CCR Problem-Solving Series: Making the Criminal System Work Better for Victims

BATTERED WOMEN’S JUSTICE PROJECT
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3-part Series

Prosecution 101: Vital Lessons for Advocates
Bringing the Prosecution into Your CCR Team
When the Victim is Arrested: Seeking a Just Response
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When the Victim is Arrested: Seeking a Just Response

Who is with us today?

- Community-based advocate
- LE-based advocate
- V/W Coordinator
- Law enforcement
- Prosecutors
- Civil attorneys
- Defense attorneys
- Court personnel
- Probation
- CCR coordinators
Who is with us today?

Raise your “hand” if you were able to join our first and/or second webinar in the series
When the Victim is Arrested: Seeking a Just Response

1. Review the lessons from prior webinars

2. Identify how advocacy programs can – and should – work with arrested victims

3. Develop strategies for effective partnerships between advocates and defense attorneys
When the Victim is Arrested

Lessons from prior webinars

• Comprehensive understanding of CJS process
• Know how prosecutors see and evaluate cases
• Role of advocates as guide for prosecutors and victims
When the Victim is Arrested

• Unique challenges and additional risks
• How advocates can – and should – help arrested victims
  ➢ Barriers to defense-based advocacy work
  ➢ Building a defense-based advocacy project in your program
• Assessing when and how to work with prosecutors in these cases
When the Victim is Arrested

Unique Challenges and Risks

• How victims end up as defendants

• Additional risks faced by arrested victims
How Advocates Can – and Should – Help Arrested Victims

possible barriers

- deciding whom to serve
- liability and safety concerns
- effects on existing relationships
- funding and capacity
Building a Defense-Based Advocacy Program

Know the system – but...

Basics, with differences

Defense attorney partners

Balancing with other CCR partners

Advocacy strategies
Building a Defense-Based Advocacy Program

Know the criminal system –

but from a defense perspective
Building a Defense-Based Advocacy Program

Similar advocacy skills and knowledge – but some caveats...

- Connecting with defense attorneys
- Facts of case
- Discussions with prosecutors
Building a Defense-Based Advocacy Program

Ethical requirements

Role

Perceptions and misperceptions

your defense attorney partners
Building a Defense-Based Advocacy Program

Defense attorney

Arrested victim

community

cops

prosecutors

judges

funders

Advocates

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Building a Defense-Based Advocacy Program

- Support groups at jails
- Information workshops at jails
- Bail fund
- Community education
- Connect with re-entry programs
When the Victim is Arrested

Scenario

Arrested victim
When the Victim is Arrested

Working with the prosecutor ... or not

- Professional and personal relationship
- Knowledge of victim’s abuse
- Ethical duties and aspirations
When the Victim is Arrested: Seeking a Just Response

Closing thoughts...
When the Victim is Arrested

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