Partner to Protect

A Leadership Summit for Family Violence and Law Enforcement

The Report

Partner to Protect: A Leadership Summit for Family Violence and Law Enforcement occurred in Houston on December 9 and 10, 2010. The Summit brought together executive directors from family violence agencies and leaders in law enforcement to forge collaborative strategies to combat family violence effectively and to prevent future family violence homicides.

Annually, TCFV compiles a report entitled Honoring Texas Victims: Family Violence Fatalities, which recounts the stories of women killed by their intimate partners in Texas and connects these stories to the counties in which the murders occurred. This report strongly informed the purpose and direction of the Summit. TCFV invited leaders from counties where a family violence fatality took place in 2009 to Partner to Protect to converse at this first of its kind statewide forum designed to give law enforcement and executive directors of family violence programs an opportunity to strategize on how to decrease the number of women killed in Texas. Representatives from law enforcement and family violence programs from rural and urban communities participated in the Summit.

The primary focus of this summit was to maximize collaboration between agencies across the state. For most sessions, all attendees offered contributions in the same room. For some sessions, however, the differences in response to family violence in rural and urban communities warranted break-out sessions: participants chose between two tracks based on the community’s population. The groups came back together for sessions that related to all law enforcement and family violence programs.

TCFV now provides this report as a continuation of the Summit’s activities. The Summit and this writing both summarize and inform TCFV’s efforts in interacting with the family violence programs and law enforcement who join in the coordinated community response related to family violence services. TCFV intends to take the important and key feedback offered by attendees to better focus TCFV’s efforts on areas that have been identified as challenges; TCFV further will use these discussions to bridge gaps in services and philosophies that sometimes occur in local communities and statewide response. TCFV also encourages readers to use these discussions to inform their practices and prioritize the responses they develop.
Framing the Event: *Telling Amy’s Story*

As a methodology for beginning the conversation regarding family violence fatalities in Texas, TCFV partnered with the Verizon Foundation on the evening of the 8th to show *Telling Amy’s Story*. This documentary-style video presentation regarding the murder of Amy, a Verizon employee and victim of homicide at the hands of her husband, served as an effective way to frame the issue of family violence fatalities. Attendees from a variety of disciplines and interests from throughout Texas – in addition to those participating in *Partner to Protect* – got a sense of the challenges and danger inherent in Amy’s attempts to make outcries to law enforcement, use the criminal and civil justice systems, and keep herself safe from abuse.

After the showing of *Telling Amy’s Story*, a panel of speakers helped participants process what they had watched. The panelists were: TCFV President Gloria Terry, Harris County Assistant District Attorney Jane Waters, Chief Gerald Monahan, Apache Junction, AZ Police Department, and Verizon External Affairs VP David Russell. Participants asked many questions about challenges regarding preventing future domestic violence assaults and homicides. One audience member asked about how to educate our children re: dating abuse. Russell shared that changing and evolving technologies effect how he parents his children. Currently teens have new technologies (cell phones, texting, social networking) that help them to communicate without parents’ knowledge. Because of this it’s more important than ever to talk to teens about healthy vs. abusive relationships.

The panel discussion also highlighted the important role employers can play in supporting employees who are victims of domestic violence by providing flexibility and resources to victims, and also by documenting the abuse.

Many audience members spoke of a need for training for police officials in both rural and urban areas of Texas. Since dispatchers and law enforcement officers are the first contact victims have when reaching out for help it is essential that they are well educated regarding the crime of domestic violence. One important resource shared was the Sexual Assault and Family Violence Instructor Course (SAFVIC) which provides free training on domestic violence to police officers by police officers.

Terry spoke about how essential it is for various agencies in a community to join together and wrap a victim in services so that she feels supported and has an excellent safety plan.

Agenda Synopsis and Conversations

*Public Speaking and Unified Messaging*

Angela Hale currently works with Red Media, the communication agency which assists TCFV in messaging family violence issues. Hale formerly worked with the communications department of Texas Speaker of the House Joe Straus’s office. At the Summit, she addressed the need for law enforcement and family violence programs to send a unified message against family
violence in Texas. Hale showed clips from her time as a reporter on family violence cases in the Dallas/Fort Worth area and drew from her personal experiences about the fast pace of media work and the need for family violence programs to respond quickly to requests from reporters. For the safety and privacy of survivors utilizing family violence services, she noted the imperative for program staff not to identify specific survivors. Nevertheless, she saw publicizing victims’ stories as important in furthering the message that family violence remains prevalent in our society and that services are available to people experiencing violence. When speaking to the media, advocates from family violence programs can use examples, estimates, and their general understanding of the issue. Law enforcement can also add their knowledge about the prevalence and dangers of domestic violence and the importance of helping survivors stay safe and keeping perpetrators accountable.

Developing core messages and stating the key points simply is essential in utilizing the publicity that arises. Hale pointed out that maintaining reliable and trustworthy relationships with reporters is an important vehicle for family violence programs and law enforcement to get their messaging out and ultimately can be used to prevent violence in the future.

Who Are We and What We’re Doing
Chief Harold Thomas of the Hutto Police Department and Gloria Terry, President of TCFV, joined together to speak about the importance of family violence programs and law enforcement working together. Understanding the different roles and responsibilities of each discipline is paramount to effective working relationships. For example, while it is law enforcement’s job to arrest the perpetrator when appropriate, it is the domestic violence program’s job to safety plan with the victim. But law enforcement can facilitate this by referring the victim to a domestic violence program and helping the victim to contact an advocate if the victim desires to do so. Together Thomas and Terry stressed that law enforcement and family violence programs should have a shared goal of preventing future family violence.

During this session and throughout the Summit, participants shared additional successful examples of collaboration and challenges they have encountered in brokering and forging this partnership. Widespread consensus developed over the course of the Summit showed that closer rather than looser community collaboration fosters safer outcomes for victims; at the same time many also pointed to the need for both law enforcement and family violence services to sympathize and realize the parameters of their positions within that necessary community collaboration approach.

The Urban Track: Challenges and Solutions in the Big Cities and Suburbs
Dallas police detective Jon Lumbley of the department’s Family Violence Unit spoke about the need for a coordinated community response in urban areas in Texas. Though family violence shelters and law enforcement agencies speak two different languages and live in two different
worlds, it’s essential that they work together. Statistics reflect this need: the three counties with the largest urban cities suffered the highest number of women killed in 2009.

There are many law enforcement challenges unique to urban areas. Because there is a higher population, higher crime rates, more calls requiring response, competing demands for law enforcement resources and manpower, and higher turnover at law enforcement agencies all represent significant dynamics that can impact domestic violence survivors. Also, domestic violence shelters are more often full, so it can be difficult to place victims.

When several domestic violence programs serve one community, a coordinated a community response may be more complicated. And while in rural areas there can be an informal agreement between law enforcement and shelters regarding protocols, in urban areas these protocols must often be formalized as memoranda of understanding or other official agreements.

Lumbley stressed that despite differences and challenges in urban areas, law enforcement agencies and domestic violence programs must work together to develop a coordinated community response. The Family Violence Unit in Dallas has worked hard to create regular communication between agencies to foster such a response. Representatives from the Family Violence Unit in Dallas meet regularly with the City of Dallas Domestic Violence Task Force, Lawyers Against Domestic Violence, the Parkland Hospital Battered Women’s Intervention Project, and area women’s shelters, to share information and coordinate efforts and resources. This model of coordinated community response makes sense for other urban areas in Texas.

In an effort to help Executive directors of domestic violence programs understand the challenges law enforcement faces when arriving at a scene, Lumbley had Executive Directors from family violence programs play the role of responding officers and talk about how they would handle the difficulties of particular domestic violence calls. This illustrated for the executive directors the dangerous, chaotic, and often confusing nature of domestic violence calls.

The Rural Track: Sexual Assault and Family Violence Investigator Course (SAFVIC) Rural Law Enforcement

SAFVIC Instructor and Detective John Wilkerson from the San Saba County Sheriff’s Office began the presentation by describing that family violence is not just an urban reality, but one for rural areas as well. Rural law enforcement face unique challenges. Often there is only one officer assigned to cover an extremely large area. If an officer takes a long time at one particular call, s/he may, by necessity, be slow in responding to the next call. This creates a dilemma for rural law enforcement who must balance the need to make a thorough investigation and report with the need to hurry to the next call to provide help and protection.

Rural law enforcement agencies often lack funding for training and don’t have enough manpower to allow paid time for training. Rural law enforcement agencies also often do not have resources that are available in urban areas such as specialized units and victim advocates.
And if the nearest shelter is not in the law enforcement officer’s jurisdiction, it may be difficult to provide transportation for a victim to shelter.

One solution for the challenges facing rural law enforcement in their response to domestic violence calls is the free training offered by the Sexual Assault and Family Violence Instructor Course (SAFVIC). SAFVIC Program Manager Jennifer Gonzalez described SAFVIC’s mission to provide free training for law enforcement. SAFVIC will send a law enforcement officer who has been trained as a SAFVIC instructor to provide the trainings. For more information go to: www.safvic.com.

I Can Neither Confirm Nor Deny, Other Hot Topics and “Cop vs. Advocate” Talk

“Advocates talk in acronyms and cops talk in numbers.” – Deborah Moseley, Executive Director of The Bridge Over Troubled Waters. Moseley and Lt. Susan Clifton of the Pasadena Police Department facilitated the conversation about the different terminology used in law enforcement and in family violence programs. Family violence advocates use an alphabet soup of acronyms in reference to the work they do. Primary funding sources and rule making entities include: FVPSA (the Family Violence Prevention Services Act), HHSC (the Health and Human Services Commission) and OAG (the Office of the Attorney General). Participants offered additional acronyms used by program advocates. Law enforcement officers offered their own examples of the language they use as well, which may often be just as unintelligible to the uninitiated. Officers respond to 10-15s (domestic disturbances) to stop a 10-10 (fight in progress).

Regardless of the potential linguistic disconnect, Moseley posited and attendees agreed that providing safety is the goal of both disciplines. Yet commonly both disciplines may harbor confusion and irritation when they do not understand the other’s language.

Echoing previous speakers, Moseley pointed to a need for greater understanding of the respective roles and responsibilities of the two complimentary disciplines, leading to greater respect for the need of the cross-discipline approach in responding to family violence. Importantly, neither approach – victim services and law enforcement – is the full answer for victims of family violence. After all, while some victims only request help from law enforcement, others only request assistance from family violence programs. With a coordinated response to family violence and victim awareness of all the community supports available, victims have better outcomes.

Everyone agreed that the idea of a coordinated community response is not new in the realm of family violence. This idea formed the basis of the Summit: giving family violence executive directors and a leader in law enforcement from each community a chance to further their shared priority of developing more effective coordinated community responses. Moseley pointed out a few approaches used in her community and by others who had addressed the Summit attendees to that point in the event. Participants added some of their own experiences:
1. Police notify the family violence program within 24 hours after an arrest, at which point the family violence program calls the victim to notify her/him of services available.

2. Dedicated family violence units are created within the police department/sheriff’s office. Officers in these units have a direct number of an advocate at the program.

3. Once the police in one community fully understood the bounds of confidentiality that the local program was under – and why – they stopped asking to get in touch with survivors in shelter.

4. Together, domestic violence programs and law enforcement come up with best practice for handling a subpoena of family violence records or residents.

*A Report from the Approaching the Bench Judicial Summit in June 2010*
Judge Mike Denton and Judge Roberto Cañas shared their experiences of the TCFV’s Judicial Summit. On June 6 through 8, 2010, the TCFV hosted *Approaching the Bench: A Judicial Summit on Family Violence.* TCFV took the charge granted to it by the Texas Court of Criminal Appeals to foster an environment of communication among judges who handle matters related to family violence in their courtrooms. With over 70 diverse judges from across the state in attendance at the Summit, the event served as a response to requests from the judiciary and other community partners for an opportunity to discuss strategies, challenges and successes in the response to family violence in the courtroom and beyond. Peer dialogue centered on propelling the criminal and civil justice systems toward the approaches on this issue that will best serve survivors. The Summit also offered opportunities for judges to hear more about nationally and locally derived practices that have worked in addressing family violence as it presents in courts. The second *Approaching the Bench* event will occur this June. TCFV will present the findings and experiences gathered at *Partner to Protect* in order to help inform the judiciary in a likewise manner regarding the perspectives of law enforcement and family violence program staff. In this fashion, TCFV seeks to foster continued collaboration and dialogue amongst the various components of the coordinated community response.

*Knowledge and Innovation in Firearms*
Judge Patricia Macias and Fanny Haselbacher, Assistant General Counsel of the Access Integrity Unit at the F.B.I., presented on the importance of implementing strategies on firearms to increase safety of victims of family violence. With firearms representing the leading weapon used in intimate partner homicides in Texas and nationally, Haselbacher underscored the importance of complying with state and federal laws. The removal of firearms from perpetrators of family violence who have protective orders against them represents a key part of reducing family violence fatalities; Judge Macias has worked in her community (El Paso) to come up with stakeholder approved protocols for removal. Bolstering that approach, Sec.85.022 of the Texas Family Code states that the court may issue requirements to prevent or reduce the likelihood of future family violence including prohibiting possession of a firearm and suspending a license to carry a concealed handgun.
Widespread consensus existed among participants that the right to bear arms is an important constitutional right. They also agreed that the right to bear arms for non-violent citizens should not be confused with fostering the safety of family violence victims by removing the firearms of perpetrators of family violence.

One law enforcement officer from a rural community explained his agency’s procedure of removing firearms when serving the protective order as a best practice. Another law enforcement officer spoke about his unit’s policy that stated that officers convicted of family violence are to be put on desk duty, thereby circumventing the need for them to possess a firearm. This practice serves as a deterrent to officers by reinforcing community zero tolerance principles.

*Ideas in Expedited Case Management*
Jaime Esparza, District Attorney 34th Judicial District, Jane Waters, Harris County Assistant District Attorney, and Dr. Noel Busch-Armendariz, University of Texas School of Social Work, discussed the importance of survivors’ access to the court system and the need for communities to evaluate their current court system’s response to survivors of family violence.

District Attorney Esparza developed a comprehensive family violence unit in the El Paso District Attorney’s Office called the 24 Hour Initiative in which every survivor is contacted within 24 hours of an incident of violence being reported to police. This Initiative has four crucial aspects. First, all prosecutors are trained to identify and understand the dynamics of family violence including:

- Victims’ varied responses
- Victims’ non-prosecution statements/ recantations
- Evidentiary Issues (*Crawford*, forfeiture by wrong doing)
- Trial issues (recantations, writs of attachment)

The second major component of this Initiative is that his office contacts both the victim and the defendant within 24 hours of the report of violence. Speedy contact with the victim leads to greater understanding of what the court process can provide and of the community services available. Sending the message to the defendant that the District Attorney is involved in the case within 24 hours of a family violence incident impresses upon the defendant that the DA’s office takes family violence seriously.

Evidence collection is a third major component of El Paso’s 24 Hour Initiative. Within 24 hours of a family violence incident, prosecutors and police gather all evidence that may be necessary for a possible trial. The evidence typically collected includes:

- 911 tapes
- Photographs
- Complete Offense Report (including reliable victim information)
- Medical Packets requested
• Pen packets requested (prison records)

Within 24 hours after reviewing all evidence, the victim’s perspective and the defendant’s criminal history, the District Attorney’s office makes a case punishment recommendation. Dr. Noel Busch-Armendariz addressed her current study of the effectiveness of the El Paso Initiative. She explained the evaluation process, the goals of which are four-pronged. First, the evaluation centers on victims’ access to the criminal justice system. Secondly, Dr. Busch is studying whether the 24 Hour Initiative truly provides stronger cases for prosecution of defendants. Thirdly, and the crux of the evaluation, they are studying the level and degree of victim restoration. Finally, the evaluation focuses on how the 24 Hour Initiative strengthens the coordinated community response between law enforcement, prosecutors, the courts, and victim services in El Paso.

This evaluation will help broaden the scope of similar projects around the state. In the report that is expected in the summer of 2011, Dr. Busch-Armendariz will focus on the strengths of such an initiative, the challenges experienced in El Paso, and the cost of implementation.

Assistant District Attorney Jane Waters explained her office’s experience and use of the District Attorney’s Information Management System (DIMS). DIMS represents Harris County’s expedited approach to case intake; this system allows for a real time decision to be made regarding the acceptance or declination of a given case. From the scene of the crime, the officer calls an on duty assistant district attorney in order to present the case; the assistant district attorney listens to a recitation of the case and decides whether it will be accepted for prosecutions.

For family violence victims, this quick decision process on relatively simple to investigate cases gives victims greater and quicker knowledge about whether and how the case is going to proceed. Rather than waiting days, weeks or possibly months to hear one way or the other, the victim knows right away that the case will be prosecuted, which provides the victim with more tangible options for her safety. Significantly, both Harris and El Paso Counties follow this intake process.

In discussing the information from all three of the speakers, participants agreed that expedited case handling helps victims of family violence. They also supported the idea that studying best practices for the purpose of sharing them at the state level makes sense. Summit participants shared their processes for intake and asked questions regarding the costs involved with both the 24 Hour Initiative and DIMS, expressing surprise that DIMS acts as a cost saver because fewer people who will not eventually be charged with a crime spend a night or more in jail.
A View Towards Change: Domestic Violence Fatality Review

In direct reference to the discussions started the previous evening with *Telling Amy’s Story*, which is itself a kind of fatality review, Chief Jerald Monahan explained this important approach to systems change.

According the Bureau of Justice Statistics, every year 1,000–1,600 women are murdered in the United States by their intimate partner. Annually, the TCFV issues a report on women killed by their intimate partner entitled *Honoring Texas Victims: Family Violence Fatalities*. In 2009, 111 women were killed in Texas by their intimate partner. As a part of this report TCFV includes a narrative of the circumstances of the victims murdered, the perpetrator’s name, and the children affected. These 111 women represent 40 percent of all the women murdered in Texas in 2009. For a copy of *Honoring Texas Victims: Family Violence Fatalities*, contact TCFV at (512) 794-1133.

Chief Jerald Monahan, a consultant for the National Domestic Violence Fatality Review Initiative, shared his expertise on domestic violence fatality review boards at the summit and helped the audience recognize the crucial gaps in services that exist. Fatality reviews represent collections service providers including prosecutors, law enforcement, family violence service personnel, educators and others that touch the lives of victims, offenders and their children prior to the fatality. Reviews provide a non-judgmental and confidential forum for reviewing the systemic response to how service provision succeeded and failed in a given fatality. Chief Monahan explained how communities in the Arizona area and nationally have furthered the work of the fatality reviews by creating community partnerships amongst the stakeholders. He also pointed to successful implementation of changes based on the review process.

Participants pointed to fatality reviews that exist in Texas, including a recently established one in Dallas and a long standing review in Houston. Attendee Donna Amtsberg from Northwest Assistance Ministries and the chair of the Houston fatality review talked about the evolution of their practices over the years. TCFV offered strong technical assistance support to anyone interested in starting a review, and several participants expressed interest in this effort.

Next Steps and CODE 10-42 (Ending Tour of Duty)

Gloria Terry, President of TCFV, spoke about the need to continue the collaboration between law enforcement and family violence programs fostered by the *Partner to Protect Summit*. Together law enforcement and family violence programs can work to reduce the number of family violence incidents and fatalities and create a more coordinated community response to family violence that ensures both victims and perpetrators know that family violence will not be tolerated in Texas. Terry solicited feedback from attendees regarding additional points of concern and need for additional information. Participants highlighted the need for more tools for collaboration including memoranda of understanding for family violence programs and law enforcement, approaches to firearms surrender, and more tools to help determine predominant aggressors to avoid dual arrests.
Parting Thoughts
This groundbreaking Summit allowed leaders in law enforcement and domestic violence to learn from each other, identify current trends, and generate solutions to challenges. To continue the conversations of the Summit, TCFV provided attendees with contact information for participants and speakers; communication on issues such as victim safety, collaborative workgroups, and legislative trends continue to take place.

In addition, the Summit informed the future work of TCFV. TCFV will incorporate the perspectives and information shared into training materials and events it holds. Such information will also help inform our work with technical assistance calls from officers, agencies, and judges.

Overall, Partner to Protect stands as one of the first times these service providers have come together in such numbers to hold frank conversations and develop strategies for moving forward. The effect has lead to a better understanding of the responsibilities of each field and stronger professional relationships. With the ongoing work of Summit participants and some newfound understanding of each others’ roles in keeping victims safe and preventing future family violence from occurring, Texas law enforcement and family violence programs indeed have increased their capacity for partnering to protect victims of family violence.

Law enforcement, family violence program agencies, and others interested in obtaining more information about these topics and how to enhance their community’s response to family violence can contact the Texas Council on Family Violence Policy Team by phone at 512-794-1133 or consider emailing the Director of Policy, Aaron Setliff, at ASetliff@tcfv.org.