

Appendix 1: Mapping Domestic Violence Case Processing Tools and Practice Examples

Purpose

Mapping helps a military-civilian CCR project understand how domestic violence cases move through various points of intervention in the military and civilian systems.¹ It helps identify process issues and problematic practices for the CCR to act on. The act of mapping also helps build and strengthen partnerships and the overall collaboration as participants come to better understand each other's roles and functions in responding to domestic abuse. Mapping reinforces the interdisciplinary foundation of a coordinated community response and introduces military and civilian interveners to new ways of working together.

Steps

1. Decide which aspects of **case processing** to explore. There are many possibilities, so pay careful attention to starting with a topic and scope that is manageable enough to learn the mapping process and to be successful. Mapping will be an ongoing part of the CCR's work and not every aspect of the military and civilian responses needs to be tackled at once. To narrow the scope, consider surveying a variety of practitioners and holding focus groups with victims of domestic abuse to find out what parts of the military and/or civilian response might be a good place to begin. Or, start at the beginning of the case process and map a portion, such as 911 calls through law enforcement intervention. There are many possibilities, including but not limited to:
 - Civilian orders for protection
 - Military orders for protection
 - 911 and the initial base security or law enforcement response, including: predominant aggressor determination, evidence collection and documentation, and arrest decisions
 - 911 and civilian sector law enforcement response to cases involving military personnel
 - Initial and follow-up investigations (civilian and military law enforcement)
 - Danger/threat assessment and safety planning across all intervening agencies and systems
 - Case disposition through local prosecutors and corresponding military systems
 - Probation
 - Batterer intervention, including options for cases handled by the military and those involving civilian court-mandated services
 - Victim advocacy, including access to confidential advocacy services, military advocacy services, legal assistance, medical services, emergency shelter, and ongoing support
 - Medical facility response

¹ The mapping process described here has been adapted from *The Praxis Safety and Accountability Tool Kit*, Ellen Pence and Jane M. Sadusky, Praxis International, Inc., February 2005.

2. Establish **small, interdisciplinary work groups** with military and civilian representation to conduct the mapping process. Each work group will focus on one or more steps of intervention. For example, one work group might concentrate on 911 calls and the initial law enforcement response to cases involving military personnel while another examines the responses of civilian prosecutors and military legal offices. One work group would focus on advocacy and services to victims while another would pay attention to sanctions and consequences for acts of domestic violence, including batterer intervention programs.
3. Use the following methods to gather information about the military and civilian responses to cases of domestic abuse involving military personnel.

- Interview** practitioners, advocates, and others who might have a valuable perspective on the point of intervention that is being mapped.

The list of interviews will vary according to the process being examined. It might include installation commanders, civilian and military law enforcement officers, emergency 911 call-takers and dispatchers, prosecutors, Staff Judge Advocates or Judge Advocates General, FAP victim advocates, civilian victim advocates, probation officers, facilitator's of batterer intervention groups, and court personnel. Again, the interview subjects will vary according to the focus of the mapping inquiry.

- Observe** different steps involved in the point of intervention; i.e., watch a particular aspect of intervention in action.

As with interviews, the kind of observations will vary according to the subject of the mapping process. Examples might include: ride-alongs with civilian and military law enforcement officers, 911 center "sit-alongs," jail booking or other custody procedures, arraignment or initial appearance hearings in criminal court, pro se legal clinics, or order for protection hearings. An observation involves standing aside and watching the process unfold while being attentive to the exact steps involved and the ways in which the practitioner responds, both in general and in domestic abuse-related cases in particular. Where possible by time and setting, an observation might also involve a brief interview with the practitioner involved in whatever process is being watched. The purpose of the observation is **not** to conduct any kind of performance review of an individual practitioner, but to see everyday processes in action.

- Read** case files, reports, policies, protocols, forms, brochures, or other documents produced or used at the point of intervention or process being examined. Individual names and other personal identifying information are usually redacted from case files or other records before a mapping team reviews the material. Again, depending upon the focus of the mapping process, a team might listen to 911 tapes and read transcripts of the calls, read police incident reports, examine a law enforcement agency's policies on predominant aggressor, review guidelines for charging decisions, or study protection order petitions or affidavits and the corresponding final order.

4. **Go step-by-step through the process under review.** Ask about and stay alert to how policies and practices at each step of intervention are working or not working to strengthen victim safety and offender accountability. Mapping is most successful when team members step back and suspend what they think they know about a particular installation, agency, or profession; stay curious about learning about how something works rather than reacting with a quick judgment; and, stay concrete and ask for specific examples. Ask the following questions to help keep the mapping focused:

- What happens at each step in this process?
- Who does what?
- What kinds of forms, reports, rules, and policies are involved in this process?
- How might this process have unintended negative consequences for a victim of domestic abuse?

5. Analyze the information gathered using **key factors in how work is organized and coordinated** in large systems and institutions. These case management factors direct and influence the ways in which practitioners, both civilian and military, act in official ways across ranks, disciplines, agencies, level, and job functions. They include:

- Coordination and linkages

This includes the ways in which institutions link workers and processes; and the ways in which interveners are linked with one another and with the people they are responding to in a domestic violence case.

- Policies and rules

Policies and rules set forth what practitioners *must* do. They are established by local, state, and federal legislative bodies and regulating agencies; via agency directives; and through boards of directors. In the military setting this includes policies and rules set by the Department of Defense, each service branch, and installation commands.

- Administrative procedures

Administrative procedures instruct practitioners on how to carry out the mandates set by policies and rules. Such procedures are typically reflected in screening forms, case files, report forms, decision-making matrices, routing instructions, protocols, and similar material.

- Training and skills development

This includes the ways that different disciplines prepare practitioners in that field, formal training related to domestic abuse, and informal avenues, such as on-the-job experience and relationships with other workers.

- Resources

Resources include everything necessary to ensure responses that enhance victim safety and offender accountability, including: funding, materials, personnel, case loads, technology, adequate supervision, and support services.

Concepts and theories related to an issue or practice

This includes categories and assumptions that shape the ways in which practitioners talk and write about cases of domestic abuse. Language and terminology are often a clue to underlying concepts and theories. For example, terms such as domestic abuse, intimate partner violence, and family violence carry different meanings that shape how the day-to-day work gets put together.

6. Identify and articulate the **process issues and gaps** in victim safety and offender accountability that the mapping has discovered, and recommend changes.

Practice Examples

The following practice examples illustrate how mapping might be applied to examine the processes involved in civilian orders for protection and in military orders for protection.

Mapping Domestic Violence Case Processing: Civilian Orders for Protection (OFP)

Interviews conducted:

- Director of County Justice Center Order for Protection Clinic (CJC-OPC)
- CJC-OPC staff, including: receptionist and intake specialists
- DV Advocate assigned to CJC-OPC
- DV Shelter Advocates

Observations conducted:

- CJC-OPC procedures: reception, intake, and referral to DV Advocate
- Order for Protection court procedures: waiting area, check-in process, contact with DV Advocate, court hearings

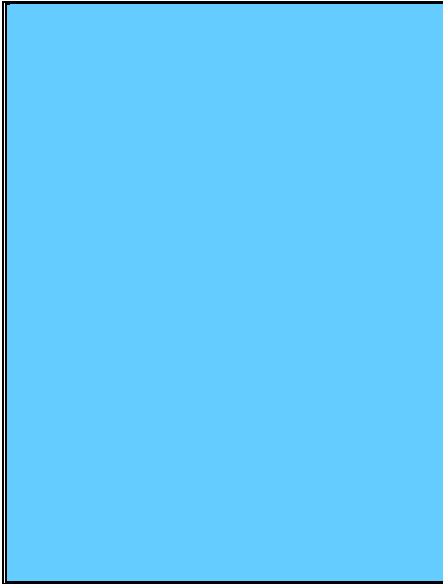
Documents reviewed:

- Brochure explaining CJC-OPC services
- Handout explaining order for protection process

KEY STEP	SUBSTEPS
<p>Victim initiates the protection order process – becomes the <i>petitioner</i></p>	<ul style="list-style-type: none"> ▪ Victim told how to file voluntarily by: <ul style="list-style-type: none"> ○ Civilian law enforcement ○ DV shelter or legal advocacy program ○ Military FAP case manager or advocate ○ Legal Aid attorney or private attorney ○ Prosecutor ○ Military law enforcement ▪ Victim ordered to file by Department of Child Welfare
<p>Petitioner fills in the order for protection (OFP) application form</p>	<ul style="list-style-type: none"> ▪ 90% of time completes the form at OFP Clinic located in County Justice Center ▪ Completes form through a private attorney ▪ Completes form on her/his own
<p>Victim visits the County Justice Center Order for Protection Clinic for assistance in completing and filing the OFP</p>	<ul style="list-style-type: none"> ▪ Enters the courthouse annex on 1st floor, pass through metal detector, show ID, and get visitor's pass ▪ Goes to 5th floor and shows ID to the sheriff's deputy <ul style="list-style-type: none"> ○ Deputy asks petitioner name and respondent name; both names recorded on ledger at the desk ▪ Goes down long hall, past long bench where other petitioners are waiting; to office where another deputy sits at a desk in the main

KEY STEP

SUBSTEPS



hallway

- Petitioner tells receptionist she/he wants to file for injunction
- Receptionist asks for ID, name, respondent's name, relationship to the respondent, and if children are involved
- Receptionist copies ID card
- Receptionist gives petitioner paperwork to be filled out, brief instructions, and an envelope to self-address
- Receptionist tells petitioner to return when done and that "you will speak to an intake specialist"
- Petitioner waits in the hallway; waiting time depends on the number of people and can take a long time, e.g., 60 to 90 minutes

CJC-OPC intake specialist calls petitioner into the office



- Intake specialist copies the lethality assessment form completed by petitioner and the DV Advocate (DVA) contact form and puts them in DVA file
- Specialist reads what petitioner has written on forms, conducts an interview, and asks additional questions
- Specialist fills out the petition on the computer
- Specialist reads the petition as entered back to the petitioner – "does this sound okay?"
- Specialist prints out the petition and petitioner signs a copy
- Petitioner leaves CJC-OPC with notice of a court hearing date
- Petitioner does not receive a copy of the petition unless she/he specifically asks for it
- Intake specialist starts a case file
- Clerk in CJC-OPC docket the case, enters it into the database, and double-checks for previous case files under petitioner and respondent names

DV Advocate might meet with petitioner at CJC-OPC



- If DVA available at that time and petitioner interested, DVA will meet with her/him
- DVA reviews safety planning, shelter and other community services

KEY STEP

SUBSTEPS

Petitions go to signing judge for temporary order



- Signing judge reviews petitions twice each day: 10:00 AM and 3:00 PM
- 14 judges rotate the signing responsibility weekly
- 1 judge assigned to review and sign petitions
- 1 “sitting judge” hears cases
- Judge signs orders by end of day or next day
 - Mailed to petitioner (most cases) or picked up
- Copies of all orders signed go into “service pack” sent to Sheriff’s Office Civil Processing
 - Respondent out of the county: order mailed to that county’s sheriff for service
 - Respondent out of the state: order mailed to victim to attempt service

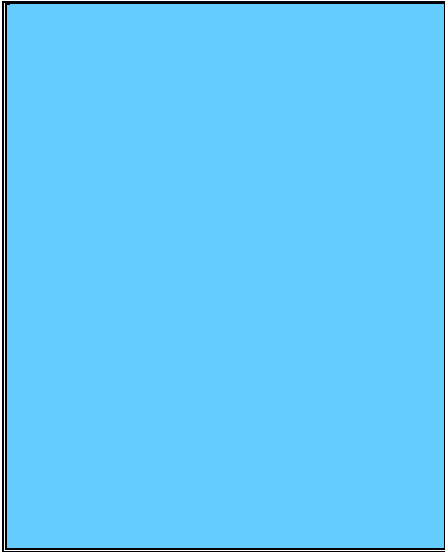
Order for Protection Court –
Activities prior to judge’s arrival

[2 weeks after temporary]



- Petitioners and respondents to arrive at 8:00 a.m.
 - Go through metal detector
 - Sit/stand in same lobby area
 - No bailiff or security personnel in lobby area
- Bailiff comes from courtroom for roll call of those present
 - Directs petitioners to line up against a wall
 - Calls out a name
 - Petitioner comes up to bailiff; bailiff requests and checks ID, sends petitioner into court
 - Respondents all sitting/standing and watching petitioners
- Petitioners in courtroom directed to sit on left side of the room
- Clerk from CJC-OPC calls out names and asks those people to line up by the jury box
 - Informs them that their cases have not been served
- Clerk calls petitioners’ names and asks each one to say “here”
- Bailiff asks petitioners if any of the respondents are in jail
- DV Advocate talks to the petitioners
 - Explains some of the process
 - Tells them how to address the judge
 - Tells them not to chew gum

KEY STEP



Order for Protection Court –
Hearing

SUBSTEPS

- Answers questions
- Any petitioner who wants to drop the order has to speak separately with the DV Advocate
- In the courtroom lobby, bailiff repeats the same roll call process with the respondents
 - Sent into court and told to sit on the right side of the room
 - Sometimes incarcerated respondents are brought in and sat in the jury box until their case is called
- Petitioners and respondents wait for judge to arrive
 - No monitoring of interactions, if any, between petitioners and respondents
 - Seated very close together



- Judges takes private attorney cases first
- After represented cases, then calls the calendar
- Disputed/contested orders are held until the end of the docket
- If order issued, directs petitioner and respondent to sit in the back of the courtroom behind the glassed-in area while paperwork is processed
- Once orders are issued, petitioner and respondent are allowed to leave simultaneously

Case Processing Issues Identified in Mapping Civil Orders for Protection

Factors	Process Issues & Recommendations
Coordination and linkages	<ul style="list-style-type: none"> ✓ Injunctions not issued the same day as requested, even in dangerous situations or when considered emergency petitions ✓ Judges rotate weekly; one judge hears the petition and a different judge signs the order <p>Recommendations</p> <ul style="list-style-type: none"> • Assign judges so that signing judge and hearing judge are the same
Policies and rules	<ul style="list-style-type: none"> ✓ Department of Child Welfare is ordering victims to obtain civil OFPs ✓ Compliance and review hearings: lack of enforcement of orders <p>Recommendations</p> <ul style="list-style-type: none"> • Convene a work group of DCW staff, community advocates, and others to re-examine this practice • Hold interagency training regarding battering and implications of this practice for mothers and children • Develop clear procedures and training on enforcing order
Administrative procedures	<ul style="list-style-type: none"> ✓ Process of getting into the CJC requires screening on two floors; repetitive showing ID, recording names of petitioner and respondent ✓ Reception process: lack of clear information about what the process is, how to fill out the forms ✓ No standardized process for intake; no protocols or SOP ✓ Petitioner does not get a copy of the petition unless she/he asks ✓ Mailing orders to petitioners could be a safety issue if respondent is at the same address and opens it first ✓ Service issues: Sheriff's Office doesn't always get orders served; if respondent out of the county, out of state, service unlikely <ul style="list-style-type: none"> ○ No check to see if respondent has had injunctions against him/her by other people ✓ Order for Protection Court hearing process: <ul style="list-style-type: none"> ○ Petitioners and respondents have to wait in lobby together

Factors	Process Issues & Recommendations
	<ul style="list-style-type: none"> ○ Check-in process with the. roll call, ID check ○ No notification to victim if respondent has not been served ○ Petitioners and respondents allowed in/out access to courtroom and outside to smoke ○ No monitoring for safety; interaction between parties while sitting in courtroom ○ Respondents permitted to leave at same time as petitioner ○ Respondent leaves the courtroom before the final order is signed, then order has to be served ○ Bringing incarcerated respondents in to sit in the jury box and wait <p>Recommendations</p> <ul style="list-style-type: none"> ● Need for screener who can identify cases which are appropriate for the injunction process and those which need to go elsewhere; only those which are appropriate for the injunction process would receive paperwork, see an intake specialist and take additional steps ● Need a method/procedure/person to identify cases suitable to file injunction through County Justice Center Order for Protection Clinic (including domestic violence, dating, repeat violence and sexual assault). ● Posters/signs on walls in County Justice Center Order for Protection Clinic explaining key issues of filling out forms ● Promulgation of standard protocols for intake specialists ● Process by which petitioners can check-in as soon as arrive at courthouse – possibly DVA to facilitate this in conjunction with Sheriff’s Office ● Stationing SO bailiffs in lobby when petitioners and respondents are arriving for court and going in/out of court, smoking cigarettes, etc. – coordinate with SO. ● Change sign on courthouse door to give info as to who may file OFP through Order for Protection Clinic and directing others to correct location
Training and skills development	<ul style="list-style-type: none"> ✓ County Justice Center Order for Protection Clinic <ul style="list-style-type: none"> ○ Reception area atmosphere and wait ○ Intake specialists’ customer service and interviewing skills, knowledge of domestic violence ○ Currently no cross-training between CJC-OPC Intake Specialist and community DV Advocate

Factors	Process Issues & Recommendations
	<ul style="list-style-type: none"> ✓ Across court personnel, knowledge of domestic violence and related lethality issues and response to victims fears and concerns ✓ Knowledge of domestic violence and victim autonomy and safety issues for legal aid and private attorneys assisting victims <p>Recommendations</p> <ul style="list-style-type: none"> • Specialized domestic violence training for all personnel involved in the order for protection process • Domestic violence training and sensitivity training for professionals, court personnel, etc., involved in the order for protection process
Resources	<ul style="list-style-type: none"> ✓ Ratio community DV Advocates to CJC-OPC Intake Specialists means that DVAs will only see approximately 1 of 4 petitioners who come to get an injunction ✓ No computer in courtroom and CJC-OPC clerk must fill in all orders by hand ✓ Petitioners receive little information on how to use of witnesses in court <p>Recommendations</p> <ul style="list-style-type: none"> • Investigate sources of additional funding to ensure a more equal ratio of OPC Intake Specialists to DV Advocates involved in the order for protection process • Purchase computer and printer for courtroom clerk to facilitate finalizing court orders, including changes to orders and possibly entry into statewide system;
Concepts related to an understanding of domestic violence	<ul style="list-style-type: none"> ✓ Many involved in OFP process believe that injunction process is a “poor man’s divorce,” or that only those who are “really” battered, should use the process; others (some believe most) are wasting the court’s time ✓ If petitioner dismisses/drops an order, the court assesses her/him court costs ✓ Some attorneys appear to make decisions without input from the petitioner/victim <p>Recommendations</p> <ul style="list-style-type: none"> • Need for a paradigm shift of those involved in the process that injunctions are often the first step to safety by victims of domestic violence, even if an order is subsequently dropped by the petitioner. In many communities

Factors	Process Issues & Recommendations
	<p>throughout the U.S., when protection orders were first introduced, domestic violence homicides dropped dramatically. The injunction process is often the easiest, quickest way for a ongoing victim of battering to begin to exit a violent relationship with the greatest belief that she will be protected</p> <ul style="list-style-type: none"> • Change policy of charging petitioners who subsequently drop or dismiss an injunction as this reinforces victim blaming.
<p>Military/Civilian coordination</p>	<ul style="list-style-type: none"> ✓ Lack of coordination on many issues related to military protection orders (MPO) and civilian protection orders (OFP) ✓ Civilians do not receive any training on the military response and civilian agencies unclear on military processes • DV Shelter to hire an advocate who specializes in military issues/serve as liaison with the military • Ongoing cross-training by military and civilian agencies to keep each other informed of respective responses, e.g. annual meetings and for all new personnel coming aboard. For example, a new advocate at DV Shelter could spend a day at the Family Advocacy Program, ride-a-long with the Security Force patrol, etc.

Mapping Domestic Violence Case Processing: Military Orders for Protection (MPO)

Interviews conducted:

- Command Master Chief
- Staff Judge Advocate
- Provost Marshal
- Family Advocacy Program (FAP) Director
- Family Advocacy Program Victim Advocates
- DV Advocate assigned to CJC-OPC

Documents reviewed:

- Blank DD Form 2873 (Military Protective Order)
- 5 completed MPOs (with all names and identifying information removed)

KEY STEP

SUBSTEPS

MPO initiated or requested	⇒ <ul style="list-style-type: none"> ▪ Victim to Legal Service Office, Family Advocacy Program, or Commanding Officer (CO) ▪ Family Advocacy Program to CO ▪ Criminal Investigation Service to Legal Service Office, Family Advocacy Program, or CO ▪ Medical Treatment Facility social worker to Family Advocacy Program ▪ Legal Service Office (LSO) to Tenant Command
MPO: Base Command	⇒ <ul style="list-style-type: none"> ▪ Petitioner present through LSO ▪ Order drafted using DD Form 2873 ▪ Victim required to make a written statement, which goes to Command ▪ Staff Judge Advocate reviews with Command ▪ Command signs order: <ul style="list-style-type: none"> ○ Service member brought to LSO to sign MPO and receive briefing on its conditions ○ Copies of MPO distributed to service member, protected person, Base Command, and Provost Marshal ○ FAP notified via phone or mail ▪ Command declines to sign order: <ul style="list-style-type: none"> ○ FAP notifies victim of alternative steps she/he can take

KEY STEP

SUBSTEPS

MPO: Tenant Command	<p>⇒</p> <ul style="list-style-type: none">▪ LSO contacts Tenant Command Master Chief (CMC)▪ CMC briefs Commanding Officer▪ Tenant Command agrees to MPO:<ul style="list-style-type: none">○ Service member notified; comes to command office and signs order○ FAP notified○ FAP notifies victim○ Copies of MPO distributed to service member, protected person, Base Command, and Provost Marshal▪ Tenant Command declines MPO:<ul style="list-style-type: none">○ FAP notifies victim of alternative steps she/he can take
Enforcement	<p>⇒</p> <ul style="list-style-type: none">▪ Protected person notifies one of the following of MPO violation:<ul style="list-style-type: none">○ LSO○ FAP○ Provost Marshal○ Service member's Commanding Officer○ County Sheriff's Office (may or may not report to Command)▪ Base Command requests investigation by Command Master Chief▪ Base Command may:<ul style="list-style-type: none">○ Counsel service member○ Lengthen MPO○ Add additional restrictions to MPO○ Take no action▪ Tenant Commands conduct own investigation at their discretion
MPO Expiration / Dismissal	<p>⇒</p> <ul style="list-style-type: none">▪ MPO typically in force for 10 days (rarely longer)▪ To dismiss MPO prior to expiration date, protected person must make written statement to Command that she/he wants the order dismissed<ul style="list-style-type: none">○ Command keeps a copy of this statement○ If MPO dismissed, FAP and Provost Marshal notified by phone○ No written notice of dismissal

Case Processing Issues Identified in Mapping Military Orders for Protection

Factors	Process Issues & Recommendations
Coordination and linkages	<ul style="list-style-type: none"> ✓ Civilian law enforcement agencies are not notified about MPO when protected person is living in the community [See note under Military/Civilian Coordination] ✓ Link between civilian law enforcement back to the base is not well-developed; inconsistent in getting information about MPO violations back to installation ✓ Protected persons are not always aware of options for enforcing the MPO <p>Recommendations</p> <ul style="list-style-type: none"> • In cooperation with civilian agencies, create a victim-initiated process for notifying appropriate installation authorities of MPO violations that occur off-base • Ensure that protected persons are made aware of all options for enforcing the MPO • Develop informational pieces to accompany the MPO that explains all options for enforcing the MPO
Policies and rules	<ul style="list-style-type: none"> ✓ No policy specifying how and to whom copies of MPO will be distributed and in what form (e.g., in writing or verbally) ✓ No requirement for prompt distribution of MPO notice <p>Recommendations</p> <ul style="list-style-type: none"> • Ensure that MPO is consistently issued in writing • Ensure that MPO is consistently give to the protected person and Provost Marshal in a timely manner
Administrative procedures	<ul style="list-style-type: none"> ✓ MPO does not have a place for the name and number of a contact person if the service member, protected person, civilian police officer, or other party has questions ✓ No written record of MPO dismissal or expiration; difficult to track orders ✓ Provost Marshal does not have a system for consistently recording and tracking MPOs <p>Recommendations</p> <ul style="list-style-type: none"> • Revise MPO form to include contact information for protected person and others to use regarding questions about enforcement

Factors	Process Issues & Recommendations
	<ul style="list-style-type: none"> • Develop a system to track dates MPOs are issued, expired, or dismissed • Develop a way for Provost Marshal to record and track MPOs in a way that base security can readily access that information
Training and skills development	<p>✓ Base and Tenant Commands have not received training about what constitutes a violation of a MPO and how to enforce MPOs</p> <p>Recommendations</p> <ul style="list-style-type: none"> • Provide training to Provost Marshal and Base and Tenant Commands about recognizing and enforcing MPO violations
Resources	<p>✓ Lack of database for Provost Marshal to verify and track MPOs</p> <p>Recommendations</p> <ul style="list-style-type: none"> • Develop a way for Provost Marshal to record and track MPOs and violations, on and off base, in a way that base security can readily access that information
Concepts related to an understanding of domestic violence	<p>✓ Requiring victim to make a written statement raises questions related to safety, including:</p> <ul style="list-style-type: none"> ○ Who has access to the victim’s statement in the future? Does Command keep the copy in the service member’s file? <p>Recommendations</p> <ul style="list-style-type: none"> • Reexamine practice of requiring victim to provide written statement to Command • Ensure that service member does not have access to any victim statement
Military/Civilian coordination	<p>✓ MPOs are not legally enforceable by civilian law enforcement, but it might be possible and desirable to create a process by which a person protected by an MPO could notify civilian law enforcement and civilian law</p>

Factors	Process Issues & Recommendations
	<p>enforcement could notify the installation Command</p> <ul style="list-style-type: none"> ✓ Protected persons are not always informed of option, possible advantages, and timeliness of obtaining a civilian OFP • Explore feasibility of a pilot project to create a cooperative civilian response to MPO violations off-base • Ensure that protect persons are made aware of the civilian OFP process and receive a contact for the DV Advocate and County Justice Center Order for Protection Clinic