

Violence Against Women Needs Assessment Program

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A project of the
California Crime Victims Assistance Association

In collaboration with the
California District Attorneys Association

and the
**University of California, Berkeley School of Law
Chief Justice Earl Warren Institute on Law and Social Policy**



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FROM THE AUTHOR

I would like to thank Warren Institute colleagues Barry Krisberg, Sarah Lawrence, Nancy Lemon, Susan Marchionna, Andrea Russi, and Eleanor Taylor-Nicholson; as well as Warren Institute Graduate Student Researchers and volunteers Ralitza Dineva, Musetta Durkee, Allie Horevitz, Morgan Lewis, and Rhonda Wilson, for their invaluable support, research, and editing contributions.

I would also like to express my gratitude and admiration to the victim/witness advocates and directors all over the state who gave so generously of their time and knowledge over the course of this study. As one provider described her experience, responding to violence against women on the front lines of this epidemic can feel like “bailing water out of the ocean with a thimble.” The vital role played by these advocates is immeasurable. For too long, the compassion, patience, and heart they bring to this job has been in the shadows; the resourcefulness and resilience demonstrated in meeting these challenges under-recognized. It has been an honor and a privilege to shed light on the work of these inspiring men and women, and I dedicate this study to them.

“True heroism is minutes, hours, weeks, year upon year of the quiet, precise, judicious exercise of probity and care—with no one there to see or cheer. This is the world.”

— David Foster Wallace

This project was made possible through a grant from the California Emergency Management Agency to the California Crime Victims Assistance Association.

Preface

As a society, we cannot speak out enough against violence towards women in the United States. We cannot turn away from the nearly 100,000 women raped every year. We cannot ignore the tens of thousands of children suffering trauma symptoms after witnessing violence against their mothers in their homes. We cannot shift our eyes when confronted with homeless women fleeing violence or forget the thousands of women murdered each year by intimate partners. The physical and psychological abuse of women by their spouses or partners should be no more agreeable to our sensibilities than the abuse of a child by its parent or the oppression of one race by another.

Criminal prosecution is an important tool in punishing those who commit violence against women, and ensures the safety of the victims. When provided access to the mechanisms of justice, women generally experience just and effective remedies for the harm they have suffered. Victim advocacy is pivotal to the criminal justice response.

Originating in the late 1970s, Victim/Witness Assistance Programs pioneered the field of victim advocacy within the criminal justice system in California. Before the advent of such programs, women were generally uninformed about the legal remedies available to protect them from violence. They did not receive the help they needed to obtain protective orders or state compensation for emergency relocation and safety planning. There was no one to stand with them as they effected their rights or testified against their abusers or rapists.

Victim/Witness Assistance Programs provide women an advocacy system that responds to their needs, including direct services and referrals that help them do the one thing they think they cannot do: survive and rebuild their lives. Victim/Witness Assistance Programs are a necessary component of our modern-day criminal justice system to further promote systemic progress towards the elimination of violence against women in the United States.

This report measures and evaluates the services provided women by Victim/Witness Assistance Programs throughout California. It was made possible by grant funding awarded by the California Emergency Management Agency (Cal EMA) to the California Crime Victims Assistance Association. Cal EMA is the state administrator for grants supporting victim services throughout the state, including domestic violence shelter-based programs and rape crisis teams. In making the grant award, Cal EMA sought to (1) quantify the value of the funding supporting the operation of Victim/Witness Assistance Programs, (2) better understand the challenges facing women victimized by violence, and (3) identify gaps and best practices at a service level.

At the outset, it became clear that producing this report would be a unique and extensive undertaking. No report of its kind had ever been researched and published; the efficacy of Victim/Witness Assistance Programs responses to women victimized by violence had not yet been studied. The requirements of the grant award defined a broad expanse of topics, including aspects of the criminal justice system, victimology, special needs of trauma victims, plus the myriad issues connected to intimate partner violence. The research alone required an analysis of statistical data, regional focus groups, and site visits to Victim/Witness Assistance Programs representing northern, central, and southern California.

The level of difficulty, however, made room for opportunity. The California Crime Victims Assistance Association reached out to the California District Attorneys Association for both its understanding of

the subject matter and its impressive experience. The working relationship proved ideal, each association bringing its particular expertise to the task at hand.

After deliberation, both associations agreed that an academic partner would add to the independence, quality, and credibility of the report. Representatives from both the California Crime Victims Assistance Association and the California District Attorneys Association met with key personnel at the Chief Justice Earl Warren Institute on Law and Social Policy at the University of California, Berkeley. Though the Institute produces research on the most challenging criminal justice issues facing California and the Nation, it had not ventured into the arena of crime victim assistance. The opportunity to do so was met with great enthusiasm.

This report is the collaborative effort of the California Crime Victims Assistance Association, the California District Attorneys Association, the Warren Institute, and Victim/Witness Assistance Programs throughout the state. It makes clear that Victim/Witness Assistance Programs represent a great imperative that demands fulfillment: advocacy within the criminal justice system for women victimized by violence. It presents information useful in deepening and enriching our commitment to protect women victimized by violence, to provide these women services that help them pursue empowering strategies, and to deliver the rights long-declared by legislative reforms.

The California Crime Victims Assistance Association thanks everyone who gave so generously of their time, talent, and experience to develop this report—with a very special thanks to Cal EMA for making the project possible.

We dedicate this report to the women who are victimized by violence every year. We honor their struggle.

Catherine M. Duggan
CCVAA President

Table of Contents

I.	Introduction.....	7
	Background and Study Goals	7
	Study Methods.....	8
	Online Survey	8
	Site Level One-on-One Interviews.....	9
	Focus Groups	9
	Site Visits	9
	Cal EMA Program Progress Report Data.....	10
	Interviews with Experts	10
	Literature Review	10
II.	The Common Mandate of VWACs.....	10
	Required Services	10
	Optional Services	11
	Activities Required When Providing Services.....	11
	Marsy’s Rights	12
III.	The Assessment.....	12
	Victims Served by VWACs	12
	Number of Victims Served	12
	Demographic Information—Gaps in Data.....	13
	Types of Services Provided to VAW Victims By VWACs	14
	Crisis Intervention and Emergency Assistance	15
	Referrals and Counseling	17
	Referrals to Civil Legal Aid.....	17
	Immigration Needs	18
	Shelters.....	18
	Transitional Housing and Employment.....	18
	Mental Health Referrals	19
	Safe at Home Program	19
	Transportation.....	20
	Property Return	20
	Assistance with Victim Compensation.....	20
	Orientation to the Criminal Justice System	21
	Court Escort	22
	Notification.....	22
	VINE Notification Program	23
	Restitution	24
	Additional Services Provided by VWACs.....	24
	Marsy’s Rights Information and Procedures Provided to VAW Victims	24
	The Role of VWACs in Achieving Marsy’s Rights	24
	Other Points of Contact	26
	The Overall Impact of Marsy’s Law	26
	Gaps in Services for VAW Victims	27
	Crisis Management and Emergency Assistance	27
	Civil Legal Aid	27

Immigration Services.....	28
Transportation.....	28
Interpreting Services.....	28
Childcare.....	29
Services Not Currently Provided by VWACs.....	30
Specific Needs Identified by VWACs for VAW Victims.....	31
Counseling Referrals	31
Referrals and Placements	31
Assistance with Immigration Services	31
More Shelter Beds	31
Transitional Housing.....	32
Financial Resources	32
Administration	33
Coordinated Community Response: Collaborations and Referrals Between VWACs and Community Partners.....	33
Operational Agreements.....	34
Navigating the Criminal Justice System.....	35
Long-term Empowerment and Support Services.....	35
Overlapping Roles.....	35
Leadership and Communications	36
Family Justice Centers	36
VWAC Prevention-Related Services	38
Promoting Criminal Justice System Participation/Cooperation	39
Providing Services	40
Community Outreach/Presentations	41
Addressing Stalking	41
Willingness of VAW Victims to Learn About or Access Services	42
Description of “Best Practices” Used by VWACs with VAW Victims.....	43
General Best Practices.....	43
Connecting with VAW Victims	44
Crisis Intervention, Emergency Services, Resource and Referral Toolkit	45
Coordinated Community Response and Transitional Housing/Long-term Empowerment.....	45
Making Marsy’s Rights a Reality.....	47
VAW Victim Feedback	47
Training and Organizational Capacity of CCVAA.....	49
V. Conclusion.....	51
Appendix A: Literature Review.....	53
Appendix B: Survey Tool	59
Appendix C: Marsy’s Law	69

I. Introduction

Background and Study Goals

Under California law, victims and witnesses of crime are granted certain statutory and constitutional rights, including that they be treated with dignity and respect.¹ In 1982, California established itself as a national leader in the rights of crime victims in passing the Victim's Bill of Rights. As a key component of these protections, Victim/Witness Assistance Centers (VWACs) arose in 1983 in an effort by the Legislature to reduce the trauma and insensitive treatment that victims and witnesses experienced in the criminal justice system. Today, state and federally funded VWACs operate in each of the 58 counties and in the City of Los Angeles and play a vital role in California's criminal justice system.²

Despite the large numbers VWACs, however, very little research has been done to date on the work of California's VWACs or of government provided victim/witness advocates in general. In particular, very little has been done on their work with one of the most vulnerable populations of crime victims: women victims of violence.³ Reports about government-based and community-provided Violence Against Women (VAW) victim services tend to fall into two general categories: reports that describe government-provided services to all crime victims, with VAW victims as just one category of victim; and reports that focus on combating VAW with services mentioned only as one step to be taken by government.⁴

The California Emergency Management Agency (Cal EMA) funded a needs-assessment study of VWACs to be carried out by the California Crime Victims Assistance Association (CCVAA),⁵ in partnership with the California District Attorneys Association (CDAA). As part of this assessment, in 2011, the Chief Justice Earl Warren Institute on Law and Social Policy, at the University of California, Berkeley School of Law, conducted a two-part survey including follow-up interviews with all 59 of the VWACs. The following questions formed the basis to this assessment:

1. Numbers of VAW victims served by VWACs for the past three to five years;
2. Demographics of VAW victims served by VWACs;
3. Types and numbers of services provided to VAW victims by VWACs;
4. Identification of VWAC prevention-related services provided to VAW victims;
5. Marsy's Rights information and procedures provided to VAW victims;
6. Collaborations and referrals between VWACs and rape crisis centers and women shelters;
7. Descriptions of "best practices" with VAW victims used by VWACs;

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1. "'Victim' means a person against whom a crime has been committed. 'Witness' means any person who has been or is expected to testify for the prosecution, or who, by reason of having relevant information, is subject to call or likely to be called as a witness for the prosecution, whether or not any action or proceeding has yet been commenced." (Penal Code § 679.02.)
 2. The board of supervisors considers a number of factors before selecting and recognizing an agency as the major provider of comprehensive services to victims and witnesses of all crime type in that county. (Penal Code § 13835.2.) The section sets out the criteria for selection as including: The capability to provide the comprehensive services set out in law, the goals and objectives of the center, the number of people to be served and the needs of the community, evidence of community support, the organizational structure of the agency that will operate the center, and the capacity for keeping records confidential as defined in this article.
 3. Violence against women refers to crimes perpetrated against women in the form of sexual assault, domestic violence, and stalking.
 4. A list of reports and guidelines for further reading is included as Appendix A to this report.
 5. CVAA is the organization dedicated to advocating for victims' rights and supporting VWACs' ability to provide services to victims and witnesses consistent with California Law.

8. Description of the current organizational capacity of the CCVAA (representing the statewide network of VWACs) to adequately meet the gaps in service needs of VAW victims served by VWAC;
9. Identification of other resources (potential funding sources) that would be necessary to build the capacity of the CCVAA to meet the needs of VAW victims served by VWAC.

This report, based on the Warren Institute's data collection, is the first comprehensive study ever done in California of the work and services that VWACs provide to women victims of violence. It represents VWACs' perceptions of the importance of their work with VAW victims, the gaps in this work, and their needs for further expanding their services to victims of VAW crimes. It addresses all questions above for which VWACs had data.

With these findings, Cal EMA, CCVAA, allied victim service organizations, and policy makers will be better equipped to make informed decisions regarding VWAC program development, resource allocation, advocate training, and organizational capacity-building benefitting VAW victims.

Study Methods

This project was conducted over a four-month period, and a significant amount of information was collected during this relatively short project. The issues touched upon in this study are large and complex and, as with any assessment, additional time and resources would allow for a larger scope and depth of analysis. However, despite these practical realities, a significant amount of new information has been collected and new learning has been achieved.

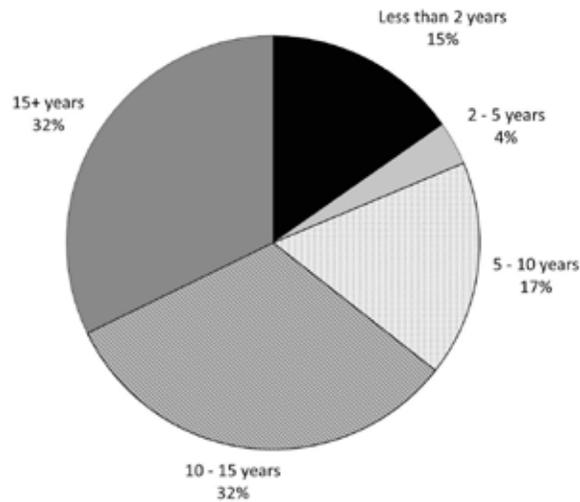
The information presented in this report is drawn from a variety of sources, both quantitative and qualitative. The study included an on-line survey of all 59 VWACs, interviews with staff at all VWACs in the state, site visits, focus groups, analysis of Cal EMA data, and interviews with subject matter experts. To our knowledge, compiling information about VWACs in California on the range of topics covered in this report from several information sources has not been done to date. The variety of sources has allowed for an in-depth understanding of some priority issues VWACs are facing.

In order to protect confidentiality and increase the chances that individuals who participated in the interviews and focus groups would feel comfortable speaking candidly, individual attributions are not included.

Online Survey

In fall 2011, an online survey of VWAC coordinators in California was conducted. The drafting of the survey questions was a joint effort between CCVAA, CDAA, and the Warren Institute. The final survey instrument was reviewed and approved by the three consulting groups. SurveyMonkey, an online survey interface, was used to collect responses. One hundred percent of VWACs responded to the survey, resulting in a total of 59 survey responses. Responses indicated that those who completed the survey were senior and experienced—64 percent of survey respondents had more than 10 years of experience in victim/witness services (see *Figure 1*). The survey data presented represents the full universe of California VWACs and not just a sample that would require extrapolation and generalization. The survey tool is attached as Appendix B.

Figure 1. Survey Respondents' Years of Experience in Victim/Witness Services



Site Level One-on-One Interviews

After the survey results were collected, Warren Institute staff conducted a series of interviews with representatives from each of the 59 VWACs. The interviews were conducted by a single interviewer either in-person at the VWAC office, or on the phone during the period November 2011 to February 2012. The primary purpose of the interviews was to gain a deeper understanding of the VWACs' survey responses, therefore interviews were not highly structured. The interview responses served to provide deeper insight on the work of each VWAC, including perceptions of challenges and gaps in services for victims in their respective counties.

Focus Groups

Two focus groups were conducted to facilitate cross-county conversations related to issues that VWACs are currently facing. The groups were comprised of 22 people who represented 16 California counties. The participants were all VWAC directors, and each group was facilitated by a subject-matter expert. Facilitators worked from a list of eight general questions but, to some extent, allowed the conversations to flow to topics that the participants felt were most important. At the end of the groups, participants were provided concluding-comment sheets for further opportunity to convey thoughts related to the focus-group discussion, or to provide insight on other issues that may not have been covered during the 90-minute sessions.

Site Visits

Between November and December 2011, a Warren Institute staff member, along with a VWAC subject-matter expert hired by CCVAA, conducted site visits to nine VWACs. During the course of these visits, 46 in-person interviews were conducted with VWAC advocates and directors. Additional interviews were conducted with 13 additional VWAC stakeholders and experts such as deputy district attorneys serving in the family violence division, and collaborating Family Justice Center advocates.

The nine sites were carefully chosen to represent a wide range of demographics, including VWACs serving urban, rural, small, and large counties, as well as VWACs operating out of the District Attorney's

Office, the county Probation Department, and VWAC programs contracted out to community organizations. Site visits were conducted at the following VWACs: Alameda, Alpine, Amador, Fresno, Humboldt, Los Angeles County, Orange, Santa Clara, and San Joaquin.

The primary goals of the visits were to speak with advocates about their experiences serving VAW victims in addition to one-on-one interviews with VWAC directors. The visits were intended to incorporate a broader range of perspectives in the assessment and to see first-hand some of the physical sites and services being offered to VAW victims. During the visits, in addition to conducting interviews, Warren Institute staff and the subject-matter expert toured VWAC facilities, family justice centers, and criminal courts, as well as observed a domestic violence docket in session in one county.

Cal EMA Program Progress Report Data

Cal EMA provided the Warren Institute eight Excel files that included data from program progress reports for three years of Victim/Witness (VW) Assistance Program data (FY 2008–2009, FY 2009–2010, FY 2010–2011), two years of Special Emphasis (SE) Program data (FY 2008–2009, FY 2009–2010), two years of Special Victim (SV) Assistance Program data (FY 2008–2009, FY 2009–2010), and one year of Unserved/Underserved Victim (UV) Advocacy and Outreach Program data (FY 2010–2011). The files included data on the number of new victims served by crime type for each county, among other information. Three types of crimes from the program progress reports were included in this analysis: adult sexual assault, domestic violence, and stalking. The number of victims served for each fiscal year is the sum of the number of victims served across the various programs.

Interviews with Experts

In addition to the perspectives and input from VWACs, Warren staff gathered additional data from interviews with practitioners and experts from across the state. This input came in the form of in-person and phone interviews, email communications, and formal written statements.

Literature Review

Finally, Warren staff conducted a literature review to identify existing publications related to evidence-based practices and best practices in terms of criminal justice system-based services for VAW victims.

II. The Common Mandate of VWACs

All Victim-Witness Assistance Centers across the state have the same mandate, which is codified in Penal Code sections 13835.5 This mandate is not differentiated by type of crime or victim—victims of VAW are required to receive the same services as other victims of crime. Because these required services formed the basis of the survey questions, they are central to the design of the study and are spelled out below.

Required Services

- Crisis intervention, providing timely and comprehensive responses to the individual needs of victims.
- Emergency assistance, directly or indirectly providing food, housing, clothing, and when necessary, cash.

- Resource and referral counseling to agencies within the community which are appropriate to meet the victim's needs.
- Direct counseling of the victim on problems resulting from the crime.
- Assistance processing, filing, and verifying of claims filed by victims of crime pursuant to Article I (commencing with Section 13959) of Part 4 of Division 3 of Title 2 of the Government Code.
- Assistance in obtaining the return of a victim's property as held as evidence by law enforcement agencies, if requested.
- Orientation to the criminal justice system.
- Court escort.
- Presentations to and training of criminal justice system agencies.
- Public presentations and publicity.
- Monitoring appropriate court cases to keep victims and witnesses apprised of the progress and outcome of their case.
- Notification to friends, relatives, and employers of the occurrence of the crime and victim's condition, upon request of the victim.
- Notification to the employer of the victim or witness, if requested by the victim or witness, informing the employer that the employee was a victim of or witness to a crime and asking the employer to minimize any loss of pay or other benefits which may result because of the crime or the employee's participation in the criminal justice system.
- Upon request of the victim, assisting in obtaining restitution for the victim, in ascertaining the victim's economic loss and in providing the probation department, district attorney, and court with information relevant to his or her losses prior to the imposition of sentence.

Optional Services

VWACs also have optional services they can provide, including:

- Employer intervention.
- Creditor intervention.
- Child care.
- Notification to witnesses of any change in the court calendar.
- Funeral arrangements.
- Crime prevention information.
- Witness protection, including arranging for law enforcement protection or relocating witnesses in new residences.
- Assistance in obtaining temporary restraining orders.
- Transportation.
- Provision of a waiting area during court proceedings separate from defendants and families and friends of defendants.

Activities Required When Providing Services

As well as setting out the services to be provided by VWACs, the statutes also set out the types of activities that they should undertake to deliver the services. These include all required and optional services:

- Service to victims and witnesses of all types of crime
- Field visits to a client's home, place of business, or other location

- Translation services for non-English speakers or the hearing-impaired
- Follow-up contact to determine whether the client received the necessary assistance
- Volunteer participation to encourage community involvement
- Services for elderly victims of crime, appropriate to their special needs

To interpret these legal requirements, all VWACs have been provided with a training manual that provides details and explanations to service providers.

Marsy's Rights

In November 2008, concern for the victim's role in the criminal justice system was further addressed by the passage of Proposition 9. The updated Victims' Bill of Rights, better known as Marsy's Law, contains 17 "Marsy Rights." (These rights are contained in Appendix C to this report.) Some of the services needed by VAW victims and provided by VWACs overlap with requirements in Marsy's Law, including the return of property, orientation to the criminal justice system, court escort, notification, and restitution.⁶

There has not been enough time for research on how Marsy's Law has affected the criminal justice system or the experience of victims so far. The information contained in section III of this report about VWAC perceptions is, therefore, new information that may be useful in further strengthening the realization of Marsy's Rights in the state.

In California, VWACs operate within district attorney offices, probation departments, or, in a handful of cases, are community-based. The vast majority of VWACs, 48 of the 59, are located in district attorney offices, and, in the case of City of Los Angeles, the city attorney's office. There are six counties where the VWACs are located in the probation department: Fresno, Imperial, Kings, Kern, Trinity, and Yuba counties. There are three community-based VWACs: Orange, Madera, and Santa Clara counties. One is located in the Sheriff's office (Plumas County) and one in the Department of Social Services (Glenn County). While some differences in approach may apply based on the VWAC location, each VWAC offers the same services under the law.

III. The Assessment

VICTIMS SERVED BY VWACs

Number of Victims Served

Based on Cal EMA progress report data, the total number of new victims served for adult sexual assault, domestic violence, and stalking was relatively stable over the last three years. In FY 2008–2009, there were 57,585 new victims served; 59,539 in FY 2009–2010; and 59,222 in FY 2010–2011. Of those three crime types, domestic violence accounted for the large majority of victims at 89 percent, followed by 10 percent for adult sexual assault, and one percent for stalking.

6. See Penal Code §§ 13835.5(a)(6)-(8), 13835.5(a)(11)-(13), & 13835.5(a)(14).

Figure 2: The Number of Victims Served by Crime Type, FY 2009 to FY 2011

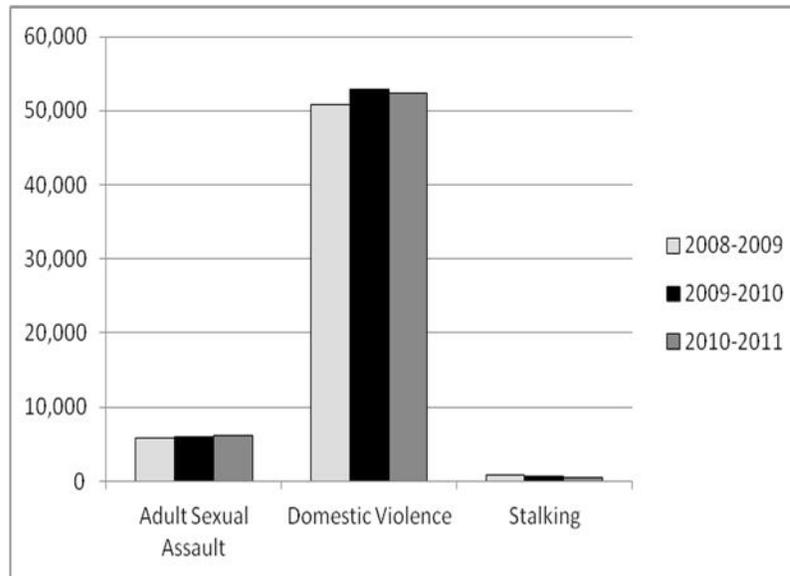
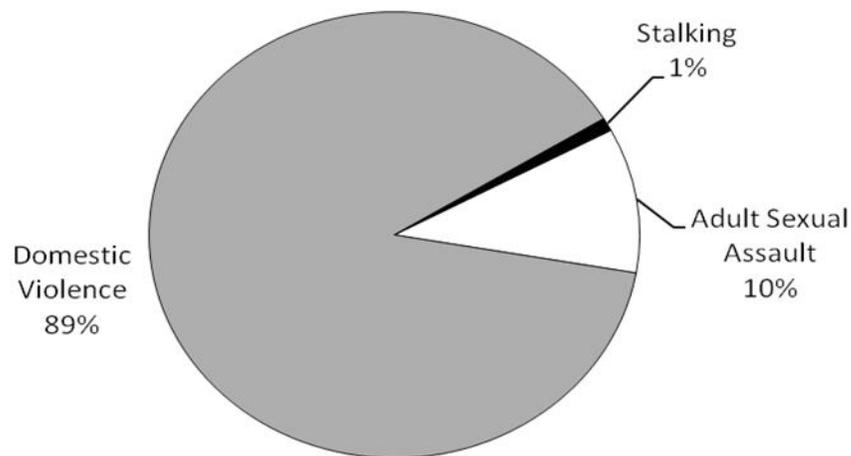


Figure 3: Percent of Victims Served by Crime Type, FY 2010–2011



Demographic Information—Gaps in Data

Demographic information on VAW victims served by VWACs would allow for an even more in-depth understanding of many of the issues addressed in this report. While some VWACs have internal data collection and analysis systems, standardized and consistent data on the demographics of VAW victims does not exist, and many counties do not maintain any demographic data. A more comprehensive survey beyond the scope of this project would be required to obtain any meaningful and reliable estimates.

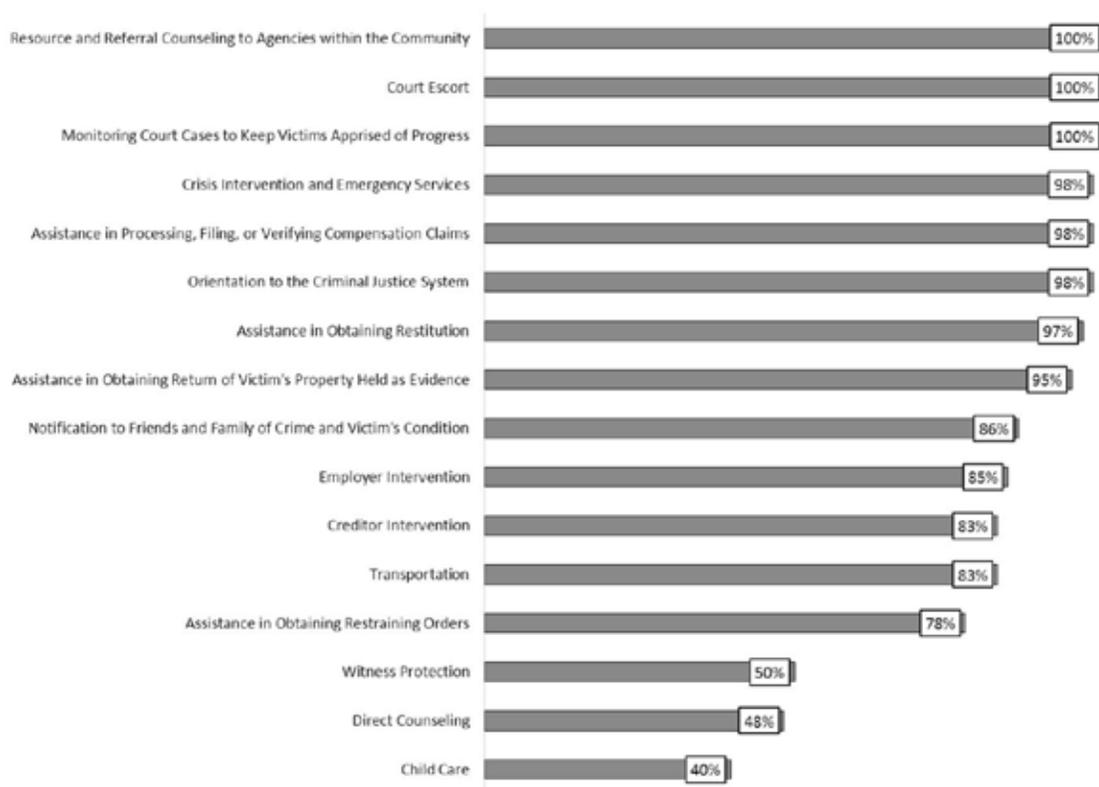
TYPES OF SERVICES PROVIDED TO VAW VICTIMS BY VWACs

Criminal justice policy regarding violence against women has shifted⁷ over the past three decades. One result of these changes is that VWACs are often the first point of access to services for VAW victims. Research indicates that this increasing identification of VAW by the criminal justice system makes these centers the major provider to VAW victims in California.⁸ In addition, the breadth of the VWAC mandate as defined by the California Penal Code, and as influenced by Marsy's Law since 2008, makes VWACs particularly well situated to respond to the immediate needs of victims in crisis. VWACs are able to connect victims with medical, mental health, legal, housing, and other resources.

The survey asked VWACs about the range of services that they currently provide to VAW victims. The responses indicate whether or not the VWACs provide each type of service, but do not give information about consistency of provision or the extent to which they are used by victims. *Figure 4* presents eight of 14 types of services mandated by law.⁹ One-hundred percent of VWACs reported providing resource and referral counseling to agencies within the community, court escort, and monitoring of court cases to keep VAW victims apprised of progress and outcomes. In addition, 98 percent of VWACs reported providing crisis intervention, emergency services, and assistance in processing, filing, and verifying compensation claims; 97 percent gave assistance in obtaining restitution; and 95 percent gave assistance in obtaining the return of victims' property held as evidence. Some of the non-required services were also provided by a significant proportion of VWACs, including employer intervention (86%) and creditor intervention (85%).

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7. Acknowledgment and understanding of VAW, particularly intimate partner violence, by the criminal justice system is a relatively new phenomenon. For centuries, society tacitly condoned domestic violence, and the first studies on the topic date back only to the 1970s. A grassroots response to VAW sprouted in the mid-1960s; however, rape crisis centers and other community response existed largely in the shadows. Given the persistent lack of legal recognition of these crimes, many victims did not report VAW or seek any help at all. Domestic violence was identified as criminal conduct in the state of California in 1986. Prior to this change, domestic violence arrests accounted for approximately five percent of assault arrests in this state. By 2004, arrests for Penal Code section 273.5 domestic violence accounted for 45 percent of all assault arrests. Criminal Justice Statistics Center, *Review of Domestic Violence Statistics (2004)*, available at <http://ag.ca.gov/cjsc/publications/misc/dvsr/DVReview04.pdf>.
 8. For example, in Alameda County, the police department in 2007 received 6,728 calls for domestic violence alone. CA Dept of Justice, *Domestic Violence-Related Calls for Assistance, 2007 (2007)*, available at http://stats.doj.ca.gov/cjsc_stats/prof07/01/14.pdf. There have also been reports that incidents of domestic violence have been rising in years subsequent to the economic downturn. See e.g., Nat'l Network to End Domestic Violence, *The Impact of the Economy on Domestic Violence* (2010), available at http://nnedv.org/docs/Stats/NNEDV_DVandEconomy.pdf; Nat'l Online Resource Center on Violence Against Women, *Economic Stress and Domestic Violence* (Sept. 2009), available at http://new.vawnet.org/assoc_files_vawnet/ar_economicstress.pdf.
 9. Penal Code § 13835.5; Cal. Const., article 1, § 28.

Figure 4: Types of Services Provided by VWACs



Crisis Intervention and Emergency Assistance

Crisis intervention and emergency assistance are at the core of VWACs' work, as noted by many respondents. The quantitative survey data indicates that 98 percent of centers are providing both.¹⁰

Advocates and directors described a range of ways in which VWACs attempt to meet the immediate needs of VAW victims in crisis. "Our most successful cases are those we can respond to when a victim is in crisis mode." According to VWACs, safety planning is particularly important given that many VAW victims fear retaliation from their partners. Many noted that the most urgent questions advocates ask of VAW victims during their first telephone and in-person contact(s) revolve around safety: What immediate actions are necessary in order to make that victim safe and feel safe.

10. According to the Cal EMA Victim/Witness Assistance Program manual, VWACs are to interpret this obligation as follows:

Crisis Intervention. Intervention is any in-person or telephone contact with a client who, at any time, has been negatively affected or is in emotional crisis as a result of a crime or potential crime. After victimization, when the client is in need of crisis counseling, the center shall provide the necessary intervention services and arrange for the provision of needed services by local service agencies, as frequently as needed.

Emergency Assistance. Emergency assistance is any immediate financial intervention in response to a client's basic material needs, within the first 24 hours after in-person or telephone contact is made with the client. At the initial or subsequent contact and assessment of a client's material needs, projects must provide and/or arrange emergency assistance and appropriate local agency services if needed. Assistance provided directly by the projects is subject to availability of resources.

Often, crisis intervention requires finding a shelter bed or other safe location for the victim or the victim's children, which will be discussed below. Immediate safety needs can also call for transportation or interpreters.

There was widespread sentiment among VWACs that responding to domestic violence takes more staff, time, energy, and VWAC resources than any other type of crime. "Domestic violence sucks up all the resources. The needs of these victims and families are huge compared to other crime types." VWAC personnel note that domestic violence can often call for a more sensitive and specialized response, given that these clients have often been victimized by someone they know and love rather than by a stranger.

Advocates noted that another important aspect of a 24-hour, face-to-face response for VAW victims is accompanying the victim to the hospital, often for a forensic exam. Although many VWACs provide this service, they may not be able to provide it consistently to all VAW victims who may want or benefit from accompaniment. Other community-advocates are sometimes available to provide this support in some counties, but not always.

Some VWACs reported working with a Sexual Assault Response Team (SART) or other outside after-hours crisis intervention team. However, some also indicated that they could no longer participate in such efforts based on cutbacks or lack of ongoing trainings.

An emergency fund to support emergency assistance was noted by almost all VWACs as crucial to serving VAW victims effectively. However, there is a wide disparity across the state in the types and amounts of emergency funding. Some VWACs are able to support an emergency fund through supplemental financial support of their local program. Others have found a successful model of using all community donations for food and gas cards for VAW victims in crisis. Others have no access to emergency funds at all.

Often, according to many VWACs, having the ability to respond to the immediate material needs of victims and families in crisis is directly linked to safety in the aftermath of a crime. Victims often need clothing, food, transportation (bus tokens, gas cards, occasionally cab fare), or broken window replacement. A number of unique examples were given, including a providing plane fare for a victim who had fled to a secure location so that she could personally return to present her victim impact statement.

There were anecdotal accounts of VWAC advocates stepping in to provide necessary crisis intervention and emergency assistance on their own dime. This includes one advocate who had recently taken clothing from her car, purchased for her own grandchildren, and given it to a VAW victim whose children had blood on their clothing from the crime. She did not have the ability to meet this need within the time frame required; nor could she file for reimbursement for this expense given the cutbacks in her program. As stated by one director, "Our motto is 'Don't give up.' We will find a way."

REFERRALS AND COUNSELING

According to our findings, maintaining the VWACs' "resource and referral tool kits" was perceived by VWACs as one of the most important aspects of services to VAW victims.¹¹ This section describes the current ability of VWACs to provide referrals to civil legal aid (including assistance with temporary or permanent civil protective orders), immigration services, shelter, mental health services, Safe at Home program, and other resource referrals that may be necessary in meeting the needs of a client in the aftermath of crime.

In deciding which referrals are required by a victim, VWACs report that they use "direct counseling." The "direct counseling" section of the VWAC manual explicitly notes that this required service does not mean providing counseling that would require a professional credential. VWACs are to interpret this as empathetic listening, emotional support, guidance, assessment, and follow-up with the client.

Referrals to Civil Legal Aid

Many advocates stated that legal services, and in particular access to pro bono representation, was the most important yet most challenging component of their "referral tool kits."¹² Free legal help is often unavailable or extremely scarce, according to many VWACs. Many programs feel all they can offer VAW victims is a referral to the local superior court website or self-help center. Our findings indicate this is particularly true when it comes to pro bono hours in the family court for restraining order assistance. Even with a law student or a volunteer to provide guidance in a self-help center, the preparing, filing, and appearing in open court for a temporary restraining order can be daunting.

Other VWACs noted various partnerships with other programs such as California Rural Legal Assistance, the County Facilitator's Office, and the local Family Law Facilitator's Office. Additionally, there is an added challenge for the advocate to know which type of referral, and sometimes whether any referral at all, will serve the best interest of the VAW victim.

11. According to the Cal EMA Victim/Witness Assistance Program manual, VWACs are to interpret the obligation to provide resources and referral counseling to agencies within the community "which are appropriate to meet the victim's need" as follows:

Resource and referral assistance is a non-emergency referral, based on the client's request or advocates assessment, to individual(s) or agencies that may provide goods or services necessary to the client, but not provided by the center. Centers are also encouraged to initiate contact with all appropriate local agencies and form local committees to meet regularly in coordinating services to victims.

Direct counseling/therapy refers to any in-person or telephone contact with a client who is not in emotional crisis resulting from a crime, for the purpose of providing guidance or emotional support. Included would be contact with the client for emotional support, empathic listening, checking on a client's progress, etc. Such direct counseling will be at a level that does not require licensed professionals. Center staff will make referrals to other appropriate resources for client(s) that have professional counseling needs.

12. "Assistance in obtaining temporary restraining orders" is also listed in VWAC's § 13835.5(b) optional services.

Immigration Needs

Some VWACs have been able to provide legal aid referrals for immigration-related cases, specifically applications for U-Visas. In some counties, law students assist on these matters, which VWACs feel is an effective and economic way to address immigration needs. For instance, McGeorge Law School provides assistance to victims in Sacramento.

Given the often charged political nature of immigration issues, the issuance of U-Visas assistance can be quite complex, as noted by our findings.

One county even reported that VWAC advocates have become “experts” in-house, and have taken on the role of helping other agencies in their county, such as law enforcement, understand the U-Visa process. This VWAC noted having benefited from training by an immigration assistance program run by the local community college. It then launched a collaboration with the District Attorney’s office and local law enforcement.

Other counties also relayed that their police departments are actively involved in signing U-Visa certifications, one noting that 215 were signed in the past year alone. Some programs mentioned additional support from law firms, other pro bono efforts, and Catholic Charities for immigration-related referral assistance.

Shelters

Referrals to safe and secure housing, often in the form of a shelter bed, was noted as one of the most pressing needs for VAW victims. Many VWACs reported that they had strong relationships with their local women’s shelters, and that women’s shelters received community support. One county noted that a portion of all marriage-license fees went to shelters, which helped to keep them well-funded and available. However, even though in some jurisdictions safe housing referrals were considered an “easy” part of what the advocate provided for a victim, that was not the case in others.

Some VWAC advocates were able to turn to their emergency funds or to existing relationships with outside partners for hotel vouchers, but these alternatives are not always secure. Many advocates described having to assist victims with contacting friends, family members, or brainstorming other alternatives when there was no bed space.

Transitional Housing and Employment

Some counties reported having successful programs to provide transitional housing and long-term empowerment services for VAW victims. Orange County delivers this long-term support through the Personal Empowerment Program (PEP, described in detail below), and provides everything from support groups, job and resume skills, to childcare subsidies. However, Orange County VWAC, and its ability to assist with life skills and personal empowerment, is the outlier.

Whether through VWAC support directly or through collaborations with other community-based partners, many respondents noted the importance of connecting VAW victims, particularly domestic violence survivors with young children, with employment services and other resources that “pave the road to self-sufficiency.”

Mental Health Referrals

Many respondents also cited mental health referrals as a significant need for VAW victims. This was more common in economically depressed areas where there are fewer licensed professionals, and where victims have less access to their own transportation.

To address this difficulty, some respondents noted a recent focus on building and strengthening relationships with providers who will do home visits. Others noted the benefit of having mental health counseling available on-site. The few VWACs that have a therapist on hand stated that it made an enormous difference for VAW victims. Some respondents felt that having a mental health provider on-site helps to encourage some VAW victims to seek longer-term mental health services later. One described the effectiveness of the relationship between her VWAC and a local crisis counselor for preventing violence, “Some of our staff are therapists, so we are able to have a therapist sit in while the victim is filling out paperwork for a restraining order. We’ve had huge success with this.”

However, there is also a need for connecting VAW victims with mental health referrals after the crime has occurred. Some VWACs noted that, particularly for sexual assault victims, their willingness to access mental health services may increase much later, as the untreated impacts of trauma can increase over time. Others noted how crucial mental health services are for victims of sexual assault cases that may not be prosecuted or prosecuted unsuccessfully.

The timing and effectiveness of these referrals may look different for each case, underscoring the need for a rich case assessment when serving VAW victims. Our findings also indicate that VWACs could benefit from further training about mental health to make these assessments.

Safe at Home Program

The California Safe at Home Program allows victims “to keep their residential addresses confidential by providing a substitute address for use by state and local agencies in public records.”¹³ Our findings indicate that nearly every VWAC in the state is aware of this program and uses it when they deem necessary. However, the common response was that it is not used often. Some reported it was only used a handful of times per year, if ever.

State statistics for the Safe at Home Program also comport with the findings of our study. Namely, that the program is used more often for victims from larger, metropolitan counties, and is of less use in small counties. One director noted that, “in a small town it doesn’t do a lot of good—everyone knows where you are. I mostly use it for women who have moved here to escape in the first place.”

13. The Safe at Home program began in 1999, but was permanently funded by the legislature in 2010. Participants in the Safe at Home program use a substitute address provided by the Secretary of State, who forwards their mail to their actual addresses. State and local agencies are required to accept the substitute address when presented with proof that a person is participating in the program. Other benefits of the program include confidential voter registration, DMV records suppression, confidential car-smog process, confidential transfer of school records, confidential name change, and the Safe at Home Program can also serve as the agent for “service of process.” The program also just expanded to include Internet privacy protections.

Some VWACs expressed a view that the paperwork was lengthy and the application process complicated. Some noted, however, that they provide in-house trainings to victims on enrollment, either via webinars provided by the program or through in-person presentations.¹⁴

Transportation

Although it is an optional service by VWACs, many noted that transportation was a substantial need for VAW victims to both connect to services, as well to access the criminal justice process itself.¹⁵ Eighty-three percent of VWACs provide some form of transportation. Our findings indicate that in the absence of VWAC-specific transportation assistance, some VWACs within large metropolitan areas are able to help connect victims with other programs, such as a state-run program in Los Angeles that provides transportation access to the disabled and elderly at almost no cost.

Property Return

The California Constitution states that a victim is entitled “to the prompt return of property when no longer needed as evidence.” Similarly, the Cal EMA VWAC Program Manual recommends that VWACs assist in obtaining the return of a client’s property held as evidence by the criminal justice system. Ninety-five percent of VWAC survey respondents noted that they provided assistance in obtaining the return of victims’ property held as evidence.

Assistance with Victim Compensation

Ninety-eight percent of VWAC respondents reported providing assistance to VAW victims with processing, filing, or verifying compensation claims.¹⁶ This entails reading the crime report or other documentation verifying that a “covered” crime occurred, and, based on the advocate’s training and experience, making a determination of victim eligibility for Victim Compensation Program (VCP) benefits. The advocate explains the program to the victim, and assists in filling out the application form and gathering required bills and other required verifying documentation. According to VCP, 71 percent of victim applicants had a VWAC representative named in their application in 2010–2011.

14. The Safe at Home Program requires that applicants be residing at an address unknown to their perpetrator, and have full physical custody of any minor children she wishes to co-enroll. (Interestingly, while 55 percent of participants in 2011 were women, 38 percent of enrollees were children.) All of these requirements seem to present possible challenges in working with domestic violence cases.

15. Penal Code § 13835.5(b) list transportation as one of the optional services VWACs are encouraged to provide.

16. The Cal EMA manual notes that as part of the mandatory services, VWACs “will inform and assist clients in preparing applications for compensation. The advocate’s role does not include determination of eligibility of a client. Advocates should not discourage a client from filing an application. Centers shall inform clients of the right to file an application; however, centers are not required to represent all clients in the compensation process. The amount of time an advocate spends assisting a client with the application process will be determined by the center on a case-by-case basis as part of the advocate’s role as a case manager.”

Some VWAC respondents noted cuts in the benefits available for victims, as well as a general sense that the VCP application process has become more difficult, and the processing of claims, stricter. Some noted they needed more training and regular updates on changes happening within the program. Others added that other criminal justice system stakeholders would benefit from training and awareness of VCP as well.

The biggest distinction we found between VWAC responses about their ability to effectively assist VAW victims with VCP applications was whether or not the county has a Joint Powers contract (“JP contract”). The “JP contract” refers to a separate contract between the VWAC and the VCP. The contract allows the VWAC to verify claims on-site, in addition to assisting victims with applications. VWACs with state verification contracts receive separate funding to verify the VCP applications, which can expedite the payment of victim claims.¹⁷

For the most part, VWACs that expressed frustration about having claims rejected or receiving insufficient information about the process were in counties that did not have a JP contract. VWACs that did have a JP contract regularly noted the efficiency of having a specialist on-site to discuss questions about the application. Another significant benefit associated with having a JP contract was the quick turnaround time for emergency awards.

One of the topics VWACs commonly discussed in the context of VCP application assistance in VAW cases was the relocation benefit. Many VWACs noted that a majority of the VAW victims they serve who pursue a VCP application request to be relocated, and that a large percentage of the advocate’s time is devoted to these requests.

Some added that, given the complex regulations pertaining to VCP and particularly VAW, including possible benefit exclusions surrounding victim “involvement in the events leading to the qualifying crime” and “failure to cooperate with law enforcement in a Domestic Violence qualifying crime,” they could use additional training on how to assist victims in complicated cases.

Orientation to the Criminal Justice System

Ninety-eight percent of VWAC survey respondents noted that they provide VAW victims with an orientation to the criminal justice system. This was supported by comments in interviews that this service is one of the most important and unique of all the services that VWACs provide. For example, one comment made was:

Just acknowledging that the system is imperfect is so huge for victims. Being honest with them about the way it’s supposed to work, and the way it actually works, sometimes is the most helpful thing we can do. For instance, we might be the one to explain to a victim with high expectations that “he might not pay all of the restitution, and he’s not going to be locked up for that.”

17. The approval of claim applications may be performed by a VWAC that has a verification unit, unless the claim unit is too small, in which case the claims must still be submitted to the state for claim approval (“award”).

Our findings indicate that VWACs prioritize this service because of its perceived impact. Advocates appreciated that regardless of referrals to other outside services in the community in the aftermath of a crime, helping victims to navigate the criminal justice system is their domain. The legal process is complicated and unpredictable, particularly for VAW crimes. Facing that complexity, and the rough edges of a system focused primarily on defendants and the crimes themselves, is one of the greatest needs being met by VWACs.

One advocate commendation letter written by a community partner noted, “[a]s a result of [the VWAC advocates]’s caring manner, the victims that we share have complimented her and have told us that she has been one the most helpful responders in the criminal justice system.” If VWACs were not there to explain the process to victims/witnesses, answer their questions, and quell fears, concerns, and disappointments, the entire process would run less smoothly.

Court Escort

One hundred percent of the survey respondents reported that they provided VAW victims with court escort services. As one director explained, this is not simply accompaniment, but is about providing support and comfort to victims in a complicated, and often overwhelming, criminal justice process. However, we saw firsthand, and heard often, that many VWACS could not provide this service to all VAW victims because of a lack of staff.¹⁸ “VWACs are shorthanded. They do a ‘courtroom shuffle’ where advocates are constantly deciding who to help. They can’t be there for everyone.”

Many noted having to juggle cases, which often meant leaving one victim alone while going to meet another victim in another courtroom. Sometimes, they noted, rape crisis or other community advocates could provide back-up assistance, but this was not guaranteed. VWACs could also turn to DA investigators, law enforcement, bailiffs, and other partners to step in, especially in situations with extreme safety concerns.

Notification

Both the Cal EMA manual and Marsy’s Law have notification requirements for victims of crime.¹⁹ One hundred percent of VWAC survey respondents noted that assistance in monitoring court cases was a service they had available for VAW victims. The strengthening of a victim’s right to notification is perhaps the right most frequently associated with changes ushered in by Marsy’s Law.

18. Penal Code section 13835.5(b) provides that victims should have access to a waiting area during court proceedings separate from defendants and families and friends of defendants. Although most VWACs reported that they did, in fact, have a secure waiting room at their VWAC, not all felt that a safe waiting area existed in the court if their program was not co-located.

19. The California Constitution requires a victim “upon request, to be notified of and informed before any pretrial disposition of the case”; to reasonable notice “of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings” to notice, upon request, “of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody and to notice of parole procedures and, upon request, of the parole or release of the offender.”

One issue that came up in many of our conversations with VWACs across the state is the impact of Realignment, or AB 109. Realignment shifts responsibility from the state to counties for the custody, treatment, and supervision of individuals convicted of specified non-violent, non-serious, non-sex crimes, and took effect on October 1, 2011.

Many directors and advocates expressed frustration, confusion, and sometimes fear about what was going to happen with notification rights and responsibilities in the midst of these changes. Many noted realignment was coming “fast and furiously,” and “we have no idea what things will look like under AB 109.”

When it comes to serving VAW victims, on its face Realignment should not have an enormous impact on VWAC notification because violent and sexual crimes are not affected by the changes taking place. Penal Code section 273.5 was explicitly excluded from AB 109 by the Legislature, and therefore a defendant convicted of a 273.5 crime will serve the same sentence in the same place—usually state prison—just as he would have before Realignment.

However, our findings indicate that many VWAC personnel across the state are not aware of AB 109’s details, and are operating with various misconceptions about the impact it may have on victims of violent crime that they serve.

This does not mean that changes brought about by Realignment will not impact victims and families that have experienced VAW crimes. Exclusion from Realignment based on not being a qualifying non-violent, non-serious, non-sexual offense has to do with the face of the conviction, and VAW cases may often be pled out or reduced to another charge that may in fact qualify.

VINE Notification Program

Almost all counties noted that they used the California state victim notification service—VINE—in some capacity. VINE helps victims of crime obtain information about the custody status of an offender, allowing individuals to register to receive telephone or email notification when an offender’s custody status changes. This program came up frequently in the context of realignment, and some VWACs noted that VINE is a listed component of their county’s formal realignment plan.

Some VWACs noted that they had already been using county-level VINE for years. The local-level VINE is more inclusive in its eligibility, allowing not just the direct crime victim, but anyone to register online or via telephone for notifications by phone or email. According to the data we received in interviews, these notifications go out in some counties four hours prior to when the release of an inmate actually takes place.

California Department of Corrections and Rehabilitation’s (CDCR) VINE is newer for many counties. CDCR VINE is more exclusive, only allowing for victims, next of kin, and witnesses who have testified against an offender to register for notification of offenders in the custody of CDCR. Some respondents noted that their impression was that these same individuals must re-register once sentencing happens.

Despite the newness of the electronic update to the long-standing CDCR notification program, many VWACs noted they were comfortably using the CDCR VINE in some capacity, but not using a local-level VINE. Some commented that they simply did not have such a system, and that they relied strictly on custody records. “We just do it the old-fashioned way.”

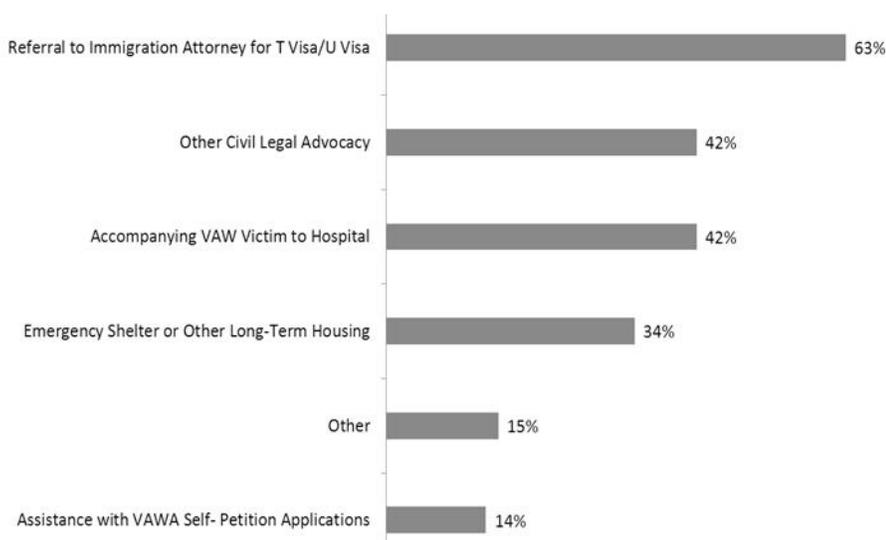
Restitution

The California Constitution, Marsy’s Law, mandates that “all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.” The Cal EMA Manual states that “upon request from the client, the VWAC should assist in obtaining restitution, ascertaining the client’s economic loss, and providing the probation department, district attorney, and court with information relevant to the client’s losses prior to the imposition of sentence.” We found that 97 percent of VWAC survey respondents noted that they provided the service of assisting victims in obtaining restitution.

Additional Services Provided by VWACs

VWACs were also asked about services in addition to those specifically identified by law. As shown below, 63 percent of VWACs offer referrals to immigration attorneys for a T-Visa or U-Visa, 42 percent offer other civil legal advocacy such as accompanying VAW victims to other civil proceedings, and 42 percent accompany VAW victims to the hospital, often for a forensic exam.

Figure 5: Additional Services Provided by VWACs



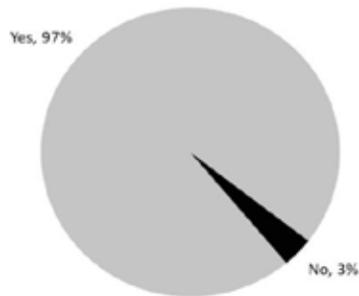
MARSY’S RIGHTS INFORMATION AND PROCEDURES PROVIDED TO VAW VICTIMS

As mentioned above in the description of VWAC’s common mandate, in late 2008, Californians voted to amend the Constitution to include a stronger statement of victims’ rights (see Appendix C)—an amendment known as Marsy’s Law. This section considers how VWACs have incorporated Marsy’s Rights into their work, perceptions of the role of other arms of the criminal justice system, and perceptions of the impact of Marsy’s Rights overall.

The Role of VWACs in Achieving Marsy’s Rights

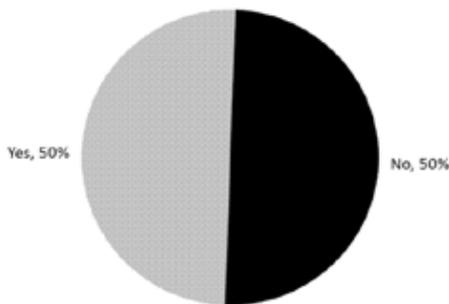
Despite the fact that Marsy’s Law is only little more than two years old, nearly all of the VWACs (97%) reported that they informed VAW victims of their Marsy’s Rights.

Figure 6: Does Your VWAC Inform VAW Victims of Their Marsy's Rights?



The formalization of the Marsy's Rights within the scheme of victim services is still developing, however. Only half reported having written policies or procedures in place regarding Marsy's Law.

Figure 7: Does Your VWAC Have Written Policies or Procedures on Marsy's Rights?



The in-depth interviews and site visits gave further perspective on the extent of formalization of Marsy's procedures, and the innovations of different counties. In one county, for example, the policy was extremely detailed and set out the legal and constitutional provisions and accompanying implementation instructions section by section. Others were more general, such as a one-page memorandum from the District Attorney's office. Some directors commented that they have formal written procedures as a work-in-progress, and that they hope to implement them soon.

A promising practice demonstrated by a few VWACs was a special Marsy's Rights "Checklist" developed

Letter to the Los Angeles County VWAC

The following letter was written to the Los Angeles County VWAC after a five-week domestic violence homicide trial. The husband-defendant was tried for murder after allegedly throwing his 23-year-old wife off a cliff.

To say that [VWAC advocate] was a valuable asset to the victim's family would be a vast understatement. From the moment I was first assigned the case and introduced the victim's parents and three siblings to [the advocate] she immediately bonded with them and explained the process and services available to them. When I requested that the trial judge order an interpreter to translate for the victim's parents each day of the trial, my request was denied due to budgetary constraints. Since each of the victim's siblings were testifying as witnesses they were not allowed in the courtroom during the proceedings. [The advocate] immediately stepped up and volunteered to sit with them, translate for them and assist them in any way she could. While the victim's parents had already requested an advocate be present with them, little did they know she would be a Spanish speaker.

In addition to assisting all of our other victims here [the advocate] was with the parents and translated for them each and every day in court. When the defendant was found guilty of murder and sentenced to life in prison, both the victim's parents were crying as they were thanking the advocate over and over for making it possible to see their "little girl's killer brought to justice."

I cannot express just how helpful and invaluable [the advocate] was during the trial and subsequent sentencing and I am proud that she is a part of our office. Her caring, compassion, and dedication to the victims we serve is apparent in everything she does, and I hope she is commended.

—Los Angeles County
Deputy District Attorney (2010)

to inform prosecutors which rights a victim invoked. “The advocates, the DA, and the investigator complete the checklist based on their contact with the victim, then it is routed to the DA’s file so that any deputy DA handling the case will know what the victim requested.”

Some smaller VWACs relied on informational materials such as websites and pamphlets rather than formal internal policies. A number of respondents indicated that they handed out notification pamphlets or brochures to every victim that explained their rights, but it was not clear whether these included Marsy’s Law information. Very few respondents talked about the legal protocols, such as written policies internally shared by the deputy district attorneys, investigators, and VWAC on how they interact with victims regarding enforcement of these rights. Even in the absence of such guidelines, others noted that their program has informal practices to assist victims to realize their Marsy’s Rights.

In all, it was clear that the understanding and recognition of Marsy’s Rights have been incorporated relatively quickly into the day-to-day workings of VWACs, but further time will be needed for formal policies to be developed by all counties. As one director explained his perception of VWAC’s role, “It is our duty to steward victim rights and services through ... it’s great to have a procedure,” and then noted that enforcement was a next step.

Other Points of Contact

VWACs are not the only means of notification of Marsy’s Rights. The Penal Code specifies that every law enforcement agency shall “at the time of initial contact with a crime victim, during follow-up investigation, or as soon thereafter as deemed appropriate by investigating officers or prosecuting attorneys,” provide or make available to each victim a “Marsy’s card.”²⁰ Additionally, the Attorney General’s office must maintain a state-funded website that identifies and explains the rights guaranteed by Marsy’s Law.²¹

Interviewees emphasized the importance of all parts of the criminal justice system needing to understand Marsy’s Rights in order for them to be most effective. These other key actors include victims’ legal representatives or civil attorneys, judges, and district attorneys. It was commonly stated that improving the connection between the victim’s initial point of system contact with the services available in all counties through VWACs may heighten the ability of Marsy’s Law to improve VAW response.

The Overall Impact of Marsy’s Law

Given that Marsy’s Law is so recent, it is not surprising that respondents’ views on the impact of Marsy’s Law were diverse. Many perceived a positive impact in their jurisdiction. “It has given victims a stronger voice in the criminal justice system.” One director said: “Victims comment to me that they never knew they had this type of rights before.”

VWACs indicated an improvement in several areas: (1) prevalence of victims asserting their right to be heard in court and at bail review hearings; (2) communication with the prosecutor; (3) declining to speak with defense attorneys and investigators; (4) requesting copies of post-sentencing reports; and (5) returning written Victim Impact Statements to be read in court in their absence.

20. Penal Code, § 679.026(b) and (c).

21. Penal Code § 679.026(c)(2).

“It’s been a great way to offer victims protection when they feel most vulnerable,” said one respondent, noting this was particularly applicable in sexual assault cases. Similarly, another director pointed out the importance of Marsy’s protections for sexual assault victims where defense attorneys may be trying to subpoena records and other personal, sensitive information that can further the violation they feel in the aftermath of trauma.

Many VWACs also felt that in addition to increased public awareness of victims’ rights outside of the justice system, they also notice that prosecutors now seem more aware of victims’ rights.

Other VWACs had yet to see a concrete impact in their jurisdictions, which they often put down to a need for more awareness raising among everyone in the criminal justice system. It is clear that Marsy’s Law has placed more responsibilities onto VWACs, which they sometimes struggle to manage.

Reaching more victims in need covered by these constitutional protections is perceived as a positive impact. But our survey demonstrated that the depth of service required by Marsy’s Law presented challenges to VWACs that already have heavy caseloads. As a number of interviewees noted, Marsy’s Law is a new way of thinking, and it will take the system a while to adapt.

GAPS IN SERVICES FOR VAW VICTIMS

Crisis Management and Emergency Assistance

The VWAC Manual provides that crisis intervention can be done over the telephone or in-person, and we heard from VWACs across the state how essential it was to provide face-to-face crisis intervention to victims within the first 24 hours. Our findings also indicate that this is the greatest gap in current crisis intervention services. Given the high caseloads VWAC advocates attempt to maintain, it is not surprising that face-to-face contact within 24 hours is difficult to provide to all VAW victims. One advocate stated: “Face to face contact within 24 hours is essential. Sending an OS [Offer of Service letter] is not that.”

Lack of access to emergency funds presents a gap in service felt more acutely by VAW victims given that in the absence of meeting certain immediate needs, a victim may be more likely to have contact with her abuser. This is so even if there is a criminal or civil protective order in place. One director noted that many VAW victims she assists struggle with necessities in the aftermath of a criminal incident and often need help with basic items such as diapers or food for their children. Another stated that lack of emergency funds can lead women victims to “jump through any hoop to get the order dropped. Because that’s how they will get the material needs met, by reuniting.”

Civil Legal Aid

Advocates reported that the one of the most challenging components of their “referral tool kits” was finding sources of civil legal aid. Although the ability to provide legal aid referrals and general support for non-criminal protective orders, divorce, and child custody varies across counties, many programs cited civil legal assistance as their greatest gap in service. Furthermore, advocates note a common disparity in the legal voice that VAW victims have compared to what the primary aggressors/partners may have in civil legal matters, described as the “upper hand” in court.

Immigration Services

Our findings indicate that legal aid referrals for immigration-related assistance are lacking in many counties. Some VWACs report a “huge influx” in immigration-related needs, with most of the responses revolving around U-Visa assistance. “We are getting [U-Visa] requests in the 100s,” reported one program. Another director noted on U-Visa requests, “I am absolutely overwhelmed.”

One VWAC reported that there is zero assistance on these matters anywhere within that county, and that they are forced to send victims (who often do not have access to transportation), to other counties to seek help.

Transportation

In our interviews, we heard repeatedly how lack of VWAC transportation assistance impacts many VAW victims disproportionately, particularly in poor, rural areas. One director described how court and other services can be over a two-hour drive away in some rural counties. Respondents noted that often victims have neither access to a car nor to adequate or accessible public transportation in areas where necessary resources are scarce and spread out. Some described cuts to the transportation systems in their areas and the lack of regularity of buses to their centers, if any. Taxis are simply not an affordable option for many sites.

Many programs commented on a recent change in their ability to provide transportation services. Oftentimes they no longer had access to an emergency fund, or bus tokens and gas cards that may be kept as a part of that. Some respondents noted they used to provide pick-up and drop-off with county vehicles that were no longer available, and either it was not happening anymore, or advocates were providing transportation in their own cars without reimbursement. Even for court appearances, some VWACs noted that sometimes they could not get victims to court based purely on transportation challenges.

Interpreting Services

Penal Code section 13835.4(a) states that VWACs must provide “translation services for non-English speaking victims and witnesses or the hearing impaired” in the context of all primary and optional services available to victims. Our findings indicate the needs of non-English speaking victims are often not being met.

The Cal EMA Manual states that with respect to this portion of the VWAC mandate, “Centers should have printed information available in languages appropriate to local ethnic or language needs.” Although many VWACs reported having Marsy’s Cards or other basic orientation documents available in Spanish, not every county did. Of those that did, many acknowledged that they did not have all of the important paperwork, such as the explanation of a victim impact statement, in Spanish. Several respondents stated that they felt deficient in meeting the needs of those who spoke languages other than Spanish.

In the absence of available (or adequate) court interpreting services, we heard many accounts of bilingual advocates being pulled away from their duties to stand in on prosecutor’s phone calls, interviews, and in the courtroom because there was simply no one else to do it. Multiple smaller VWAC offices noted that they had no translators on staff whatsoever. One director noted that a local restaurant owner volunteers translation services at the court so that people in her community are not so excluded and marginalized.

One director noted that because she is so aware of the lack of system translation resources, she tells victims to try to “bring someone with you to interpret, if you can.” Many others recounted that often the formal and informal criminal justice system “translator” ends up being the VAW victims’ children.

VWACs also noted that assisting non-English speaking victims with navigating the criminal justice system can require more time, and this includes assisting them on paperwork and claims. Oftentimes respondents recounted that this is also impacted by whether there is a “culture clash” with that victim’s cultural background/community and the way that the American criminal justice system operates. This can be a very serious issue in the context of condoning of domestic violence crimes, where one director pointed out the ongoing existence of “honor killings” in certain communities.

Childcare

Sixty-two percent of VWACs noted that childcare is not currently offered, but could benefit VAW victims. Many respondents noted in survey text boxes, interviews, and site visits that the lack of childcare often presented challenges. A large percentage of centers have no ability to provide care for minor children when a parent is testifying in court or when VWAC advocates, DA investigators, attorneys, or law enforcement are working with a VAW victim. Oftentimes the children are there, exposed to sensitive and traumatizing information that frequently involves a co-parent alleged perpetrator.

We heard many accounts of VWAC advocates, directors, and clerical staff stepping in to care for children in desperate situations. Some noted, whether successful or not, VWAC staff caring for children presented liability. Other VWACs noted that they do have access to childcare in the courthouse, but only for children who are potty-trained (again, for liability reasons).

Family Justice Centers and other coordinated community responses increase the ability to access childcare. On our site visits, we toured multiple children’s rooms, many of them very impressive, warm, and welcoming. Not all, however, came with staff to care for children in these facilities; rather, they were more often used as child-friendly waiting areas.

Additionally, VWACs noted that the community supports they turn to for assistance with victim childcare had diminished substantially in recent years. For instance, one advocate noted that her “go to” option for referring VAW victims for childcare vouchers now had a one-year waiting list.

Although [VWAC advocate] helps me on almost a daily basis, today she went above and beyond the call of duty. I had a victim on a case here in court. The victim was extremely reluctant to testify and had been ordered back to court today. She appeared but had brought her four year old who has developmental disabilities with her. The hearing wasn't heard until late this morning and, at about 10 a.m., the victim and the child were at the end of their patience. The child was acting out and the mother was getting extremely frustrated with him, with me, and with the proceedings, and she was threatening to leave. [The advocate] came down immediately upon my phone call, calmed the mother down, took her and the child to our waiting room and stayed with them for over an hour until the case resolved. When I came upstairs to inform the victim that the case was completed, she was calm and appreciative and the child was happily playing at [the advocate's] feet and was sad that he had to leave.

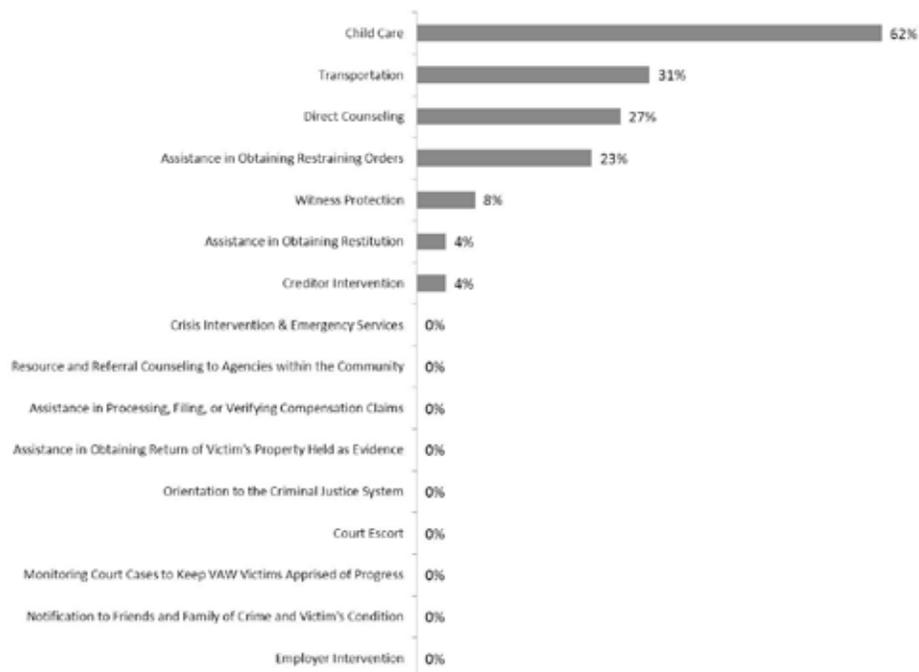
This kind of assistance makes it possible for us to do our job and work with victims who have needs that we cannot always fulfill in the moment. [The advocate's] help made it possible to ensure this defendant admitted to domestic violence, the use of gun, and pled to seven years and his victim, and her fellow victims, received justice.

—Los Angeles County Deputy District Attorney

SERVICES NOT CURRENTLY PROVIDED BY VWACS

Survey respondents were also asked about services that are not currently available to VAW victims in their jurisdiction but which they believe would be beneficial. Of those that responded to the question, the only service identified by a significant share of survey respondents was childcare at 62 percent, followed by transportation (31%) and assistance in obtaining restraining orders (23%).

Figure 8: Services Not Provided by VWACs from which VAW Victims Could Benefit



SPECIFIC NEEDS IDENTIFIED BY VWACs FOR VAW VICTIMS

For VWACs to expand and deepen their services, they have expressed their needs in various areas either related to the services they provide or other services in the community.

Counseling Referrals

In VWACs “resource and referral toolkits,” one of the biggest challenges noted with respect to providing referrals and counseling on what available resources existed for the VAW victim was keeping up with the referral options present in the community. With outside agencies also experiencing cuts, advocates and directors noted that it seems that the referral list is constantly changing. “We have resources in this county; we just don’t always know who is doing what. We are having a hard enough time keeping up with our own organization and internal resources, much less all that is happening out in the community.”

Referrals and Placements

Another similar need is current information on placements for victims. Respondents noted that sometimes they do not learn that a domestic violence shelter has closed or another resource is no longer available until repeated unsuccessful attempts to utilize it on behalf of a victim. “We need an intern or a volunteer to compile and maintain the resource list, but we just don’t have one.”

Another general challenge involving the advocate’s referral toolkit is a frustration that there are not enough referrals they can make for the diverse populations and communities they serve. Particularly in rural or small counties, the VWACs commented on a scarcity of services available to assist with VAW victims speaking particular languages or coming from particular cultures. There are many examples of communities noted that are not receiving the response required—including the Vietnamese community in Santa Clara and the Hmong community in Fresno.

Assistance with Immigration Services

Another need identified by VWACs was more immigration-related services including U-Visa requests. Further research is needed on the topic of VAW victims and immigration needs, and policy decisions at a statewide level are necessary to coordinate the response to VAW victims on this issue. In the meantime, according to advocates, many of these VAW victims are getting “lost in the wind.”

More Shelter Beds

In many interviews, directors emphasized the need for more shelter beds for VAW victims. Many counties stated that even when they were aware of existing shelters in their counties, finding a bed available when they needed one was challenging.

VWACs report that many options have tightened or closed entirely around the state. Many respondents noted often having to call around to multiple shelters unsuccessfully. They also pointed out that the restrictions of certain shelters, such as no pets, or no teenage male children, meant that a VAW victim in need could be excluded.

Some small VWACs, particularly in rural areas, noted that they had no domestic violence or sexual assault agency or shelter within their county at all. One stated, “Our shelter is in another county so it’s a difficult relationship. The shelter tends to respond better to their own county people.”

Transitional Housing

Even more often cited than shelter bed referrals, advocates cited the lack of transitional housing and longer-term support service referrals as a priority need for victims.

A 30-day emergency shelter is just a time-out. And then what? They are right back where they were because they have no options. We need to give them the intensive services they require. We need to confront the alcohol and drug dependency needs, [provide] services for their children, [and] transitional programming that right now just does not exist. The beds are most often occupied by a 30-day emergency need. Until we build in a longer treatment phase, we will keep having this revolving door.

Financial Resources

The final area that has profound impact on the services provided to VAW victims is the financial resources of the VWAC in their county.

We heard from many programs that their funding has either plateaued or diminished in recent years, and advocates and directors reported a state of “triage” that does not allow for a rich case assessment or client follow-up. In addition, some directors noted that it can be very difficult to run their programs with so much fiscal uncertainty from year to year. Doing more with less is particularly hard on the smallest programs in the state, some of which are single-person offices.

One director stated, “[w]e find it increasingly difficult to be creative in helping VAW victims, because we continually find ourselves doing the bare minimum to ensure the essential needs of our large VAW population are met.”

A theme throughout the study is that nothing can substitute for face-to-face contact with victims and continuity of care. Yet programs are put in the position of having to do more with less and therefore are losing their ability to provide that sort of contact and connection with victims. Limited funding means that advocates have to choose between giving minimal services to many versus in-depth services for those who may need it most.

This commitment often translated to examples of advocates being resourceful. One director drives her own vehicle back and forth to court and transports victims in her own car, noting that the VWAC formerly had a vehicle but lost it years ago. We learned of bimonthly multi-disciplinary team meetings collapsing to quarterly meetings. We heard of program directors purchasing their own equipment, paper, labels, and other supplies, and using their own cell phones for crisis response simply because there is “no money for basics.”

Our study found example after example of VWACs being resourceful and resilient in the face of finite resources. All of the tasks associated with this study shed light on advocates’ palpable dedication to this field and an unmistakable passion for helping others. Over and over again, we heard, “I love my job.”

Administration

“Doing more with less” means a greater share of time is spent on paperwork and administration. Caseloads may have increased but administrative requirements have not decreased.

The quality of data collected was also an oft-cited concern. Advocates and directors discussed not being able to keep up with administrative changes made in reporting requirements, and many cited technological problems and issues with the reporting of data.

Multiple programs admitted that because of such difficulties they felt that there was not consistent data collection. “People are recording information differently because they have different understandings of the requirements. The numbers need to mean something.”

When asked “If you could change one thing about VWACs across the state, what would it be?” one director responded, “We would all use the same data collection system; we’d all be trained properly in it; and we’d all actually be using it the same way.”

COORDINATED COMMUNITY RESPONSE: COLLABORATIONS AND REFERRALS BETWEEN VWACs AND COMMUNITY PARTNERS

One of the essential components of an effective response to VAW is a coordinated community response.²² Coordinated community responses to VAW largely began in women’s shelters, rape crisis centers, and other community-based organizations that remain some of the most important and effective VWAC partners today.²³

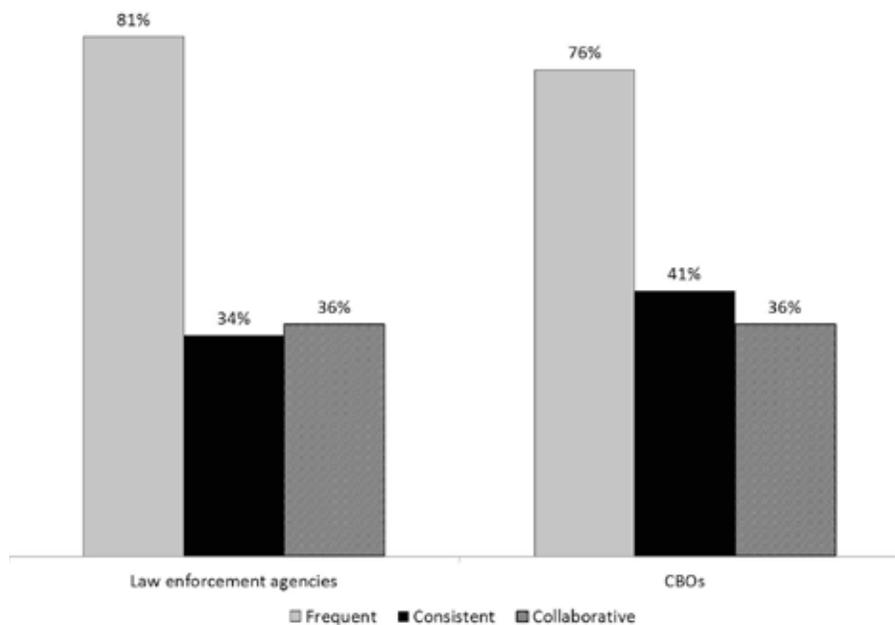
Many VWAC directors expressed that government-based victim services and other community-based programs are complimentary if done correctly. Our findings echo the shared opinion that no one partner is more or less important than any other, because each component of a coordinated community response brings different strengths to the table. Additionally, although VWACs are well suited to contribute a leadership role in such efforts, all partners should have equal credibility and voice.

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22. Characteristics of an effective coordinated community response: The experiences of the Duluth Domestic Abuse Intervention Project and dozens of other projects across the country has identified that effective community efforts are identified by eight characteristics: (1) the intervention process is guided by an underlying philosophical framework; (2) policies, procedures, and protocols are in place, which coordinate and standardize the intervention actions of practitioners involved in the coordinated community response; (3) a data collection system is in place for monitoring and tracking cases from initial contact through case closure to ensure practitioner and offender accountability; (4) a system/process is in place for coordinating the exchange of information and interagency communication and program decisions on individual cases; (5) resources and services for victims and other at-risk family members are available to protect them from further abuse; (6) a combination of sanctions, restitutions, and rehabilitation services hold offenders accountable to the victim and the goals of the community intervention process; (7) efforts are ongoing to undo harm to children; and (8) training and evaluation of the coordinated community response is ongoing from the standpoint of victim safety and the goals of the intervening agencies.
 23. Hart, Barbara J. *Coordinated Community Approaches to Domestic Violence*, presented at the Strategic Planning Workshop on VAW, National Institute of Justice (1995).

Operational Agreements

VWACs are required by Cal EMA to maintain Operational Agreements (OAs) with local law enforcement and community-based organizations (CBOs). Survey respondents were asked about the level and nature of the relationships between VWACs and these groups in serving VAW victims. The similarity in responses regarding law enforcement and CBOs is notable. More than three-quarters of VWACs reported having frequent contact with law enforcement agencies (81%) and community-based organizations (76%). While frequency is high, the quality of the relationships with both was not as favorable. The level of collaboration was relatively low, as 36 percent of VWACs reported having collaborative communication with law enforcement agencies and CBOs. Many survey respondents also commented on communication and collaboration with a diverse range of other criminal justice, government, and community-based agencies including tribal agencies and mental health, health, and other social services. When asked about difficulties with the quality of these relationships, VWACs noted inadequate funding, confidentiality barriers, limited staffing, and staff turnover as factors.

Figure 9: VWACs Communication with Law Enforcement and CBOs



Given the challenges of organizing a multi-agency response to VAW across systems, one of the key components to effective partnering is individual support and advocacy for victims.²⁴ Our findings indicate that in many jurisdictions, VWACs still feel the need for clarification of the advocacy role of the various partners in their community, both in the ways in which they differ and the ways in which they complement one another. Although these partnerships may vary across size of the area covered, local resources available, and cultural sensitivity components required for varying demographics, many respondents noted that a clear identification of who is best suited to provide which services was lacking.

24. *Id.* at 2.

Navigating the Criminal Justice System

VWACs have the ability to reach a high volume of VAW victims from many mandatory and optional referral sources, and are often the first point of contact with victims in crisis. This allows them, as mandated by the Penal Code and supported by the physical location of most VWACs, to help victims understand the criminal justice process.

Justice system-based advocates are often more equipped through training, access, and experience to inform victims of their statutory and constitutional rights, especially Marsy's Rights, than a rape crisis center or a women's shelter service.

Long-term Empowerment and Support Services

Just as respondents identified a principal strength of VWACs as assisting victims with navigating the criminal justice process and enforcing basic rights such as access and notification, they also identified the strength of community partners: long-term empowerment and support services.

After a "soft-handoff" or "warm-handoff" of a case, as described by VWAC respondents, rape crisis centers, women's shelters, and other community programs are often better situated to pick up with that client and provide the longer-term and transitional support necessary to assist victims to move on in the aftermath of VAW crimes. Many VWACs noted that after using their referral tool kit to connect a victim with a shelter bed, civil legal aid, or other necessary services, VWACs often feel confident that their partners will then assist that family through the next steps such as counseling, transitional housing, financial independence fostered by education and job skills, and assisting with applications for benefits.

Overlapping Roles

Our findings indicate that there is, and should be, overlap between the services provided by VWACs and those provided by community partners. Most often the time periods between the "criminal justice process" and "longer-term empowerment" coincide, which is why solid communication and understanding between VWACs and community partners are crucial.

Some services fall more in the zone of overlap than others, such as supporting a forensic interview or hospital exam following an alleged sexual assault. Some VWACs reported participation with a local Sexual Assault Response Team (SART) or collaboration with other after-hours crisis intervention teams. Multiple VWACs also noted a decreasing number of VAW advocates in hospitals, which has called for increasing involvement with other service providers in responding to that need.

Some VWACs noted that the way services are advertised occasionally generated confusion for both victims and providers. This frustration came up most often around who is providing court support or sitting in with victims during interviews with the DA or law enforcement. VWAC respondents noted that they are predominantly providing these services, and should be, given the infrastructure they have in place to connect them to the DA's office and law enforcement.

The lack of a comprehensive service plan (that incorporates public and community providers) contributes to misunderstandings and divisiveness among victim service providers and competition for funds. Collaboration and partnerships would achieve effective results with less funding

In jurisdictions where VWACs work cooperatively and collaboratively with women's shelters, rape crisis centers, and other community-based providers, VAW victims who require services from both community and government-based agencies receive a higher level of service and encounter less frustration and confusion.

Leadership and Communication

Some VWACs are looking to a statewide comprehensive services plan to assist in delineating the roles and responsibilities of VAW partnerships. Given that each county is different, and law enforcement and other agency turnover can be high, many noted that constant contact and forming trusting and solid relationships with other system and community-based leadership was necessary.

One director noted that she shares a sense of trust and mutual respect with her partners that allow them to openly disagree, yet work through challenges and problem-solve together. She noted that because everyone believes in the same multi-disciplinary approach and remains in close contact, they often share resources and provide trainings for each other. "We are wealthy in collaboration and rich in brainstorming."

Some VWACs noted that this communication and collaboration comes easier in smaller counties where individual leaders know one another and have long-standing relationships. A smaller physical distance between partners also makes a difference according to some respondents. Others, particularly from smaller counties, noted the importance of this collaboration and communication with other surrounding VWACs as well.

Family Justice Centers

Some counties already have co-located, multi-agency service centers for family violence or other VAW crime victims and their children known as family justice centers. Described often as "one-stop shops" for victims, family justice centers have become a national movement and are often described as a way to bring a coordinated community response to the next level.²⁵

Co-located Criminal Justice Agencies and Victim Service Agencies: Many agencies that address domestic violence—law enforcement, prosecutors, and victim advocates and service providers—fail to appreciate that their missions are highly interdependent. The simple tactic of locating personnel from these agencies in shared office space—a tactic already employed by multiple law enforcement agencies who work in task forces—should be implemented, which would allow the personnel to overcome mutual distrust, avoid turf battles, and appreciate their common goals and the virtues of their different approaches.

— 2005 Attorney General Task Force

25. <http://familyjusticecenter.com/Overview/the-san-diego-story.html>.

Throughout the course of the study, we were able to visit or speak with multiple counties that use such a model. Although the response in these jurisdictions is that the model is tremendously successful, one finding is that there is no “one-size-fits-all” solution that would work for every county.

Despite the convenience of having multidimensional response under one roof, not all family justice centers look alike. For instance, establishing which partners will be co-located, and determining who will draft information sharing agreements and confidentiality requirements can present challenges. Additionally, multiple VWAC respondents who had gone through the process, or had taken a leadership role in attempting to launch a family justice center, noted how much work and coordination it takes to get off the ground.

One county noted the importance of conducting a “feasibility study” prior to the creation of their family justice center, meant to assess the needs of that particular jurisdiction. This study took two years and required the hiring of an outside contractor, something that not all counties have the resources for.

The Family Justice Center Alliance, the online network of national and international family justice centers and other co-located centers for victims of family violence and their children, lists 13 operational Family Justice Centers,²⁶ and an additional 16 developing Family Justice Centers in California.²⁷ However, this was a general list representing varying stages of development and service. Some VWACs in the same jurisdiction were not aware of the efforts or noted that the Family Justice Center had only limited capabilities, such as being open only one day per week.

Others noted that the opening of their Family Justice Center had changed many aspects of VAW service for the better. They noted increased collaboration, communication, and the ability to provide more services to more victims. The partners involved often represented a range of criminal justice and community providers, including mental health services, childcare, the Intertribal Council, law enforcement, child welfare, elder abuse teams, and civil legal aid.

Despite significant successes and strides made in multiple counties through a co-location model, some respondents did voice the concern that co-location does not always help all VAW victims. Undocumented victims or children, for example, might face concerns seeking mental health or other community provided support services if they are in the same building with law enforcement. Additionally, by definition the Family Justice Center model is built around a premise of victims coming to one place to get what they need. However, some VWACs expressed the concern that, particularly for women in marginalized communities, an opposite premise of bringing services to those in crisis (instead of a model that relies on victims being proactive) is required to reach all in need.

Overall, some VWACs feel that their local programs could benefit from a statewide comprehensive VAW service plan that incorporates public and community providers, and provides a roadmap for effective response for all counties. However, our findings also indicate that given the diversity of the state and varying challenges across demographics, nothing substitutes for constant communication and leadership among partners at a local level.

26. Five of these 13 are listed under the “California Family Justice Initiative—Blue Shield of California Foundation.”

27. Five of these 16 are listed under the “California Family Justice Initiative—Phase II.”

Our agency, the California Partnership to End Domestic Violence (the Partnership), is California's federally recognized State Domestic Violence Coalition. We're a membership-based agency, representing organizations and individuals working to end domestic violence in California. Every day we inspire, inform, and connect all those concerned with their issues, because together we're stronger.

We are writing to lend our voice to those speaking in support of the important work of the California Crime Victims Assistance Association (CCVAA), in helping protect the rights of crime victims and support the criminal justice process. Like the CCVAA, our coalition works at the state level to coordinate the work of victim advocates with law enforcement and criminal justice officials. For example, in 2011, the Partnership engaged allies from DA's offices across the state to help us launch a groundbreaking series of joint trainings for district attorneys and domestic violence advocates. These popular trainings support advocates in their role in assisting victims throughout the legal process, and provide DAs with vital information on victims' needs.

Another example of our advocates collaborating on behalf of victims is in Butte County, where Chico's Catalyst Domestic Violence Services has worked closely with the county Probation Office to coordinate victim services. Our member advocates there say that the probation officials learned to put the needs of victims first, while advocates came to fully understand the importance of cooperating with law enforcement.

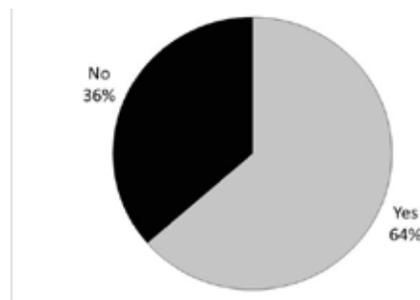
The kind of cross-disciplinary coalition building these programs represent is a crucial part of the services our agency provides to victims of violence against women. The CCVAA is a valuable ally for us and an important force for crime victims' rights statewide. We value their participation in the work to end violence against women.

— Statement of CPEDV
January 10, 2012

VWAC PREVENTION-RELATED SERVICES

Although VWACs statewide provide a number of different prevention-related services, in response to the question, “Does your organization offer prevention-related services,” 36 percent of respondents answered “no.” Many respondents who answered “yes” noted in the text box option of this question that the types of prevention they provide is public presentations and community outreach (discussed below).

Figure 10: Does Your Organization Offer Prevention-Related Services?



The criminal justice system is tasked with protecting public safety, but it is a system largely focused on the alleged criminal conduct of a defendant. Prevention of future victimization and prevention of crime happening in the first place are also critical pieces. Through this lens, almost every service and every type of support that VWACs provide for VAW victims are prevention-related.

The criminal justice system's direct response to victims and families impacted by crime is almost entirely the domain of VWACs. Given the repeated victimization associated with VAW crimes, these programs are best situated to prevent future victimization through direct intervention of necessary services and support, and also through outreach to communities and other criminal justice system stakeholders.

Promoting Criminal Justice System Participation/Cooperation

One way that VWACs provide prevention-related services is by providing orientation to the criminal justice system and by promoting victim participation in the prosecution of VAW cases. This crucial benefit of cooperation is accomplished through providing what research has shown are the three basic needs of a victim in the aftermath of crime: to feel safe, to express their emotions, and to know “what comes next.” These essential crisis-driven needs cannot be met through law enforcement, prosecutors, and judges alone. VWACs are the part of the system capable of such response.

One of the findings of this study is that VWAC advocates are the vital link between the hard edges of the criminal justice system and the compassionate and complex response required by many victims. Women and children victimized by domestic violence often feel invalidated or further abused and judged by the criminal justice system. If this happens, a victim may never cooperate with, or turn to, that system for further help or protection. VWAC advocates are able to work with victims and provide the type of help and support that they need.

Respondents articulated the messages they try to send to VAW victims: “We’re here for you,” “We’ll try to make the process as smooth as we can for you,” “We’ll still be here for you even if you change your mind sometimes,” or “We understand that this is hard.”

This understanding allows for real prevention planning, a need that the criminal justice system is not always well-equipped to handle. VWACs are one of the few systemic responders already designed with the understanding that many victims do not leave their abusers right away, and with the awareness that it is often children who are most impacted.

One of the key challenges in improving the response to VAW is understanding the right point in the system to apply the effort and resources that yield prevention. Given the repeat victimization associated with VAW over other crime types, the biggest “bang for the buck” in prevention lies in increasing the capacity for victims to make their own choices, retain their safety, and collaborate with the system in a way that lets VAW cases go forward. Successful prosecutions have the ability to prevent future victimization of both the original VAW victim as well as others who may be involved with the alleged perpetrator in the future.

No matter how little notice we have given her, [the advocate] always made herself available to sit in with the victims in our interviews, offer them services, go to court with them, as well as just meet with a number of victims that were scared or confused by the process. I have never heard that she was “too busy,” “at lunch,” or that a request was “not her job.” No matter what we have asked of her, [the advocate] is quick to immediately make herself available to assist. On more than one occasion, a seemingly uncooperative victim has turned around and become extremely cooperative. That change was due in no small part to the compassion, dedication, and hard work of [the advocate].

— Deputy District Attorney

Providing Services

Meeting victims where they are, through understanding and education, also keeps them open to (rather than resistant to) turning to the civil legal system as well as the criminal system. As discussed in the resource and referral section above, VWACs provide prevention-related services through the referral assistance they provide that connects VAW victims with the resources they need to remain safe, move on, and prevent future victimization. This applies to all of the community-based and other services discussed above, including shelter, transitional housing, mental health referrals, immigration-related services, VCP application assistance, and enrollment in the Safe at Home or VINE programs.

Out of all of these services, our findings indicate that one of the most important is connecting victims with the civil legal assistance needed to obtain civil protective orders and other family law-related advocacy. Although, presumptively, criminal protective orders should be issued and recorded in most VAW cases, this is not always a reliable or consistent means of protection. Such orders track the criminal matter, and depending on the status or outcome of the case (or in prosecutions that do not go forward at all), this must be supplemented by civil restraining orders.

Because referrals to VWACs come in many forms, including as a result of initial law enforcement response to an incident, VWACs provide prevention services not only in cases that will be prosecuted. Some VAW cases will not go forward for a number of reasons, which makes VWACs the main source of prevention for these victims.

One VWAC advocate specializing in sexual assault noted that in addition to all of the cases going forward, she also receives copies of every non-filed sexual assault case in her office. She estimates a flow of 10–20 “rejected” cases each month, and described the importance of responding to these victims as well. She noted they try to communicate to these VAW victims who have undergone trauma that it was not her fault, provide an explanation about the reasons the case is not going forward and the complexity of the criminal justice process, and then connect that victim with counseling and other necessary resources.

She noted that sometimes the most important thing VWACs can communicate to a VAW victim is that a prosecution does not guarantee a conviction, and a lack of prosecution is not necessarily a reflection that the system does not believe the crime happened. Advocates noted that reaching out to VAW victim referrals at this stage, regardless of the early prosecutorial decisions, can promote later cooperation and the ability of a case to go forward in the future.

Although not a guarantee to eliminating future victimization, providing assistance with civil restraining orders gives the victim an additional tool of protection and prevention. Part of why VWACs cited this assistance as one of the greatest gaps in service for VAW victims is the recognition that to the extent it can be provided, restraining orders are one of the most important mechanisms of prevention. All referrals to the necessary services discussed, particularly facilitating access to the civil legal system, reduce the societal costs and closeted nature of VAW.

Community Outreach/Presentations

Another way in which VWACs promote prevention is through generating publicity and awareness of VAW issues.²⁸ This includes outreach and training to the community as well as to criminal justice and civil legal system partners, such as law enforcement, DAs, public defenders, probation officers, and judges. Presentation topics include the impacts of VAW victimization, VWAC services available, Victim Compensation Program information, and victims' rights.

Many advocates and directors also serve on numerous local committees, such as the regional or local Domestic Violence Round Table, Sexual Assault Task Force, or Elder Abuse Team. VWACs promote public awareness through media and outreach to schools, churches, community centers, and teen dating violence programs. Many respondents noted the importance of providing these public outreach efforts in multiple languages and to diverse cultural communities.

Recognizing National Victims' Rights Week on a yearly basis is also a priority for VWACs. This event is an opportunity to remember victims of violent crime, acknowledge their families, and generate recognition and gratitude to the service providers working in the field. Many VWACs organize an annual Victims' Rights Week event such as a luncheon, candlelight vigil, unveiling of a Victims Memorial Quilt, or crime prevention fair.

Our findings demonstrate that notwithstanding the many demands on VWACs, almost all programs are maintaining and making an impact with these outreach efforts. Directors across the state prioritize this part of the VWAC mandate, although many note how difficult it can be to keep up with in light of the immediate needs of serving VAW victims coming through their doors.

However, many noted that with the prevalence of VAW, even more outreach could be done to reduce these crimes. As one director noted, "The scope and breadth of what we do is tremendous, and I don't think it's well recognized in the community. We need to a better job of letting people know what we do."

Addressing Stalking

Stalking is one form of VAW addressed by VWACs through their services to victims. As well as a service, this can also be considered an important tool for prevention. Stalking is frequently a precursor to other more serious crimes against former domestic partners and other women, including homicide. One former district attorney noted the pervasiveness of stalking in a Death Review Team analysis of domestic violence homicides. This comports with the connection drawn in existing research, with a 1999

28. See Penal Code § 13835.5(a)(9)–(10).

report by the National Center for Victims of Crime stating that the “prevalence of stalking was 76% for intimate partner femicide victims and 85% for attempted intimate partner femicide victims.”²⁹

Many counties noted improvements through training efforts already underway. Multiple VWACs pointed out the usefulness of the National Stalking Resource Center in Washington D.C., which has online training tools and resources that advocates can disseminate to system partners as well as victims.

Our findings indicate that many VWACs feel that educating victims on the importance of keeping a log of stalking behavior that will later assist in proving a “continuous pattern” of victimization, and providing victims with a straightforward template or pamphlet to assist with this can make a difference. These steps help affirm that stalking should be taken seriously by the victims and the criminal justice system stakeholders alike.

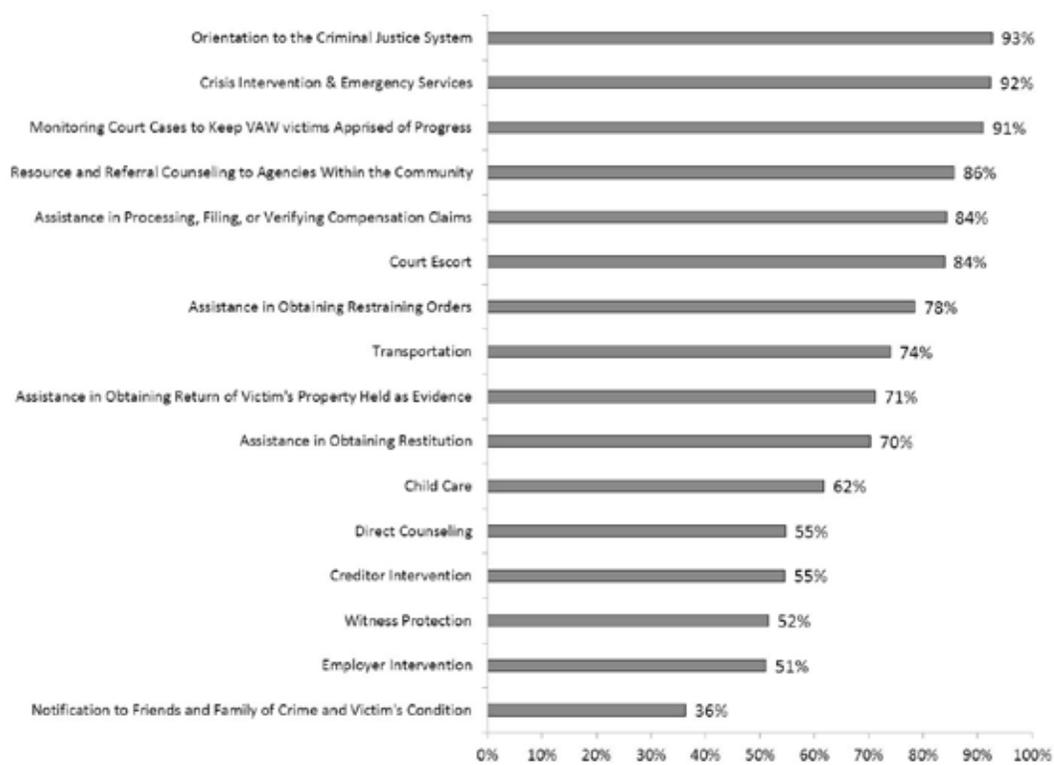
Willingness of VAW Victims to Learn About or Access Services

Another form of prevention that VWACs do is educating clients about the range of services they provide. VWACs were asked about the willingness or reluctance of VAW victims to learn about or access services. As shown in *Figure 11*, 92 percent of survey respondents reported that VAW victims were willing or very willing to learn about or access crisis intervention and emergency services, and 86 percent were willing or very willing to learn about or access resource and referral counseling to agencies within the community. Survey respondents were asked to comment on differences in willingness between victims of domestic violence, sexual assault, and stalking.

While the responses are not representative of all VWACs, and individual cases differ significantly because each case and victim has a unique set of needs, a few themes emerged. Several survey respondents noted that domestic violence victims were on average less willing to learn about or access services compared to victims of sexual assault or stalking, and that willingness to access VWAC services could be impacted by whether a domestic violence victim was choosing to participate in the prosecution of her intimate partner. Other factors that were cited as playing a role in the willingness of a victim to learn about or access services included the amount time since an incident occurred, whether a victim continued a relationship with an abuser, and victims’ sense of safety or fear of retaliation for participation in criminal justice system-based services.

29. “Stalking may even be a more accurate red flag for intimate partner femicide than intimate partner assault, which was found to precede 67% of intimate partner femicides and 71% of attempted intimate partner femicides.”

Figure 11: Willingness of Victims to Learn About and/or Access Services



DESCRIPTION OF “BEST PRACTICES” USED BY VWACS WITH VAW VICTIMS

VWACs are now the major provider of services to VAW victims in California. Given the major VAW criminal justice policy shifts over the past three decades, VWAC advocates are often the first point of access for these women. The breadth of the VWAC service mandate also makes them well situated and connected to respond to the immediate needs of victims in crisis. The following is a list of “Best Practices” according to responses given by the 59 VWACs across California.

General Best Practices

- Provide outreach and support services to ALL victims, even VAW victims whose cases are not prosecuted or who are considered “uncooperative” with an existing prosecution because they refuse to testify.
- Provide outreach to victims in marginalized communities or those who face transportation, disability, language, or other barriers to connecting with VWACs.
- Arrange for advocates to have dedicated hours in other locations such as regional police stations, creating additional opportunities for victims to connect with VWAC services off-site.
- Provide continuity of care, allowing the same advocate to serve the same victim and family throughout the life of the case.

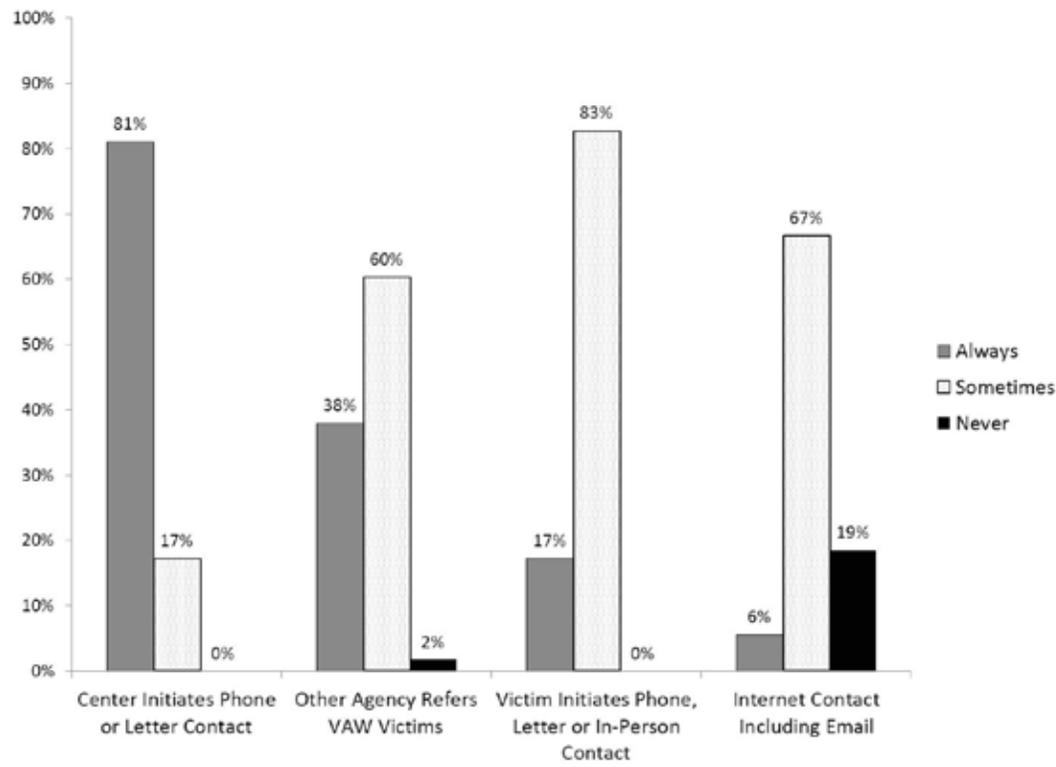
- Ensure caseloads remain at a level that allows for a rich case assessment and direct counseling (e.g., providing emotional support, empathetic listening, and checking on a client’s progress —not counseling at a level that requires a professional license) with every VAW victim.
- Establish a formal relationship with an educational or other institution such as graduate social work program to recruit VWAC volunteers.

The perceived and actual inequity of service delivery to VAW victims is directly related to staffing in each county. A victim from a poverty-stricken and high-crime area may have an experience with VWAC service delivery that is decidedly different than a victim from an affluent area or low-crime county.

Connecting with VAW Victims

The VWACs were asked about the frequency and ways in which they connected with VAW victims. By far, the most common form of contact is the VWAC initiating it by phone or letter (82 percent reported that it was always done). Eighty-three percent of VWACs reported that sometimes the victims initiated contact by phone, letter, or in person. Some survey respondents provided additional detail on the ways in which victims were contacted, including referrals by district attorneys, advocates contacting victims in court, and inquiries by friends and families.

Figure 12: Ways and Frequency by Which VWACs Connect With Victims



Crisis Intervention, Emergency Services, Resource and Referral Toolkit

- Respond to victims in crisis, ideally within the first 24 hours, and definitely within the first 72 hours. The closer in proximity the intervention to the crisis, the greater the correlation with future victim criminal justice system cooperation and participation.
- Provide face-to-face crisis intervention, which advocates deem “irreplaceable.”
- Allow for VWAC advocate participation in collaborative 24-hour crisis response teams.
- Maintain an emergency fund that can be used to meet a variety of unpredictable and immediate needs of VAW victims and children in crisis, including transportation, food, and clothing.
- Maintain and update a list of therapists, counselors, and other local service providers related to crisis intervention for immediate referrals.
- Arrange, if possible, for on-site mental health providers to talk with VAW victims in close proximity to trauma.
- Maintain strong connections with local civil legal aid organizations.
- Hold a group restraining order clinic or other civil legal assistance on-site, and offer this assistance in multiple languages.
- Maintain and update a list of therapists, counselors, and other local service providers related to all ongoing referral needs for families in the aftermath of crime, organized by service type. Include as many providers as possible to meet the cultural and language needs of diverse populations within the community.
- Establish a direct partnership with a law school immigration clinic or other legal service provider able to help with immigration-related needs of VAW victims.
- Conduct collaborative training with the district attorney’s office, law enforcement, and VWACs on the U-Visa certification process, and establish policies and procedures for how these needs will be addressed.

Coordinated Community Response and Transitional Housing/Long-term Empowerment

- Contribute VWAC leadership and collaboration with local coordinated community response efforts.
- Engage both community and criminal justice system partners with a shared mission of reducing VAW in the following approaches to coordinated community response:³⁰
 - o Community partnering
 - o Community intervention
 - o Task forces, VAW consortiums, or coordinating councils

30. Hart Esq., Barbara J. *Coordinated Approaches to Domestic Violence* (1995) 3–5.

- o Training and technical assistance projects
- o Community organizing
- Establish collaboration and ongoing communication with local rape crisis centers, women’s shelters, and community programs. VWACs should meet with partners to clarify the roles and contributions of each, with the understanding that services may overlap.
- Although services overlap, in clarifying the partnership with community providers, VWACs should be supported to assist victims with navigating the criminal justice system, applying to the Victim Compensation Program, and enforcing Marsy’s Rights. Rape crisis centers and other community partners should be supported to provide long-term empowerment and support services such as substance abuse treatment, education, job and resume building skills, and transitional housing.
- VWACs should discuss the meaning of a “soft-handoff” between providers, and unify with partners around the shared goal of reducing VAW and providing for victims and families impacted by it.
- Conduct a feasibility study to consider the establishment of a Family Justice Center or other co-located model of local service delivery.
- In regular Task Force or other Coordinating Council Meetings, discuss underserved populations within the local community, and implement strategies for meeting those needs, including reaching Tribal communities, VAW victims with disabilities, and VAW victims in rural areas with limited access to services.

Orange County Personal Empowerment Program (PEP)

Orange County VWAC is committed to fostering the long-term empowerment of the victims’ served, and provides an array of practical skills as well as emotional support through its ten-week PEP program.

During our site visit, we attended a “Survivor’s Academy” class conducted in Spanish, that was co-sponsored by the United Way and intending to help VAW victims “build self-sufficient lives.” In addition to a warm, collaborative, and supportive atmosphere, the four-hour long class delved into specific topics such as the importance of having an independent bank account and how to budget for the purchase of an automobile.

The class is held in the Anaheim Family Justice Center, which also has a restraining order room on-site for assistance with civil protective orders, complete with video conferencing capability in order to conference with the Judge hearing the petition if necessary for safety considerations. There is also a Chapman University legal clinic where law students provide support with U-Visas, VAWA self-petitions, and other immigration and law-related matters.

Additionally, there is a child care/children’s playroom facility donated by Disney. The staff of this facility noted the countless success stories coming out of this program such as a family violence survivor who had gained her independence and started her own wedding-cake business.

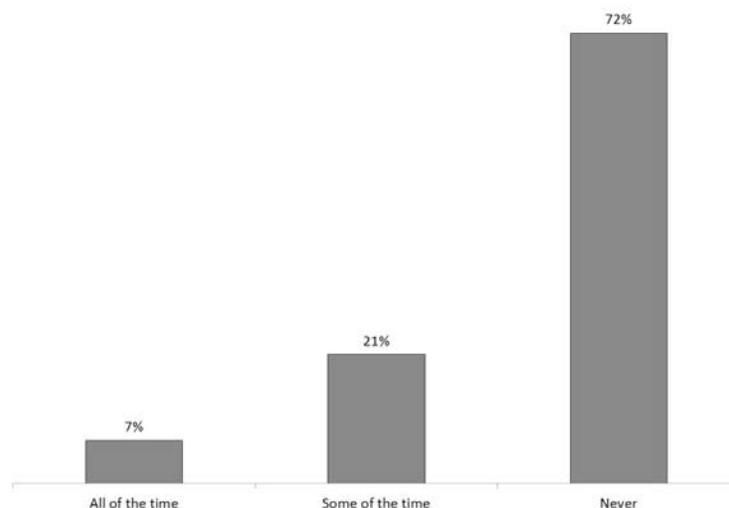
Making Marsy's Rights a Reality

- Print Marsy's Cards and other materials designed to educate victims and assist them in navigating the criminal justice system in multiple languages.
- Provide translation services for all non-English-speaking victims.
- Establish policies and procedures to promote enforcement of Marsy's Rights, including a Marsy's "checklist" shared between VWAC advocates and prosecutors identifying rights that have been invoked or requested.
- Provide childcare on-site in order to promote privacy and protect children from further traumatization during victim interviews with DAs, law enforcement, and VWAC advocates.
- Provide childcare during court, when necessary, in order to make VAW victims' rights in participating in the criminal justice process a reality.
- Assist VAW victims in registering with the VINE program to receive custody notifications and updates on both the local and state level.
- Make court escort available to VAW victims throughout the entirety of their criminal case.

VAW Victim Feedback

A relatively small share of VWACs reported conducting exit interviews with, or offering satisfaction surveys to, VAW victims, as only 28 percent reported doing it all of the time or some of the time. The VWACs that provided some details on how victim feedback was obtained often referred to a satisfaction survey that was almost always anonymous. A few VWACs noted that it was a "passive" process in that surveys were available in a lobby or office, but feedback was not actively requested of the victims. Several VWACs stated that they are currently designing or rolling out a more formal process of obtaining feedback from VAW victims served.

Figure 13: Percent of VWACs that Conduct Exit Interview or Satisfaction Survey



There was widespread sentiment that programs did not have the time or the resources to conduct exit interviews or satisfaction surveys, but that it was something they aspired to do. Some stated that the victim feedback solicitation had grown more informal as VWAC resources declined.

A few counties expressed that they would like to see a template used by other VWACs so they did not have to “reinvent the wheel.” A handful of counties are using feedback tools intended for distribution to all types of crime victims, not just VAW victims.

Based on our data, consensus is that even when a VWAC does not collect enough survey responses to make them statistically significant, this exercise still yields tremendous value. For instance, it was through the use of surveys that one county identified that almost universally when a victim is unhappy with VWAC services, it correlated with disappointment with how their criminal case played out in court. These responses unearthed a need to clear up victim confusion between the district attorney’s office as a whole, and the purpose and services provided by VWAC. It allowed that county to analyze their role and identity as presented to clients, a question of particular importance for programs co-located in a prosecutor’s office.

Some respondents offered explanations for their low response rates; often VAW victims are simply not comfortable talking about their experience if asked in close proximity to when they actually received services. In appreciation of this, one VWAC switched from a paper survey to a telephone system where victims are randomly selected from each VWAC advocate in the program. This director reported far more success with these “informal” follow-up calls placed in the context of checking in on a victim at a time reasonably attenuated from the traumatic event. The director reported that they are able to collect more meaningful feedback over the phone and assess the performance of the advocates in a controlled environment.

Counties noted various ways that they disseminate the feedback tools, including putting it in the lobby or check-out window, on their website, or mailing it to victims and paying for the return postage. Others aspired to rollout an automated or online system. One county noted the importance of offering their survey in multiple languages. A small group of counties, predominantly those working in collaboration with a family justice center, noted the use of focus groups as an effective means of soliciting feedback.

It seems that despite the challenges, soliciting victim feedback is a cost-effective and important tool to increase VWAC efficiency. Directors noted that they had in fact changed things for the better based on unfiltered feedback from victims via surveys, telephone, and letters.

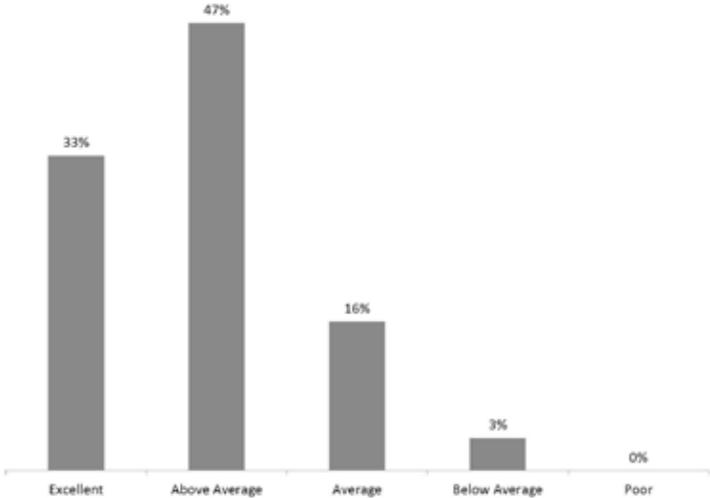
In addition to providing real opportunities for increased responsiveness, victim feedback is also a symbolic aspect of victims’ services that sends the important message: your voice matters to us. As put by one director, “we don’t ask for victim feedback nearly enough. How can you know what it’s like to go through all of this if you have never been a family violence victim? We need to admit that we all harbor so many biases and can be unaware of the assumptions we make. We need to hear other perspectives all the time if we are going to meet our goal—which is not keeping our job—it’s helping someone.”

Training and the Organizational Capacity of CCVAA

Training Preparedness and Gaps

VWACs generally felt positive about the training and preparedness of victim/witness advocates who served VAW victims, as 33 percent reported it to be excellent and 47 percent reported it to be above average. Only three percent of respondents characterized the training and preparedness of VWAC advocates as below average, and no respondents characterized training and preparedness as poor.

Figure 14: Training and Preparedness of Advocates in VWACs



Despite this generally positive response, some VWACs noted concerns about the quality and availability of training. Some advocates noted the statewide training previously offered to all entry level and advanced advocates has been on hiatus for the past two years, and VWACs are feeling this absence. Some advocates said that the current training material and curriculum is dated, missing important topic areas, and in need of updating.

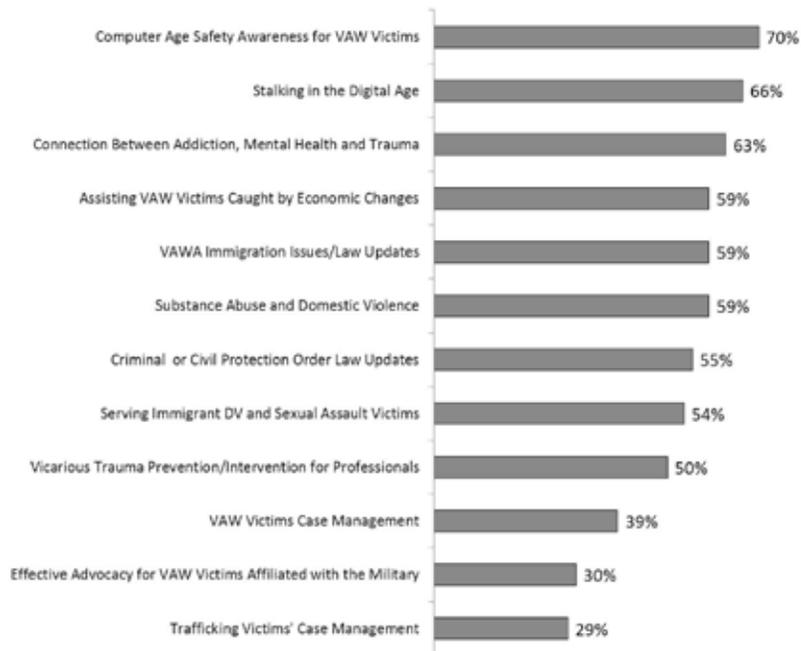
There was also some sentiment that directors need ongoing managerial training, given the many skills their job requires. “We are grant writers, administrators, managers, human resources, community outreach coordinators, and often carrying an advocacy caseload ourselves. We need leadership ability and a diverse skills set, and we can’t always learn all of this on the job.”

Many noted that in-person, interactive training is more beneficial than online materials or webinars, but also recognize the need to maximize resources. Many VWAC directors hoped that statewide trainings could be more contextual. For instance, what has relevance or works in a large county may be irrelevant for a small county.

One director felt that the state should provide scholarship money for counties to conduct their own trainings, especially at the advanced level, where context becomes even more important. This comports with the widespread sentiment that it is difficult to find useful and nuanced trainings for advocates that have been working in the field for a long time. “The director knows best what the individual program needs are.”

VWACs reported an interest in additional types of training that they thought would be beneficial to improve the ability of advocates to serve VAW victims. Training gaps related to technology were identified by the survey respondents, as 70 percent expressed interest in training in computer age safety awareness for VAW victims and 66 percent in stalking in the digital age. Other areas of training interest include the connection between addiction, mental health, and trauma; assisting VAW victims caught by economic changes; immigration issues; and substance abuse and domestic violence.

Figure 15: Training Not Currently Offered to VWAC Advocates That Would be Beneficial



In addition, VWACs identified training topic areas they felt could improve their ability to serve VAW victims. VWACs often expressed concern for addressing the needs of underserved populations that face barriers in connecting with VWACs, such as disabled VAW victims or members of the LGBTQ community.

Some VWACs indicated that they are hoping to implement training on trauma-informed care. One VWAC already working with a consultant on these issues gave positive feedback regarding how helpful and important this topic is for working with VAW victims. Advocates from this program noted their success in incorporating techniques arising from new brain development research, which increased their ability to provide appropriate and sensitive response to recently traumatized victims.

Others noted a need for legislative and legal updates training. VAW touches a diverse range of legal issues from criminal, family, child welfare, employment, and bankruptcy law, among others. Some directors noted a lack of formal process for the dissemination of information on new legislation impacting VAW crimes, for example confusion around the new strangulation language in Penal Code section 273.5.

Additional Training Topics Noted in VWAC interviews

- Cultural Competency/Responsibility
- LGBTQ – VAW issues
- Trauma-Informed Care
- Compassion Fatigue & Vicarious Trauma
- Marsy's Law
- AB 109
- Criminal Justice Process
- Working with Disabled VAW victims
- Victim Compensation Applications
- Boundary Setting with Clients
- Legislative and Legal Updates
- Rural Response to DV
- Children/Elderly
- Collaboration Skills
- Advanced Case Management
- Interacting with the Media
- Emergency Fund Maintenance
- *Brady* Requirements and Challenges around Confidentiality

V. Conclusion

As this report has shown, VWACs perform a wide variety of functions for VAW victims. The existence of VWACs and the many services they provide are essential to the statewide mission of reducing violence against women. Particularly given the volume of VAW victims served by VWACs, these programs deserve support and recognition commensurate with the essential role they play within the criminal justice system.

Maximizing the potential of VWACs in reducing VAW will require adequate funding as well as an increase in awareness of the importance of government-based victims' services. VWACs are the vital link between the hard edges of the criminal justice system, and the compassionate and complex response VAW requires.

“In all my years in this job, I have never spent a day without one positive contact with a victim. You cannot say that about any other aspect of the criminal justice system. We are the soft spot in a real hard world.”

Appendix A Literature Review

Included below are the results from the Best and Evidence-Based Practices³¹ literature reviewed described in Section II (“Literature Review”) of this report. Also included are several examples of government-provided VAW victim services that have been highlighted as particularly promising by various reports within the literature review.

1. Reports that focus on all government-provided victim services, with VAW victims addressed as only one part of victim services overall:
 - *Attorney General Guidelines for Victim and Witness Assistance* (which went into effect Oct. 2011). The guidelines were updated to “reflect best practices and integrate new case law” (emphasis added). The report includes specific guidelines for victims of domestic violence, sexual assault, or stalking.
 - Office of Justice Programs, Office of Victims of Crime, *Gaining Insight, Taking Action: Basic Skills for Serving Victims* (April 2011) <<http://www.ovc.gov/publications/infores/pdf/txt/GainingInsight.pdf>>.
 - OVC, *First Response to Victims of Crime: A Guidebook for Law Enforcement Officers* (July 2010).
 - OVC *Public Hearing on Victim Issues in Probation and Parole Recommendation Report* (Aug. 2010).
 - *Best Practices Guidelines: Crime Victim Services, Minnesota Dep’t of Public Safety* (2010) <<https://dps.mn.gov/divisions/ojpl/forms.../CVSBestPractices.pdf>>.
 - *Nat’l Ctr. for Victims of Crime, Promising Practices and Strategies for Victim Services in Corrections.*
 - *Nat’l Scan of Best Practices in CSEC Victim Services, GA Governor’s Office for Children and Families* (2009); *Missouri Dep’t of Public Safety, Office of the Director, Crime Victim Services Unit: Program Standards and Guidelines for Sub-Grantees*, <dps.mo.gov/dir/programs/cvsul.../MoCVSU%20Standards.pdf>.
 - *Building a State Victim Assistance Academy—Vermont’s Experience* (April 2008) <<http://www.ovc.gov/publications/bulletins/Vermont-svaa/welcome.html>>.
 - *Victim Advocates: Resources, DNA.gov: Advancing Criminal Justice Through DNA Technology* <<http://www.dna.gov/audiences/victim/>>
 - OJP’s *Rural Victim Assistance: A Victim/Witness Guide for Rural Prosecutors* (2001).
 - *Victim Advocates: Resources, DNA.gov: Advancing Criminal Justice Through DNA Technology.*

31. For purposes of this report, we have used the following terminology, as outlined by the U.S. Dep’t of Health and Human Services: A “promising practice” is “a program, activity or strategy that has worked within one organization and shows promise during its early stages for becoming a best practice with long term sustainable impact.” By contrast, a “field-tested best practice” is a “program, activity or strategy that has been shown to work effectively and produce successful outcomes and is supported to some degree by subjective and objective data sources.” Finally, evidence-based practices, or what the DOH calls “research-validated best practices,” are those programs, activities, or strategies “that ha[ve] the highest degree of proven effectiveness supported by objective and comprehensive research and evaluation.” U.S. Department of Health and Human Services, Administration for Children and Families Program Announcement. *Federal Register*, Vol. 68, No. 131, July 2003.

2. Reports that focus on combating VAW, leaving victim services as one step (and often the last step) in government action to prevent and respond to VAW:

- *The Minnesota Dep't of Public Safety, Office of Justice Programs, Crime Victim Services, VAWA State Implementation Plan (FFY 2010 – 2012)* (Dec. 29, 2010) (describing the State's efforts to develop "Best Practices Project" and "Best Practices Guidelines").
- Minnesota's implementation of the VAWA resulted in *The Blueprint for Safety* (2010), which is described as "a prototype that can be used by any community hoping to link its criminal justice agencies together in a coherent, philosophically sound domestic violence intervention model."
- *Washington State, Dep't of Health, Violence Against Women* (2010) (identifying "four priority areas" for "decreas[ing] deaths and hospitalizations due to violence against women" in WA, including a state agency objective to "Evaluat[e] and Promot[e]... Best Practices"). Though not focusing specifically on victim services, WA's plan does emphasize the importance of health and social services as part of a comprehensive plan to combat violence against women.
- National Institute of Justice, *Special Report: Practical Implications of Current Domestic Violence Research: For Law Enforcement, Prosecutors and Judges* (2009) (mentioning victim services only four times in a 109-page report, three in relation to law enforcement, and one in relation to judicial responses; no section discussing victim services).
- American Probation and Parole Association, *Community Corrections Response to Domestic Violence: Guidelines for Practice* (May 2009) (addressing victims' issues in Chapter 9 of 10, "Guidelines for Victim Safety and Autonomy").
- Family Violence Prevention Fund, *Advocacy Beyond Leaving: Helping Battered Women in Contact with Current or Former Partners, A Guide for Domestic Violence Advocates* (2009) (discussing general service options for victims throughout and also victim advocacy and safety planning in Chapter 3 of 5).
- DOJ/VAWA, *Stalking and Domestic Violence: Report to Congress* (May 2001) (discussing "victim needs" in Chapter 3 of 5).
- Nat'l Advisory Council on Violence Against Women, *Ending Violence Against Women: An Agenda for the Nation and Accompanying Toolkit* (2000) (discussing the need to strengthen and expand victim services as part of overall agenda/blueprint combating violence against women).
- National Counsel of Juvenile and Family Court Judges, *Checklist to Promote Perpetrator Accountability in Dependency Cases Involving Domestic Violence (Accountability Checklist)* (2011) (providing checklists for "service plans" for both victims/children and perpetrators).
- VAWA's STOP Program, *Assessing Justice System Response to Violence Against Women: A Toolkit for Law Enforcement, Prosecution and the Courts to Use in Developing Effective Responses* (1998) (providing checklists for law enforcement, prosecution, and court interventions).
- *Impact Evaluation of Victim Services Programs: STOP Grants Funded by the Violence Against Women Act: Final Report* (2000) (discussing history of victim services programs and evaluating these programs' effectiveness).
- *Assessing Justice System Response to Violence Against Women: A Toolkit for Community-Based Victim Service Programs Developing Effective Responses* (2006) (providing examples of successful community-based victim services).
- NY State Probation Domestic Violence Intervention Project, *Effective Management of Domestic Violence Cases: Probation's New Approach to Victim Services and Offender Accountability* (Handout material for presentation of Am. Probation and Parole Assoc.'s Annual Training Inst., St. Paul, MN) (Aug. 2, 2001).

- Office of Victims of Crime, *SART Toolkit for Sexual Assault Response Teams* (2011); *Sexual Violence Against Farmworkers: A Guidebook for Criminal Justice Professionals* (2011).
 - National Institute of Justice, *Adolescent Sexual Assault Victims' Experiences with SANE-SARTs and the Criminal Justice System* (May 2011).
 - *Final Report: Sexual Assault Among Latinas (SALAS) Study* (April 2010).
 - *Ensuring Forensic Medical Exams for All Sexual Assault Victims: A Toolkit for States and Territories: The VAWA Forensic Compliance Project* (Dec. 2008).
 - *Nat'l Protocol for Sexual Assault Medical Forensic Examinations, DOJ's Office on Violence Against Women* (Sept. 2004).
 - National Institute of Justice, *Violence Against Women: Synthesis of Research for Health Care Professionals* (2000).
3. Specific local, county, and state VAW victims programs singled out as particularly successful in one area or another:
- Duluth Police Dep't (emergency response team, abuse info. network, immediate connection with victim services).
 - Seattle Police Dep't, Domestic Violence Unit (coordinates with Victim Assistance Office, city attorney's Domestic Violence Unit, and connects to local shelters).
 - Nashville Metro. Police Dep't, Family Violence Division (anti-stalking measures).
 - Colorado Springs Police Dep't Enhanced Response Team (victim advocate part of response team).
 - Cook County State's Attorney's Office, Domestic Violence Division (Targeted Abuse Call center, emphasizes victim services).
 - Prosecuting Attorney's Office, City of Dover, Police Dept. (providing victims assistance with protective orders, safety plans, court info, and access to cell phones and alert alarms for stalking victims).
 - Office of Los Angeles City Attorney, Domestic Violence Unit (victim advocates provide victim services, 24-hour service calls provide immediate referrals to victims for services).
 - Family Violence and Sexual Assault Unit, Philadelphia (victim advocates provide info. regarding court processes, court accompaniment, and referrals).³²
 - SF (Asian Women's shelter, Nihomachi Legal Services, Asian Law Caucus, and Cameron House).
 - Austin (SafePlace, Austin Police Department, Travis County Sherriff's Department).
 - New York (Victim Services, Project RISE & Project Superwoman).
 - MA (Domestic Violence Unity of the MA Dept of Social Services).
 - Miami (Domestic Violence/Sexual Assault Council of Greater Miami).
 - Victim Response, Inc.
 - The Advocate—Center for Training and Treatment.
 - The Advocate Program); Florida (Association of Community Correction).
 - Minneapolis (Battered Woman's Legal Advocacy Projects Stalking Response Program).

32. *Handbook of Domestic Violence Intervention Strategies: Policies, Programs, and Legal Remedies* (Albert R. Roberts, ed.; Oxford Univ. Press, 2002).

4. Reports that focus more on needs of particular kinds of victims (e.g., immigrants, LGBTQ victims, men, etc.):
 - Battered Women’s JUSTICE Project, *Guides for Services Providers; Assisting Immigrant Victims of Domestic Violence: Advocate’s Guide* (“[A] guide for advocates and volunteers focus[ing] on the needs of newly arrived battered immigrant women whose immigration status is unsettled.”).
 - Tribal Law & Policy Institute/OVAW, *A Victim-Centered Approach to Domestic Violence Against Native Women: Resource Guide for Drafting or Revision Tribal Laws Against Domestic Violence* (Jan. 2008).
 - UN Gender Equality and Empowerment Section/Social Develop. Division, *VAW: Harmful Traditional and Cultural Practices in the Asian and Pacific Region* (April 2007).
 - Nat’l Coalition of Anti-Violence Programs, *Lesbian, Gay, Bisexual and Transgender Domestic Violence in 2000* (2001) (explaining that “[e]ven if more victims of LGBT domestic violence could obtain access to family courts, they might still be denied many services—such as emergency shelter, medical treatment, financial assistance, psychosocial counseling, job training, legal services and many others—that these forums routinely prescribe for battered heterosexual women”).
 - Minnesota Program Develop. Inc. submitted to NIJ, *Community-Based Analysis of the U.S. Legal System’s Intervention in DV Cases Involving Indigenous Women* (2002).
 - Native American Circle, *DV, Sexual Assault & Stalking Prevention and Intervention in Rural Native American Communities* (1998).

5. Reports that focus on the kind of service required (e.g., temporary housing, child care services, help with restraining orders):
 - Nat’l Housing Law Project, *Assisting Survivors of Domestic Violence in Applying for Housing* (2010).
 - Nat’l Housing Law Project, *DV and the Fair Housing Act: A Toolkit for Grantees*.
 - Asian & Pacific Islander Institute on Domestic Violence: *APIA Health Forum, Resource Guide for Advocates & Attorneys on Interpretation Services for Domestic Violence Victims* (Aug. 2009).

6. Reports that discuss government-based and community-provided services as “partners,” “in response to each other,” or “in collaboration” (or, for example, community-program suggestions for law enforcement):
 - Sadusky, Jane M. *Planning and Conducting a Best-Practice As Community Response to DV—Criminal Justice System Response, Police Follow-up Investigations & Prosecution Charging Decisions* (2010).
 - Sadusky, Jane. *Bridging Domestic Violence Intervention and Community Partnership and Problem-Solving Tools* (2004).
 - Sadusky, Jane, *Community Policing and DV: Five Promising Practices* (2003).
 - Arizona Coalition Against DV, *Best Practices Manual for Domestic Violence Programs* (2000); *Best Practices: A Guidelines for WV Victim Assistance Sub-grantees* (2010-11).
 - Project Roadmap: *Charting a Course for Crime Victims in MD* (Feb. 2003).
 - Police Executive Research Forum, *Community Policing to Reduce and Prevent Violence Against Women: Training Curriculum and Resource Guide*.
 - Bennet, et al., *Effectiveness of Hotline, Advocacy, Counseling, and Shelter Services for Victims of Domestic Violence: A Statewide Evaluation*, *Journal of Interpersonal Violence*, (July 2004).

- Battered Women’s Justice Project, *Assessing the Justice System Response to Violence Against Women: A Tool for Community-Based Victim Services Programs Developing Effective Responses* (1998).
7. Reports where non-governmental organizations evaluate government-based programs in light of certain collaborative goals/standards:
- Sadusky, Jane M. *Planning and Conducting a Best-Practice Assessment of Community Response to Domestic Violence—Criminal Justice System Response, Emergency Communications & Police Patrol* (2010).
 - NV Network Against DV & DOJ, *DV Court Monitoring: Innovative Programs* (Sept. 2009).

Appendix B

Victim/Witness Assistance Centers VAW Survey

Introduction

Dear Survey Respondent,

Thank you for your participation in this survey. As discussed in the memo you received from Cindy Marie Absey on September 6, 2011, the CCVAA was recently awarded a Cal EMA grant to conduct a statewide study of California adult sexual assault, domestic violence and stalking victims (VAW victims) who receive services from Victim/Witness Assistance Centers (VWACs). The data and responses you provide in this survey will be invaluable in identifying the need for additional services and training, fulfilling the needs of these victims, and coordinating the response to violence against women statewide.

There are 22 questions, which should take you approximately 15-20 minutes. As a reminder, you will be asked to provide data on how many VAW victims your program served during FY 2005-06, 2006-07, 2007-08, 2008-09, and 2009-10.

Following submission of this survey, we hope to conduct a brief follow-up telephone call at your convenience. We greatly appreciate your time, and hope you will please supply your preferred contact information as prompted in the survey.

Finally, to meet the match required for this grant, we will need Victim/Witness Coordinators or Directors to complete a "match form" that reflects the time you spend working on gathering information for the survey, responding to the survey and follow-up call, and/or working in an upcoming focus group. (This form accompanied the September 6th memo.) Please contact Laura Gonzales at lgsailing@sbcglobal.net if you have questions or concerns about that process.

Surveys must be submitted by Friday, OCTOBER 21, 2011. Again, our sincere gratitude for your assistance with this important statewide project.

Survey Respondent Information

***1. County Name**

***2. Name and Role/Title within your organization**

***3. Telephone Number**

Victim/Witness Assistance Centers VAW Survey

4. Years of Experience in VAW Victim/Witness Services

- Less than 2 years
- 2 - 5 years
- 5 - 10 years
- 10 - 15 years
- 15+ years

VAW Victim/Witness Services in Your County

Empty response area for VAW Victim/Witness Services in Your County.

Victim/Witness Assistance Centers VAW Survey

5. Please report the following statistics to the best of your ability as an unduplicated count for each category. This means each VAW victim received VWAC services during the specified fiscal year (2005 - 2010).

For the purpose of this question VAW victims are those against whom the domestic violence, sexual assault and or stalking was directed. (If the VAW victim experienced more than one victimization, that person should be counted only once under the primary victimization.)

	0 to 50	51 to 250	251 to 1,000	1,001 to 5,000	5001 to 20,000	20,001 to 40,000	40,001 +	Unknown
Domestic Violence: FY 2005-2006	<input type="radio"/>							
Sexual Assault: FY 2005-2006	<input type="radio"/>							
Stalking: FY 2005-2006	<input type="radio"/>							
Domestic Violence: FY 2006-2007	<input type="radio"/>							
Sexual Assault: FY 2006-2007	<input type="radio"/>							
Stalking: FY 2006-2007	<input type="radio"/>							
Domestic Violence: FY 2007-2008	<input type="radio"/>							
Sexual Assault: FY 2007-2008	<input type="radio"/>							
Stalking: FY 2007-2008	<input type="radio"/>							
Domestic Violence: FY 2008-2009	<input type="radio"/>							
Sexual Assault: FY 2008-2009	<input type="radio"/>							
Stalking: FY 2008-2009	<input type="radio"/>							
Domestic Violence: FY 2009-2010	<input type="radio"/>							
Sexual Assault: FY 2009-2010	<input type="radio"/>							
Stalking: FY 2009-2010	<input type="radio"/>							

Victim/Witness Assistance Centers VAW Survey

6. Please note all services currently provided to VAW victims by your VWAC. (Check all that apply.)

- Crisis Intervention & Emergency Services
- Resource and Referral Counseling to Agencies within the Community
- Direct Counseling
- Assistance in Processing, Filing, or Verifying Compensation Claims
- Assistance in Obtaining Return of Victim's Property Held as Evidence
- Orientation to the Criminal Justice System
- Court Escort
- Monitoring Court Cases to Keep VAW Victims Apprised of Progress and Outcome
- Upon Victim Request, Notification to Friends and Family of the Occurrence of Crime and Victim's Condition
- Assistance in Obtaining Restitution
- Employer Intervention
- Creditor Intervention
- Child Care
- Witness Protection
- Assistance in Obtaining Restraining Orders
- Transportation

Victim/Witness Assistance Centers VAW Survey

7. Are there services currently unavailable via your VWAC that you feel VAW victims could benefit from?

- Crisis Intervention & Emergency Services
- Resource and Referral Counseling to Agencies within the Community
- Direct Counseling
- Assistance in Processing, Filing, or Verifying Claims
- Assistance in Obtaining Return of Victim's Property Held as Evidence
- Orientation to the Criminal Justice System
- Court Escort
- Monitoring Court Cases to Keep VAW victims Apprised of Progress and Outcome
- Upon Victim Request, Notification to Friends and Family of the Occurrence of Crime and Victim's Condition
- Assistance in Obtaining Restitution
- Employer Intervention
- Creditor Intervention
- Child Care
- Witness Protection
- Assistance in Obtaining Restraining Orders
- Transportation

8. Please note services provided by your VWAC in addition to those listed above. (Check all that apply.)

- Emergency shelter or other long-term housing arrangements
- Accompanying VAW victim to the hospital, usually for a forensic exam
- Other civil legal advocacy (including accompanying a VAW victim to other civil proceedings)
- Assistance with VAWA Self- Petition Applications
- Referral to Immigration Attorney for T Visa/U Visa
- Other

Please specify:

Victim/Witness Assistance Centers VAW Survey

9. Does your organization offer prevention-related services?

Yes

No

If yes, please specify:

10. Victim/Witness Assistance Centers are required by Cal EMA to maintain Operational Agreements (OAs) with local law enforcement and community agencies. Please comment on the frequency and nature of such relationships in serving VAW victims in your county. You may check more than one answer.

	Frequent	Infrequent	Consistent	Collaborative	Not Applicable	Don't Know
Local law enforcement agencies	<input type="checkbox"/>					
Community-based organizations	<input type="checkbox"/>					
Other	<input type="checkbox"/>					

If "Other," please specify:

11. What, if any, are the barriers to effectiveness of those relationships? (If you feel there are barriers, please rank your top three by selecting one choice per column.)

	1	2	3
No Barriers	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Inadequate Resources/Funding	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disagreement in Delivery of Services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Communication Difficulties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
No basis to comment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please specify:

VAW Victim Contact & Response

Victim/Witness Assistance Centers VAW Survey

12. Please comment on the level of willingness or reluctance of VAW victims to learn about and/or access services.

	Very willing	Willing	Neutral	Reluctant or Resistant	Very Reluctant or Resistant	Not Applicable	No Basis to Comment
Crisis Intervention & Emergency Services	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Resource and Referral Counseling to Agencies Within the Community	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Direct Counseling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assistance in Processing, Filing, or Verifying Compensation Claims	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assistance in Obtaining Return of Victim's Property Held as Evidence	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Orientation to the Criminal Justice System	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Court Escort	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Monitoring Court Cases to Keep VAW victims Apprised of Progress and Outcome	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Upon Victim Request, Notification to Friends and Family of the Occurrence of Crime and Victim's Condition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assistance in Obtaining Restitution	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Employer Intervention	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Creditor Intervention	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Child Care	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Witness Protection	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assistance in Obtaining Restraining Orders	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Transportation	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

13. Please add additional comments on the above question if you feel the answer differs among victims of domestic violence, sexual assault, and stalking.

Victim/Witness Assistance Centers VAW Survey

14. Please indicate the ways and frequency by which your VWAC connects with victims.

	Always	Sometimes	Never	Not applicable
Center Initiates Phone or Letter Contact	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Victim Initiates phone, letter, or In-person Contact	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other Agency (e.g., Law Enforcement or a Community Agency) Refers VAW Victims	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Internet contact Including Email	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Please specify:

15. Does your VWAC conduct exit interviews and/or offer victims a satisfaction survey?

- All of the time
 Some of the time
 Never

16. If all of the time or some of the time, please describe how such information is collected, including whether it is anonymous.

Marsy's Law

17. Does your VWAC inform VAW victims of their Marsy's Rights?

- Yes
 No

18. Does your VWAC have written policies and/or procedures regarding Marsy's Rights?

- Yes
 No

If yes, please specify:

Victim/Witness Assistance Centers VAW Survey

19. What impact, if any, has Marsy's Law had on your organization's contacts with VAW victims? Please describe.

Training and Resources

20. Please rate the training and preparedness of Victim/Witness advocates in your VWAC for serving VAW victims.

- Excellent
- Above Average
- Average
- Below Average
- Poor
- No Basis to Rate

Victim/Witness Assistance Centers VAW Survey

21. What specific training not currently offered would be beneficial to improve the ability of VWAC advocates to serve VAW victims in your county? (Check all that apply.)

- Vicarious Trauma Prevention/Intervention for Professionals
- VAW Victims Case Management
- Criminal or Civil Protection Order Law Updates
- Assisting VAW Victims Caught by Economic Changes
- Stalking in the Digital Age
- Computer Age Safety Awareness for VAW Victims
- VAWA Immigration Issues/Law Updates
- Serving Immigrant DV and Sexual Assault Victims
- Trafficking Victims' Case Management
- Effective Advocacy for VAW Victims Affiliated with the Military
- The Connection Between Addiction, Mental Health, and Trauma
- Substance Abuse and Domestic Violence
- Other

Please specify:

22. How would you evaluate the level of state and federal resources (funding) for VAW victims?

Conclusion

Thank you again for taking the time out of your busy work schedule to complete this survey. We greatly appreciate your time. Again, kindly submit all responses by Friday, OCTOBER 21, 2011.

If you would like to leave a concluding comment, or feel that an important issue has not been included, please discuss below.

23. Final Comments:

Appendix C Marsy's Law

California Constitution, Article I, Section 28 (b):

In order to preserve and protect a victim's rights to justice and due process, a victim shall be entitled to the following rights:

1. To be treated with fairness and respect for his or her privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process.
2. To be reasonably protected from the defendant and persons acting on behalf of the defendant.
3. To have the safety of the victim and the victim's family considered in fixing the amount of bail and release conditions for the defendant.
4. To prevent the disclosure of confidential information or records to the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, which could be used to locate or harass the victim or the victim's family or which disclose confidential communications made in the course of medical or counseling treatment, or which are otherwise privileged or confidential by law.
5. To refuse an interview, deposition, or discovery request by the defendant, the defendant's attorney, or any other person acting on behalf of the defendant, and to set reasonable conditions on the conduct of any such interview to which the victim consents.
6. To reasonable notice of and to reasonably confer with the prosecuting agency, upon request, regarding, the arrest of the defendant if known by the prosecutor, the charges filed, the determination whether to extradite the defendant, and, upon request, to be notified of and informed before any pretrial disposition of the case.
7. To reasonable notice of all public proceedings, including delinquency proceedings, upon request, at which the defendant and the prosecutor are entitled to be present and of all parole or other post-conviction release proceedings, and to be present at all such proceedings.
8. To be heard, upon request, at any proceeding, including any delinquency proceeding, involving a post-arrest release decision, plea, sentencing, post-conviction release decision, or any proceeding in which a right of the victim is at issue.
9. To a speedy trial and a prompt and final conclusion of the case and any related post-judgment proceedings.
10. To provide information to a probation department official conducting a pre-sentence investigation concerning the impact of the offense on the victim and the victim's family and any sentencing recommendations before the sentencing of the defendant.
11. To receive, upon request, the pre-sentence report when available to the defendant, except for those portions made confidential by law.
12. To be informed, upon request, of the conviction, sentence, place and time of incarceration, or other disposition of the defendant, the scheduled release date of the defendant, and the release of or the escape by the defendant from custody.
13. To restitution.
 - (A) It is the unequivocal intention of the People of the State of California that all persons who suffer losses as a result of criminal activity shall have the right to seek and secure restitution from the persons convicted of the crimes causing the losses they suffer.
 - (B) Restitution shall be ordered from the convicted wrongdoer in every case, regardless of the sentence or disposition imposed, in which a crime victim suffers a loss.

(C) All monetary payments, monies, and property collected from any person who has been ordered to make restitution shall be first applied to pay the amounts ordered as restitution to the victim.

14. To the prompt return of property when no longer needed as evidence.
15. To be informed of all parole procedures, to participate in the parole process, to provide information to the parole authority to be considered before the parole of the offender, and to be notified, upon request, of the parole or other release of the offender.
16. To have the safety of the victim, the victim's family, and the general public considered before any parole or other post-judgment release decision is made.
17. To be informed of the rights enumerated in paragraphs (1) through (16).