

TASK FORCE ON LAW ENFORCEMENT RESPONSE TO FAMILY VIOLENCE

A Victim Advocate's Perspective

Speaker: Cindy Carlson, Coordinator of Community Services, The Umbrella Program

Good Afternoon. My name is Cindy Carlson. I am an advocate for the Umbrella and Domestic Violence Services of Greater New Haven. I would like to thank Representative Mae Flexer, CT Coalition Against Domestic Violence Executive Director Karen Jarmoc and the members of the task force for the opportunity to speak before you today. Thank you to the Task Force on Law Enforcement Response to Domestic Violence for bringing domestic violence to the forefront and partnering so diligently to find solutions to address domestic violence in our communities.

When a victim calls our hotlines to speak with an advocate, they often will describe their experience with police. They sometimes describe a varied response by officers, which may cause confusion for the victim. A victim can have several encounters with the police, sometimes from different jurisdictions. Unfortunately, an incident may be similar but the victim's experience is quite varied. Conflict can arise when police, following mandatory arrest laws, do not take into account that one party may have been acting in self-defense. Women come forward and are shocked that they were arrested when they were defending themselves from an assault and called for help in order to stop the violence against them. Victims then become revictimized by systems, labeled as offenders, and put at higher risk. These victims will not reach out for help again. Victims learn through those experiences that they are in greater danger if the systems fail them. It is of the greatest importance that when victims reach out that arrest protocols put in place are clear so they are uniformly enforced. Police officers require stronger language regarding self-defense in domestic violence calls so they are not pressured to make an unnecessary arrest.

The only way to monitor what is working and what is not is through clear statistics. The statistical data available to us now on dual arrests may not reflect the true picture of what is needed to verify the rate. Dual arrest involving charges other than family violence charges can skew the numbers. Family Violence Offense reports should reflect the reason for the dual arrest. By redefining dual arrests, Connecticut can better understand the effect arresting both parties has on domestic violence. By focusing on jurisdictions that struggle with higher dual arrest rates, there can be examination of how protocol and trainings can be developed for best practices. A uniform response by police is practical and an imperative when assisting victims. This ensures a predictable response for the victim as well as the offender. Holding batterers accountable consistently and keeping them from their victims is the key to reducing domestic violence. Victims repeatedly tell advocates that when the abuser is not held accountable, they feel they are at greater risk than if they did not call.

While there are challenges for on scene officers responding to domestic violence incidents, there are existing programs that assist victims on scene. Chief Kevin Hale has collaborated with the Umbrella Program in implementing the Lethality Assessment Program at the Ansonia Police Department. The responding officer asks the questions that are on the lethality assessment to a domestic violence victim. If the assessment determines there is a high level of risk, protocol is followed where an advocate is called from the scene to safety plan with the victim immediately. The protocol was designed and implemented by Maryland's Network

Against Domestic Violence and has resulted in a 50% reduction in domestic violence lethality in Maryland since its inception. This program has increased collaboration and clarified roles while increasing the immediate assistance to victims. This is an example of how Model Law Enforcement Policy can be modified to establish best practice for assisting victims. Domestic Violence does not usually fit into one easily explained incident. Domestic violence is a course of conduct that requires close examination to reveal the intent and criminal activity behind the violence. Violence used by someone who knows their target intimately and how to access their victim uses creative ways to terrorize and control their victim. Victims ask why he gets away with it. Each time an offender goes through an interaction with police or courts he gets educated on how to manipulate information against his victim and present in his own best interest. So it becomes extremely important to have model protocols in place that uncover the insidious nature of domestic violence and give officers clear mandates to follow.

As a P.O.S.T. certified domestic violence trainer and a graduate of The Federal Law Enforcement (FLETC) Domestic Violence Instructor Training Program, I have had the opportunity to interact with law enforcement in many jurisdictions. In my experience, police officers are asking for clarification of protocol involving domestic violence incident laws. They are concerned with being held accountable for not arresting if probable cause is present that fulfills mandatory arrest requirements yet may be self-defense. Officers are also asking for clarification on Violations of Protection orders from criminal and civil cases. State police also appear to have different responses to violations. By developing an updated curriculum that can be presented in a four hour block of in-service training, officers will get the access to thorough current information and legislation with a review of domestic violence. Extending the time will allow for deeper coverage of subject matter which can include from new legislation, on scene approach, investigation techniques, dynamics, risk assessment, weapons, documenting crime scene, interviewing on-scene children to name just a few. When an officer goes on a call, there is so much information that they need. It is important they are current on the legislation, protocol, and safety for best response during the incident. Training the trainer with best practices for educating law enforcement officers on a yearly basis provides consistent and informed trainers for the responding officers in the field. The combined skills of a prosecutor, police, and advocate would enhance the training of the trainer.

Consistent messages to offenders can be a deterrence and hold them accountable, while sending victims a message that help is available. Victims reaching out are looking for support so the violence against them and their children will end. Supporting law enforcement in their work responding to domestic violence is essential. When police, courts, advocate and community services collaborate to assist victims of domestic violence, there are successful new beginnings for those who have been targeted by domestic violence.

I wish to thank you again for your time and this opportunity to speak with you.