Rights Division and Department of Education's Office of Civil Rights reached the agreement with the University of Montana under Title IX of the Education Amendments of 1972 and Title VI of the Civil Rights Act of 1964, which prohibit sex discrimination in education programs, including sexual assault and harassment. The Department of Justice negotiated the agreements with the University's Office of Public Safety and the Missoula Police Department and under the Violent Crime Control and Law Enforcement Act of 1994 and the anti-discrimination provisions of the Omnibus Crime Control and Safe Streets Act of 1968. More information about the statutes enforced in these investigations is available on the Division's website at <http://www.justice.gov/crt/about/spl/police.php> (discrimination by law enforcement) and <http://www.justice.gov/crt/about/edu/> (discrimination in education).