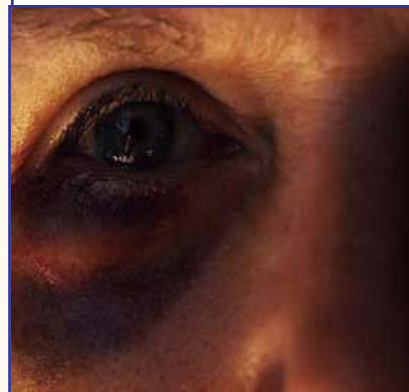


DOMESTIC VIOLENCE/CHILD ABUSE COMMISSION



FINDINGS AND RECOMMENDATIONS
MAY 2005

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COMMISSION MEMBERS

Ms. Margaret Anglin
Community Volunteer

Mr. Dick Batchelor
President – Dick Batchelor Management
Group, Inc.

The Honorable Kevin Beary
Orange County Sheriff
- *Captain Michael Miller*: Designee

The Honorable Alice Blackwell White
Circuit Judge – 9th Judicial Circuit

Mr. Ron Blocker
Superintendent – Orange County Public Schools
- *Ms. Anita Stafford*: Designee

Dr. Deborah Day
Psychologist – Psychological Affiliates, Inc.

The Honorable Robert M. Evans
Circuit Judge – 9th Judicial Circuit

Ms. Ana Fernandez
Financial Planner – Heritage Financial Services

Mr. Walt Gallagher
Criminal Justice Coordinator

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Ms. Susan Harris
City of Orlando/Junior League of Greater Orlando

Mr. Richard J. Hurt
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Ms. Debbie Jallad
President – Accredited Surety & Casualty

Mr. Jerry Kassab
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The Honorable Lawson Lamar
State Attorney – 9th Judicial Circuit
- *Mr. Bill Vose*: Designee
- *Ms. Erin DeYoung*: Designee

Mr. Percy Luney
Dean – FAMU College of Law

The Honorable David Mealor
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Mr. Michael McCoy
Police Chief – City of Orlando
- *Deputy Chief Pete Gauntlett* – Designee

Ms. Carmel Munroe – Director
Howard Phillips Center for Children & Families

The Honorable Belvin Perry, Jr.
Chief Judge – 9th Judicial Circuit

Mr. Karl Rowley
Director – Victim Service Center

Ms. Melanie Servis – Assistant to the Deputy
County Administrator/Orange County Govt.

Mr. Mike Watkins – District 7 Administrator
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The Honorable Robert Wesley
Public Defender – 9th Judicial Circuit

COMMISSION STAFF SUPPORT

Court Administration/9th Judicial Circuit
Helene Welch, Karen Levey, Susan Clary

Clerk of the Circuit & County Courts Office
Sally Wolfe

Orange County Government
Kelly Kwas and Cathie Rising

Criminal Justice Coordinator's Office
Ron Johnson

WORKGROUP PARTICIPANTS

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Community Volunteers: Ms. Laura Williams, Ms. Deedra Hunter and Ms. Therese Murphy

Court Administration: Ms. Helene Welch

Criminal Justice Coordinator's Office: Mr. Ron Johnson

Department of Children & Families: Ms. Kelly McKibben, Ms. Barbara Dirienzo and Mr. John Cooper

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Harbor House/Orange County Center Against Domestic Violence: Ms. Gail Patin and Ms. Julie Tindall

Howard Phillips Center for Children & Families: Ms. Marie Martinez and Ms. Jill Hamilton

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Lakeside Alternatives, Inc.: Ms. Anne Marie Sheffield

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Orange County Corrections/Probation: Mr. Bob Smedley

Orange County Public Schools: Ms. Anita Stafford

Orange County Sheriff's Office: Undersheriff Malone Stewart, Chief David Black, Captain Mike Miller, Lt. Matt Irwin, Sgt. Julia Blackmon, Lt. Mike Osborne and Ms. Sandy Phillips

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Public Defender's Office: Ms. Eileen Forrester, Ms. Melissa Vickers and Ms. Melissa Barker

State Attorney's Office: Chief Assistant State Attorney Bill Vose and Ms. Erin DeYoung

EXECUTIVE SUMMARY

Every day in Orange County, adults and children are battered and abused in their homes by their loved ones and significant others. These victims are all around us – in our *schools*, in our *businesses*, in our *places of worship* and the *everyday locations* we all frequent – and often they are us.

These are their voices:



“I lived in an abusive relationship for 3 ½ years – ours was a textbook example of the cycle of violence: honeymoon – tension – explosion – honeymoon. The verbal abuse escalated from small, demeaning remarks until they became cruel potshots about what I looked like, what I did and how I handled the children. I became increasingly isolated from friends and family. I grew so accustomed to hearing these negative messages that I began to believe them. I allowed his judgement and his perceptions to determine my reality. Eventually, the honeymoon cycle rarely occurred.”

- **Laura W.**, Survivor



“My heart is broken, as were my bones . . . my trust and spirit crushed. In the dark I pray alone . . . sweet laughter long since hushed.”

- **Ann L.**, Survivor



A young boy’s response when asked if he had ever been hurt during or after witnessing a domestic violence episode between his parents . . .

“Only in my heart.”

- **Matthew**, Survivor



“A father is supposed to love and protect their daughter, but all you did was abuse me . . . I have had enough! You will not hold me down anymore. I am stronger now.”

- **S.C.**, Survivor

Executive Summary Continued:

In 2004, over 6,100 written petitions for domestic violence injunctions were filed in Orange County – of these the court granted 4,785 temporary injunctions for protection. Law enforcement in Orange County made 8,022 arrests for domestic violence in 2004, with the State Attorney’s Office filing on approximately 3,000 of the more serious cases.

Domestic violence is about control and children are one of the strongest links for a perpetrator to yield that control. When a victim attempts to take back control of their life and that of their children, such as seeking divorce, physical violence and controlling tactics increase. For years 2003 and 2004, there were 120 domestic violence deaths statewide. In **Orange County** for the same time period, 17 people lost their lives as a result of domestic violence, 6 of them children. Countless other victims suffered at the hand of their abusers, yet survived. Below are the names of those who died as a result of this senseless violence:

- *Willie Turner* age 63
- *Richard Heyes* age 62
- *Beverly Jo Clark* age 56
- *Darlene Boykin* age 50
- *Teresa Helfrich Brandt* age 46
- *Nilda Corsino* age 38
- *Migdalia Pagan* age 38
- *Michelle Lynn Jones* age 37
- *Crystal Farber* age 33
- *Yvonne Booth Kirkland* age 28
- *Sarah Nicole Patten* age 20
- *Monica Draper-Owens* age 14
- *Sean LaPaix* age 13
- *Stephanie LaPaix* age 11
- *Nikki Behzadpour* age 6
- *Sammi Behzadpour* age 3
- *William James Chandler* age 6 weeks

Executive Summary Continued:

In **Orange County**, the Department of Children & Families investigated 11,659 cases of child abuse for fiscal year 2003/2004. Florida has the 2nd highest rate of child abuse and neglect in the nation. Orange County consistently ranks in the top four counties in Florida for the number of reports of child abuse. The vast majority of child maltreatment cases involve neglect.

Research shows that abused or neglected children are more likely to commit crimes, use drugs, perform poorly in school, experience mental health problems and abuse others when they become adults. These represent enormous costs to society in terms of funding needed for child protection, healthcare, substance abuse treatment, juvenile justice, school failure, mental health services and more.

In Orange County, only 29% of children live in two-parent households. Over 20,000 families live below 100% of the Federal Poverty Level, or 9% of families in Orange County. Nationwide the percentage is 9.8%. Poverty and other socioeconomic disadvantages significantly increase the rate of child abuse and neglect.

Across the country, research has shown that where there is domestic violence, there is often child abuse. The correlation between domestic violence and child abuse is one that can no longer be ignored.

Every nine seconds a woman is beaten in the United States. Domestic violence is the **leading cause of traumatic injury to women**, causing more serious injuries and death than automobile accidents, rapes and assaults combined. Employers lose between **\$3 and \$5 billion** every year in absenteeism, lower productivity, higher turnover and health and safety costs associated with battered workers.

Executive Summary Continued:

A battered woman with children faces many difficult decisions. She must determine how to protect herself and her children from physical dangers created by her abuser. If she decides to separate from the abuser, she must have money for housing and food or transportation to a shelter. She worries about what will happen to her children's health insurance if she leaves her abuser. She worries who will baby-sit her children when she has to go to work. She worries about her abuser finding her and the children and hurting them even more. Financial worries are always constant.

Children who live with domestic violence face many increased risks: risk of exposure to traumatic events, risk of neglect, risk of direct abuse and the risk of losing one or both parents. Children who witness domestic violence also experience behavioral, social and emotional problems. Many children have extreme anger and hostility toward everyone, while others show high degrees of depression, low self-esteem and poor social relationships.

Developmental delays can occur for verbal, cognitive and motor abilities. Learning disabilities are common. As a result, poor school performance and a lack of conflict resolution skills are often exhibited. But perhaps most disturbing of all, *boys who have witnessed abuse of their mothers are ten times more likely to abuse their female partners as adults*, thus perpetuating the cycle of violence. Domestic violence is not just about physical violence – it also includes emotional abuse, isolation, sexual abuse, manipulation of children and financial control.

Two tragic cases in Central Florida raised awareness regarding the fine line between domestic violence and the ultimate death of a child. The children of Hope Behzadpour and Lisa Randall were killed by their fathers. Both women were fearful for their children's lives and requested their husbands be denied unsupervised visitation. In an effort to show who was in control, their estranged husbands killed the thing dearest to them . . . their children.

Executive Summary Continued:

These tragic cases spurred Judge Belvin Perry, Jr., Chief Judge of the 9th Judicial Circuit, and Lydia Gardner, Orange County Clerk of Circuit and County Courts, to establish the Domestic Violence/Child Abuse Commission in June 2004. The Commission was co-chaired by the Honorable Robert M. Evans, Circuit Judge with the 9th Judicial Circuit, and Mr. Dick J. Batchelor, President of Dick Batchelor Management Group, Inc. Commission membership was comprised of elected officials in Orange County, criminal justice and child protection stakeholders and community leaders/advocates who had expertise in the field of domestic violence and child abuse. An additional 40 individuals representing a diverse spectrum of the community participated at the workgroup level providing valuable input into the overall recommendations. The ultimate charge of the Commission was to make recommendations that would lead to the implementation of a “**zero tolerance**” policy for domestic violence and child abuse in our community.

The overall Commission was broken down into five (5) distinct workgroups, which were charged with reviewing various components and systems that deal with domestic violence and child abuse. The workgroups consisted of Commission members and other community leaders, advocates and individuals who have an interest in making our community safer for all. On average, each workgroup met bi-weekly to discuss and research information that would help them achieve their goals. The workgroups and their mission were as follows:

- **Court Process Workgroup:**
To review and structure the court process to improve the responsiveness and outcomes to families experiencing domestic violence and child abuse and to ensure that the principles of safety, well-being and stability for these families are promoted throughout all court processes, to include the criminal, civil and juvenile courts.
- **Systems Process Workgroup:**
Review and analysis of current system processing of cases dealing with domestic violence and child abuse; formulating recommendations for management of cases using best practices, to include issues of training of court personnel in the dynamics of domestic violence/child abuse, legal interventions to stop the cycle of violence and the expansion and/or reallocation of resources to create an effective and accessible system for victims.

Executive Summary Continued:

■ **Community Services Workgroup:**

Development of, and enhancements to, domestic violence and child abuse services/programs that build on the unique strengths and concerns of families, focusing on the safety and stability of the whole family unit and collaboration with diverse communities for effective prevention and intervention strategies within those communities.

■ **Technology Workgroup:**

To make use of all available technology resources to enhance the safety, well-being and stability of families and children experiencing domestic violence and child abuse, while balancing the need for access of information with the privacy rights of all parties.

■ **Public Awareness/Community Education Workgroup:**

Development of an educational/community awareness campaign aimed at governmental bodies, Legislature, foundations, businesses and the public regarding the economic, legal, emotional and social support needed for victims of domestic violence and child abuse, focusing on the correlation between the two.

Included in the Executive Summary are the recommendations of each workgroup. The detailed findings of fact and analysis that led to these recommendations can be found under each separate workgroup section in this report.

Domestic violence and child abuse must be dealt with holistically, instead of separately. The courts, policy makers and domestic violence/child abuse service providers and advocates must come together to find solutions that will help child protection services and domestic violence providers enhance the safety of all individuals in violent homes. Juvenile courts must help protect children without revictimizing their mothers. Communities must help protect battered women and children, while holding the batterers accountable for their actions. Informed decision-making must take place regarding recommendations for appropriate services and interventions to end the cycle of violence. Working together, we can create a foundation for a solid, coordinated and comprehensive approach to ending domestic violence and child abuse in our community.

Executive Summary Continued:

COURT PROCESS WORKGROUP RECOMMENDATIONS – CHAIR: JUDGE ALICE BLACKWELL WHITE

1. Create a domestic violence court to deal with domestic violence, child abuse and other family-related issues.

Civil injunctions, criminal prosecution and criminal conditions of bond/probation should be heard and managed together for consistency in court orders, victim/child safety and accountability of the perpetrator; Judges should have specialized skills and knowledge to handle domestic violence/child abuse cases and take ownership of such cases; the court needs to actively manage and oversee compliance of domestic violence injunctions and conditions of bond. Creating a unified process for handling civil and criminal domestic violence cases will compliment the Unified Family Court concept when implemented in Orange County. The Systems Processing and Community Services Workgroups support this recommendation.

Implementation Strategies:

- Blend and manage civil and criminal domestic violence/child abuse cases on a unified docket.
 - Judges with special skills and knowledge assigned to the court.
 - Monitor consistent court orders and other conditions pursuant to bond.
 - Court personnel to be utilized for case management and coordination of resources.
2. Create a physical environment within the courthouse and courtroom setting that ensures safety for all.

The physical layout of the courthouse and/or courtroom is not conducive to the safety of victims or staff. There are not enough deputies assigned to a courtroom for security purposes. There are also no separate entrances or exits for petitioners and respondents and therefore they may encounter each other and/or family and friends in security lines, hallways, elevators, courtroom and the courthouse garage. The current hearing process involves all types of injunctions and is open to the public, which eliminates any privacy for true domestic violence victims vs. a neighbor against neighbor type of petition (“repeat injunction”).

Executive Summary Continued:

Court Process Workgroup – Recommendation 2 continued:

Implementation Strategies:

- Create a physical barrier in the courtroom to separate respondents from petitioners.
 - Develop a docket to separate “repeat injunctions” from true domestic violence injunctions.
 - Increase court security deputies within the courtroom setting who are trained and aware of specific safety issues related to domestic violence to ensure safety for all.
 - Strategically install cameras throughout the courthouse to monitor the behaviors between petitioner and respondent and/or family and friends (Clerk of the Court’s office, Harbor House, courthouse atrium, courtroom, hallways, elevators, parking garage, etc.).
3. Streamline the injunction process using all available technological resources whenever possible for victims.

The injunction process can take hours, from the time a petitioner completes the petition to the time a Judge reviews it and issues a final decision. The injunction paperwork is detailed and often hard to understand, particularly for people who speak other languages. Legal assistance and interpreters should be provided to petitioners when completing the injunction paperwork and throughout the court process. The injunction petition, videos and other materials should be developed in various languages to educate petitioners on the injunction and court process. An on-line injunction application should be pursued. Petitioners should be given a checklist of information they will need to bring to the final hearing if a temporary injunction has been issued.

Implementation Strategies:

- Streamline the time it takes to complete and receive an approved or denied petition.
- Create domestic violence clinics for senior law school students to assist petitioners in the injunction and court process.
- Provide interpreters to petitioners at the time of an injunction filing and throughout the court process.
- Create injunction petitions, videos and other materials in various languages to educate petitioners on the injunction and court process, for both civil and criminal cases.
- Develop a specific checklist for petitioners of information they will need to bring to a final injunction hearing.
- Establish consistent messages to petitioners on the injunction and court process to include the Clerk of the Court’s office, Harbor House, Judiciary, court staff and community advocates.
- Pursue legislative change to *F.S. 741.30*, which mandates the format of the injunction petition, to have it rewritten in layman terms.

Executive Summary Continued:

Court Process Workgroup Recommendations Continued:

4. Provide Judges access to criminal history and child abuse information and police reports at the time of an injunction hearing and at initial appearance.

The current court process does not provide a Judge with enough thorough information to make the best decision when granting or denying an injunction petition. Victims often do not provide, or possess, police reports, photographs and/or other information regarding the possible involvement with the Department of Children & Families. A Judge must not only rule on the injunction petition, but also rule on child support and visitation issues if children are involved.

Implementation Strategies:

- Establish coordination between the Department of Children & Families and the court on child abuse issues/actions when children are involved in domestic violence cases.
 - Provide arrest affidavit and rap sheet on a perpetrator arrested for domestic violence to the Judge at initial appearance – this is particularly important for on-call duty Judges on the weekends and after-hours to know in order to take into account victim safety.
 - Obtain law enforcement checklist for Judges to have at all domestic violence hearings – this checklist should also be attached to case packages submitted to the State Attorney's office (see appendix).
5. Enhance enforcement efforts of injunctions and conditions of release.

Injunctions and conditions of release need to be enforced and monitored. The injunction should mean what it says and perpetrators should be held accountable to follow the conditions stipulated. A fact sheet detailing for the perpetrator what “no contact” and “no hostile contact” means should be signed prior to release and made part of the official case file; the victim and bond agency should also receive this information. Law enforcement should be provided with official copies of injunctions and conditions of release in a timely manner for enforcement purposes. The Department of Children & Families should have access to the same information. Creative monitoring methods should be reviewed such as GPS monitoring, juris monitoring and a “knock-knock” program. The bonding industry can play a key role in the enforcement of, and education regarding, the conditions of release in domestic violence and child abuse cases. A unified process for blending civil and criminal domestic violence and/or child abuse cases will allow for greater enforcement of conditions of release and more effectively deal with violations.

Executive Summary Continued:

Court Process Workgroup – Recommendation 5 continued:

Implementation Strategies:

- Develop a fact sheet for perpetrator's to sign on what "no contact" and "no hostile contact" means and make a part of the official case file; the victim and bond agency should also receive a signed copy of the fact sheet.
- Develop a process to monitor conditions of release.
- Utilize bonding agencies in enforcement strategies.
- Provide law enforcement and the Department of Children & Families with official copies of injunctions and conditions of release in a timely manner for enforcement purposes.
- Consider the use of GPS monitoring and/or juris monitoring for violations of injunctions and conditions of release to increase victim safety and implement monitoring strategies in a timely manner.
- Review the development and staffing of a "knock-knock" program whereby law enforcement knocks on the doors of victims who have injunctions to make sure the perpetrator is not violating the conditions of the injunctions or release from Jail.

6. Develop a process to serve injunctions in multiple ways.

Serving injunctions in multiple ways will ensure greater victim safety and follow through, greater cost effectiveness of law enforcement's time in serving the injunction and perpetrator accountability. For instance, the Orange County Jail should serve injunctions directly from the booking facility to incarcerated inmates. This would require greater communication between the Jail and law enforcement agencies to facilitate service. The service of injunctions by law enforcement at the scene would also ensure victim safety and follow through but would require legislative change to *F.S. 741.30*. The Systems Process and Community Services Workgroups support this recommendation.

Implementation Strategies:

- Issue injunctions directly from the Jail's booking facility to inmates when appropriate.
- Ensure deputies at the Jail receive approved injunction either electronically or via fax for timely service.
- Law enforcement to serve injunctions at the scene of a domestic violence episode.

Executive Summary Continued:

Court Process Workgroup Recommendations Continued:

7. Enhance prosecution efforts regarding domestic violence.

The prosecution of domestic cases is difficult without sufficient information and evidence from all parties involved. Cooperation from the victim and key information from the criminal justice stakeholders is critical to successful prosecution. Victims need to be educated in ways to assist prosecution efforts while ensuring safety. Prosecutors need to receive specialized training on the dynamics of domestic violence as well as strategies for prosecuting these difficult cases.

Implementation Strategies:

- Law enforcement to provide to the State Attorney's office with tasking sheets pertaining case information, such as sworn statements and any other investigative information or evidence.
- Increase coordination regarding the sharing of information between the Jail, law enforcement, Judiciary, Department of Children & Families and the State Attorney's office for prosecution efforts.
- Educate victims on ways to assist in prosecution efforts while ensuring safety.
- Ensure Prosecutors receive specialized training on the dynamics of domestic violence pursuant to *F.S. 741.2901* as well as prosecution strategies for such cases.
- Ensure there are an adequate number of advocates to contact victims of domestic violence prior to initial appearance.

8. Develop a victim response team concept and/or one-stop-center, which would be available 24-hours/7-days-a-week.

Victims need assistance and guidance to help them navigate through the complex court system and need a human connection to build trust within the system. Victims also need to understand their role in breaking the cycle of violence. A victim response team or one-stop-center containing multiple services is needed to help victims and children in domestic violence and child abuse cases. The Systems Processing and Community Services Workgroups support this recommendation.

Implementation Strategies:

- Collaborate with criminal justice and child protection stakeholders to develop a comprehensive victim response team concept and/or one-stop-center accessible 24-hours/7-days a week.

Executive Summary Continued:

SYSTEMS PROCESS WORKGROUP RECOMMENDATIONS – CHAIR: DEAN RICHARD J. HURT

1. Create an “Advanced Career Development Track” training module for law enforcement officers to offer more in-depth training on domestic violence and child abuse.

New law enforcement recruits currently receive 40 hours of uniform training while attending the law enforcement academy. The uniformed training includes instruction on the process of investigating specific offenses, such as domestic violence and child abuse. Law enforcement agencies also conduct mandatory “block training” throughout the year on various topics. These training avenues however, only touch the surface of the issue of domestic violence and child abuse and do not provide officers with enough in-depth knowledge or expertise to effectively deal with these types of crime.

An advanced career development track training module would provide more in-depth training regarding the dynamics of domestic violence and child abuse and how to more effectively handle such cases. The training would be tied to incentives, such as increased pay or bonuses, and would be provided by experts in the field of domestic violence and child abuse. Appropriate protocols should be developed and implemented based on training.

Implementation Strategies:

- Local law schools to create an advanced career development track training module for law enforcement officers on the dynamics of domestic violence and child abuse that would be tied to various incentives.
 - Establish a voluntary training program for law enforcement modeled after the CIT training program.
 - Obtain grants to provide specialists from other areas for ongoing and updated information regarding best practices in the area of domestic violence and child abuse.
 - Develop and implement appropriate protocols based on training.
2. Provide more in-depth training to the Department of Children & Families regarding the dynamics of domestic violence and the power and control issues surrounding children.

The Department of Children & Families can play a key role in helping domestic violence victims and their children live violence-free lives. Front-line investigators, abuse registry call-takers and caseworkers through contracted community based care organizations can benefit by understanding more fully the dynamics of domestic violence and its correlation to child abuse. Abusers will often threaten harm to children as a way to keep the victim in a relationship or may directly abuse the children as a means to hurt a victim. In-depth training on interviewing techniques and recognizing signs of domestic violence can enhance the protection of children. Appropriate protocols should be developed and implemented based on training.

Executive Summary Continued:

Systems Process Workgroup – Recommendation 2 Continued:

Implementation Strategies:

- Provide in-depth training for the Department of Children & Families regarding the dynamics of domestic violence and child abuse, appropriate interventions and safety planning to include front-line investigators, abuse registry call-takers, caseworkers with contracted community based care organizations and other key staff.
 - Develop and implement appropriate protocols based on training.
3. Advocate for, and provide training assistance to, emergency departments and healthcare providers regarding the dynamics of domestic violence and child abuse.

It is critical for staff at local emergency departments and within the healthcare community as a whole, to fully understand the dynamics of domestic violence and child abuse. Policies and protocols should be implemented regarding the separation of victims and potential perpetrators when seeking medical care. Healthcare providers should be knowledgeable regarding warning signs and symptoms of domestic violence and child abuse. The use of appropriate “prompt questions” can help solicit dialogue from potential victims and help ensure their safety. The healthcare community can be a key resource for educating patients on programs/services available to help victims and children live violence-free lives.

Implementation Strategies:

- Establish relationships with the local emergency departments and community healthcare providers to provide training assistance on the dynamics of domestic violence and child abuse, appropriate interventions and safety planning as it relates to patient care.
 - Develop and implement appropriate protocols based on training.
4. Provide in-depth multidisciplinary and interagency training regarding domestic violence and child abuse.

The concept of a multidisciplinary interagency training module would allow for cross training between all disciplines to more effectively respond to domestic violence and child abuse cases. Collaborative training with law enforcement officers, child abuse investigators and case managers, prosecutors and community advocates, will increase victim safety and perpetrator accountability. Appropriate protocols should be developed and implemented based on training.

Implementation Strategies:

- Provide in-depth multidisciplinary and interagency training regarding domestic violence and child abuse.
- Develop and implement appropriate protocols based on training.

Executive Summary Continued:

Systems Process Workgroup Recommendations Continued:

5. Create a secure database for the sharing of civil and criminal information between criminal justice stakeholders.

A secure database is critical to effectively and efficiently deal with domestic violence and child abuse crimes. The Judiciary, law enforcement, Jail, State Attorney's Office, Department of Children & Families and other key criminal justice stakeholders need to be able to access information regarding domestic violence injunctions, child abuse investigations, criminal histories, arrest affidavits, conditions of release and other vital information.

Implementation Strategies:

- Adopt the Technology Workgroup's recommendations to create and implement a secure database.

6. Law enforcement to serve temporary injunctions at the scene of a domestic violence episode.

Issuing and serving temporary injunctions at the scene of a domestic violence episode by law enforcement would not only be cost effective for criminal justice stakeholders in the system, but would also ensure greater victim safety and enhanced follow through regarding criminal prosecution efforts. *F.S. 741.30* would need to be amended to allow service of an injunction at the scene by law enforcement. The Court Process and Community Services Workgroups support this recommendation.

Implementation Strategies:

- Pursue legislative change to *F.S. 741.30* to allow law enforcement to serve a temporary injunction at the scene of a domestic violence episode.

7. Create a Family Justice Court.

Harmonizing and managing civil injunctions, criminal prosecution and criminal conditions of bond or probation increase victim safety, perpetrator accountability and the issuance of consistent court orders. The Court Process and Community Services Workgroups support this recommendation.

Implementation Strategies:

- Adopt the Court Process Workgroup's implementation strategy for creating a domestic violence court.

Executive Summary Continued:

Systems Process Workgroup Recommendations Continued:

8. Develop a “Family Advocacy Center and/or Team”.

Victims of domestic violence and their children need assistance navigating the complex court and social service system. A human connection help victims build trust in the system and be more willing to break free of violent relationships. In a “Family Advocacy Center” multiple services would be centrally located and advocates/staff would provide assistance and referral services to a victims and their children in a number of areas. Domestic violence clinics would provide victims with legal assistance to help them navigate the Judicial system. A “Family Advocacy Team” would provide many of the same services but not at a physical location. The Court Process and Community Services Workgroups support this recommendation.

Implementation Strategies:

- Develop a family advocacy “center and/or team” to provide multiple services and resources to victims of domestic violence and their children.

9. Law enforcement to notify school officials by the next business day when children are involved in and/or witness a domestic violence episode.

A child that is involved in or has witnessed a domestic violence episode must deal with a number of emotional and behavioral issues. Due to the turmoil in the home, a child may not have eaten a healthy meal, received adequate rest or completed school assignments. Teachers should be informed of a domestic violence episode so that they can be supportive of the child and help them deal with their emotions when in the school setting.

Implementation Strategies:

- Law enforcement to obtain the full names of all children, their grade, school and teacher’s names and contact the teachers directly or via a guidance counselor by the next business day following a domestic violence episode.

Executive Summary Continued:

Systems Process Workgroup Recommendations Continued:

10. Law enforcement agencies should conduct child abuse investigations in Orange County. The Orange County Sheriff's Office and the Department of Children & Families should explore the feasibility of transferring to the Sheriff's Office all responsibilities for child protective investigations involving allegations of abuse, neglect and/or abandonment occurring in Orange County.

In 1999, the Florida Legislature enacted significant legislative changes impacting the manner in which child protective investigations are conducted in the State of Florida. The Legislature found that the health and safety of children served by Florida's child protection system should be of paramount concern. The Legislature expressly stated that one of the purposes of the statutory changes is to provide a child protection system that reflects a partnership between the Department of Children & Families, other agencies and the community.

Implementation Strategies:

- Based on the belief that law enforcement should conduct child abuse investigations in Orange County, the Orange County Sheriff's Office and the Department of Children & Families should explore the feasibility of transferring to the Sheriff's Office all responsibilities for child protective investigations involving allegations of abuse, neglect and/or abandonment occurring in Orange County.
11. In 1993, Florida law was changed in Chapter 93-25, which exempted public school employees as a group that were required to be reported for suspected child abuse. In an Osceola County case where several public school employees were charged with failing to contact the Department of Children & Families or law enforcement appropriately when they learned of sex abuse occurring on their students by a public school employee, a local court ruled that no one is statutorily required to contact the Department of Children & Families in child abuse cases if the alleged offender is a public school employee.

Public school employees should be placed back into the appropriate statute as individuals who should be reported for suspected abuse and neglect.

Implementation Strategies:

- Amend the appropriate F.S. to include public school employees as a group of individuals that warrant mandatory reporting for child abuse.

Executive Summary Continued:

COMMUNITY SERVICES WORKGROUP RECOMMENDATIONS – CHAIR: DR. DEBORAH DAY

1. Implement a countywide lethality assessment that is research-based, reliable and consistent with nationally accepted standards.

Locally used lethality assessments that are not research based can be flawed in their ability to accurately assess risk to domestic violence victims. Lethality assessments provide information in order to design a comprehensive and effective personal safety plan for a victim and their family. The use of a uniform and research-based lethality assessment across the county and municipalities is critical to helping ensure victim safety.

Implementation Strategies:

- Locate and purchase a research-based lethality assessment tool that is based on nationally accepted standards.
- Develop and implement training protocols for community stakeholders in administering the lethality assessment to include domestic violence advocates and providers, crisis intervention providers, mental health and substance abuse providers, Department of Children & Families, healthcare community, law enforcement and the State Attorney's office.
- Evaluate and provide ongoing monitoring of lethality assessment tool.

2. Service of ex parte injunctions at the scene by law enforcement.

Victim safety and holding perpetrators accountable for their actions are paramount. Victims will experience greater safety and be more inclined to accept needed services if injunctions are served directly at the scene. Service of injunctions at the scene is also more cost effective for law enforcement, however language would need to be added to *F.S. 741.30* to allow service of the injunction at the scene by law enforcement. The Court Process and Systems Process Workgroups support this recommendation.

Implementation Strategies:

- Pursue legislative change to *F.S. 741.30* to allow law enforcement to serve a temporary injunction at the scene of a domestic violence episode.

Executive Summary Continued:

Community Services Workgroup Recommendations Continued:

3. Develop a process to ensure victims have access to copies of police reports, arrest affidavits, photos and other evidence prior to any civil court hearings.

Victims need to have copies of official police reports, arrest affidavits, photos and other evidence of a domestic violence crime for civil domestic violence court hearings. Having this information at the time of a permanent civil injunction hearing will allow the Judge to make a more informed decision regarding the issuance of a final injunction and any other family-related matters.

Implementation Strategies:

- Develop a process to ensure victims receive copies of official police reports, arrest affidavits, photos and other evidence in a timely manner for all civil court hearings.
4. Provide crisis intervention and outreach services to domestic violence victims 24-hours/7-days a week by trained advocates.

There is a significant need for victims to receive comprehensive crisis intervention and outreach services immediately to provide emotional support and linkages to needed services. Victims also need assistance and guidance to navigate through the complex criminal justice system. Outreach advocates provide support groups, crisis intervention, safety planning, lethality assessments, information and referral, shelter access and case management. These services are critical to victims to remain free from abusers. The number of trained advocates needs to be increased to provide adequate crisis intervention and outreach services to domestic violence victims in Orange County. The Court Process and Systems Process Workgroups support this recommendation.

Implementation Strategies:

- Develop system and adequate staffing to provide immediate crisis intervention and outreach services by trained advocates to victims of domestic violence, accessible 24-hours/7-days a week.

Executive Summary Continued:

Community Services Workgroup Recommendations Continued:

5. Mandatory reporting to child abuse registry whenever children are involved in/witness a domestic violence episode.

Children who live with domestic violence face increased risk of violence themselves and can experience increased behavioral, social and emotional problems. In order to determine the extent of harm to children who are either involved in or witness an episode of domestic violence, a report should be made to the abuse registry hotline so a thorough evaluation/assessment can be made.

Implementation Strategies:

- Mandatory reporting to the abuse registry when children are involved in/witness an episode of domestic violence.
6. Provide uniform and/or mandatory domestic violence training that is based on nationally accepted standards to criminal justice stakeholders/community partners interfacing with domestic violence victims.

Training in the dynamics of domestic violence is often inconsistent across the various disciplines that interface with victims. A keen awareness of the system and the process for accessing services is critical. Victims need to feel safe and supported when seeking assistance for domestic violence. Uniform training and consistency are keys to achieving this goal. Law enforcement officers, as front line responders, should be sensitive to victims and knowledgeable regarding the injunction process and resources available to victims. It is essential that Judges and attorneys receive mandatory domestic violence training in order to provide the most appropriate services and render the most informed decisions in civil and criminal cases. The Systems Process Workgroup supports this recommendation.

Implementation Strategies:

- Provide uniform training regarding the dynamics of domestic violence that is based on nationally accepted standards to criminal justice stakeholders and community partners to include law enforcement, 9-1-1 operators, Department of Children & Families, medical providers and domestic violence advocates.
- Provide mandatory domestic violence training to all Judges and attorneys.

Executive Summary Continued:

Community Services Workgroup Recommendations Continued:

7. Create a social marketing campaign regarding the dynamics of domestic violence and the impact on children.

Domestic violence must be seen as a societal issue and not simply as a family problem. Employers need to implement policies and protocols in their places of business to assist victims. More open dialogue should take place within the Faith community to increase the level of appropriate involvement in addressing this social issue. Domestic violence should be incorporated into the curriculum at all educational settings to enhance training of teachers, guidance counselors and other professionals. Educational materials, PSAs and other media strategies should be implemented to reach the broader community. The Public Awareness/Community Education Workgroup supports this recommendation.

Implementation Strategies:

- Adopt the recommendations of the Public Awareness/Community Education Workgroup regarding domestic violence/child abuse educational and marketing campaigns.
8. Expand short-term residential shelter beds and transitional housing for domestic violence victims.

Housing options for domestic violence victims are often limited. Many victims are forced to return to an abuser because they have no other financial options for housing. There are currently 52 short-term residential shelter beds available at Harbor House, but an additional 52 beds are needed based on current demand. Harbor House has sufficient space to accommodate this expansion. Up to 20 Section 8 transitional housing vouchers are available to women seeking permanent housing through Harbor House. Based on current demand, there is a need for expansion of this programming as well.

Implementation Strategies:

- Expand short-term residential shelter beds at Harbor House by 52 beds, to include staffing and operational costs.
- Expand Section 8 transitional housing vouchers for domestic violence victims.

Executive Summary Continued:

Community Services Workgroup Recommendations Continued:

9. Expand counseling services to domestic violence victims.

Affordable and accessible counseling services for domestic violence victims and their children is limited. Counseling is a crucial component to help victims understand the abuse was not their fault and to help lead them toward self-sufficiency. Many victims do not have health insurance coverage to fund counseling and/or are reluctant to use the abuser's coverage for safety reasons. Children who witness domestic violence suffer distress as well and are more likely to become abusers if not removed from the violence. Community counselors, therapists and/or agencies should be encouraged to offer reduced-fee counseling services to victims.

Implementation Strategies:

- Provide additional four-to-five full-time counselors to be made available through Harbor House and/or the Victim Service Center to provide domestic violence counseling.
- Encourage community counselors, therapists and/or agencies to offer reduced-fee counseling services to domestic violence victims.

10. Create a domestic violence court that blends both civil and criminal domestic violence cases.

A domestic violence court that blends both civil and criminal domestic violence cases can better address and understand the dynamics of domestic violence. Such a court would help ensure greater victim safety, the issuance of consistent court orders and create greater accountability for perpetrators. Judges who have training in domestic violence should be assigned to the court. Court advocacy should be an integral component to help victims navigate through the system and provide safety planning and other support services. Free legal representation, as needed, should be provided to victims when filing for an injunction and throughout the court process. The Court Process and Systems Process Workgroups support this recommendation.

Implementation Strategies:

- Adopt the Court Process Workgroup's recommendation for a domestic violence court.

Executive Summary Continued:

Community Services Workgroup Recommendations Continued:

11. Expand supervised visitation centers.

When children are involved in and/or witness a domestic violence episode, Judges should either order no visitation, or at a minimum, supervised visitation with the offending parent. Supervised visitation should be enforced from the time a temporary injunction is issued until a court hearing takes place. If a permanent injunction is granted, supervised visitation should continue until a trained/certified counselor can conduct a lethality assessment and present the assessment to the court for review.

Implementation Strategies:

- Expand supervised visitation centers throughout the county.

12. Batterers' intervention program to be ordered for domestic violence offenders vs. anger management programs.

Research has shown that anger management programs do not change a batterers' behavior and may exacerbate the problem by offering techniques to increase manipulation skills. Anger management programs generally last for eight-to-ten hours and can be completed in a day. These programs are not state certified and view the violence as momentary outbursts of anger that can be controlled through such avenues as "time outs". Batterers' intervention programs are state certified and last a minimum of 26 weeks. These programs require batterers' to take responsibility for their behavior and provide opportunities to practice non-controlling conflict resolution strategies based on the value of equality in the relationship.

F.S. 741.281 and *F.S. 948.038* mandate Judges to order batterers' intervention for domestic violence offenses. Regular status hearings with Judges are critical to ascertain batterers' participation and progress in the program.

Implementation Strategies:

- Batterers' intervention to be ordered for all domestic violence offenses in lieu of anger management classes.
- Batterers' intervention program must be state certified.
- Regular status hearings with Judges should occur to ascertain participation in program.

Executive Summary Continued:

TECHNOLOGY WORKGROUP RECOMMENDATIONS – CHAIR: MR. WALT GALLAGHER

1. The Clerk of Court to deploy a web-enabled domestic violence injunction application such as TurboCourt.

Currently most injunction requests are completed at the courthouse on paper. Often these forms are not completed until late in the business day, which creates backlogs for a Judge to take action on the requests. This paper-driven process also limits the number of locations in which they may be completed. The process requires a great deal of staff support in answering questions regarding the completion of the injunction petition. A web-enabled application would allow for the creation of injunction requests at any location in which the customer has access to the Internet and would provide answers to questions currently answered by the Clerk of Courts' staff. The automated petition would enable completion at any location deemed appropriate and could be completed by contact team members, law enforcement, victim service counselors, court staff or the customer. The data generated through the completion of these forms could be used to populate the Clerk's case maintenance system that, in turn, would reduce data entry requirements.

Implementation Strategies:

- Obtain funding and negotiate best possible pricing and award a contract to the vendor of choice.
 - Work with the vendor in building the application based on Orange County's needs.
 - Deploy and allow access to the application based on the desired business model.
2. Enable linkage between criminal and civil court cases.

Currently criminal and civil case maintenance automated records have no linkage. This is problematic when Judges need to see the complete "family picture" when making decisions on domestic violence, child custody and juvenile cases. This problem is not unique to Orange County as state agencies are studying this issue as well. The Court Process, Systems Process and Community Services Workgroups support this recommendation.

Implementation Strategies:

- Appoint a management sub-committee from Criminal Justice/Public Safety Coordinating Council (CJ/PSCC) to initiate dialog on issues.
- Study the issues to determine the most efficient and cost effective solution to meet requirements.

Executive Summary Continued:

Technology Workgroup Recommendations Continued:

3. Make court ordered injunctions, child protection orders and release of confinement orders available electronically for viewing or service by law enforcement officers 24-hours per day.

Law enforcement officers do not have the ability to view court orders so that they may determine if the conditions have been violated. The current process requires the officer to call their dispatcher, who in turn calls the Clerk of Courts' Office (836-2360) to have the file pulled and the conditions are read to the dispatcher. The dispatcher then teletypes the conditions back to the officer. This service is only available from 8:00 a.m. until midnight. The conditions of the orders are not currently entered into the Clerk's case maintenance system for officers to view in their cars via the Internet. Paper copies of injunction orders are currently being served on defendants. The Court Process and Systems Process Workgroups support this recommendation.

Implementation Strategies:

- Perform a business analysis to deploy the best solution.
 - Appoint a management sub-committee from the Criminal Justice Public Safety Coordinating Council (CJ/PSCC) agencies to initiate dialog on issues.
 - Study the issues to determine the most efficient and cost effective solution to meet requirements based on business analysis.
4. Conduct and document a detailed business analysis of the information share needs between the criminal justice stakeholders.

The courts need vital information from the Department of Children & Families (DCF) pertaining to child abuse investigations and past history when making decisions on injunction orders when children are involved. In turn, DCF also needs information from the courts and other criminal justice stakeholders to determine the most appropriate case plan and safety strategies for the whole family. The DCF computer information system should be reviewed for integration with the current criminal justice information system. A detailed business analysis would document the information share needs and enhance the ability to automate these processes through a secure database. The Court Process and Systems Process Workgroups support this recommendation.

Executive Summary Continued:

Technology Workgroup: Recommendation 4 Continued:

Implementation Strategies:

- Hire a trained business analyst to conduct business analysis.
- Participating criminal justice stakeholders to provide staff time to participate.
- Establish the Criminal Justice Public Safety Coordinating Council (CJ/PSCC) as the governing body for this initiative and appoint a sub-committee to report back to the Council.
- Appoint a representative from DCF and the domestic court to the CJ/PSCC.

5. Provide electronic arrest information to the Judges.

Judges do not always have access to paper copies of arrest affidavits, criminal history information or other evidence to consider during injunction hearings. ICJIS is capturing electronic arrest affidavits from remote data terminals that can be made available to Judges. The Court Process and Systems Process Workgroups support this recommendation.

Implementation Strategies:

- Provide “look up” screens for domestic violence arrest information via the ICJIS hub.

6. Implement an automated telephone notification system that contacts victims upon changes in the status of injunction cases.

Currently victims have no way of knowing when the status of injunction cases change unless they contact Clerk of the Court’s office, which can put them at risk. An automated notification system such as VINE (Victim Information & Notification Everyday), would automatically notify the victim when the status of the injunction is changed.

Implementation Strategies:

- Obtain funding and negotiate price and contract with the vendor.
- Deploy and train court staff, law enforcement and victim service agencies.

Executive Summary Continued:

PUBLIC AWARENESS/COMMUNITY EDUCATION WORKGROUP RECOMMENDATIONS – CHAIR: MS. SUSAN HARRIS

1. Endorse and utilize current domestic violence/child abuse public awareness programs.

Every adult in Orange County should be challenged to engage in the lives of children to protect them from domestic violence and child abuse. Prevention training for young adults is critical to prevent rape, battering, sexual harassment and all forms of violence against women and men. Various print and media strategies should be used to educate the community that domestic violence and child abuse will not be tolerated in Orange County (see appendix).

Implementation Strategies:

- Collaborate with the Howard Phillips Center for Children and Families' campaign, "*Is it good for the children*".
- Fund and implement the *National Consortium for Academics and Sports Mentors in Violence Prevention Program*, facilitated by UCF for athletes in high school and college.
- Expand the *Teens Ending Abusive Relationships (TEAR)* program through Harbor House and the *Every 90 Seconds* program through the Victim Service Center.

2. Develop a comprehensive community-wide family violence education campaign.

Research has proven that domestic violence and child abuse are often linked together (see appendix). A comprehensive family violence education plan that is prevention focused is critical to breaking the cycle of violence. Domestic violence and child abuse are societal issues. Society as a whole must support a cultural change that domestic violence and child abuse will not be tolerated. The Community Services Workgroup supports this recommendation.

Implementation Strategies:

- Contract with a marketing/advertising agency to develop appropriate and powerful messaging; design a visual identity; create a wide variety of collateral pieces; establish a print, radio, and television campaign; and develop a robust and informational web site.
- Recruit male leaders and hometown leaders in education campaigns.
- Expand and promote a domestic violence/child abuse speakers' bureau.

Executive Summary Continued:

Public Awareness/Community Education Workgroup Recommendations Continued:

3. Create an Orange County Council on Family Violence.

Community awareness and behavioral change require years of sustained and persistent effort. They also require constant vigilance to ensure the most efficient use of resources, consistent messaging and monitoring of the environment for needs, as well as duplication of services. The Orange County Council on Family Violence, housed at the Victim Service Center or other suitable location and led by a Director with administrative support, would be the implementation arm of the public awareness campaign. The Council would pull together, oversee and coordinate most of the pieces of the public awareness campaign, as well as other activities and responsibilities assigned to it by the Commission.

Implementation Strategies:

- Create an Orange County Council on Family Violence to oversee a community-wide public awareness/community education campaign.

COURT PROCESS WORKGROUP

Commission Members

The Honorable Alice Blackwell White

Circuit Judge, 9th Judicial Circuit – *Court Process Workgroup Chair*

Ms. Margaret Anglin

Community Volunteer

The Honorable Kevin Beary

Orange County Sheriff

Mr. Walt Gallagher

Criminal Justice Coordinator

The Honorable Lydia Gardner

Clerk of the Circuit and County Courts

Ms. Deborah Jallad

President

Accredited Surety & Casualty Company, Inc.

The Honorable Lawson Lamar

State Attorney, 9th Judicial Circuit

Ms. Melanie Servis

Assistant to the Deputy County Administrator

Orange County Government

Mr. Mike Watkins

District 7 Administrator

Department of Children & Families

The Honorable Robert Wesley

Public Defender, 9th Judicial Circuit

Ms. Helene Welch

Court Operations Consultant

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Court Process Workgroup Participants

Orange County Sheriff's Office

Chief David Black
Lt. Matt Irwin
Sgt. Julia Blackmon

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Deputy Chief Pete Gauntlett

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Ms. Joan Harrelson
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Ms. Pam Boger

Criminal Justice Coordinator's Office

Mr. Ron Johnson

Department of Children & Families

Ms. Kelly McKibben
Ms. Barbara Dirienzo

Harbor House – Orange County Center Against Domestic Violence

Ms. Gail Patin

Community Volunteer

Ms. Deedra Hunter

COURT PROCESS WORKGROUP – PROCESS AND BACKGROUND INFORMATION:

The Court Process Workgroup was charged with reviewing the court processes related to domestic violence and child abuse cases in order to improve the responsiveness and outcomes to families experiencing domestic violence and child abuse; and to ensure that the principles of safety, well-being and stability to those families are promoted throughout all court processes, to include the criminal, juvenile and civil courts.

The definition of domestic violence, to include child abuse, is defined in **F.S. 741.28 – Domestic relations – marriage; domestic violence:**

- (1) "Domestic violence" means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.
- (2) "Family or household member" means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

Child abuse is defined in **F.S. 827.03 – Abuse, aggravated abuse and neglect of a child:**

- (1) "Child abuse" means:
 - (a) Intentional infliction of physical or mental injury upon a child;
 - (b) An intentional act that could reasonably be expected to result in physical or mental injury to a child; or
 - (c) Active encouragement of any person to commit an act that results or could reasonably be expected to result in physical or mental injury to a child.

A person who knowingly or willfully abuses a child without causing great bodily harm, permanent disability, or permanent disfigurement to the child commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Court Process Workgroup Continued:

- (2) "Aggravated child abuse" occurs when a person:
- (a) Commits aggravated battery on a child;
 - (b) Willfully tortures, maliciously punishes, or willfully and unlawfully cages a child; or
 - (c) Knowingly or willfully abuses a child and in so doing causes great bodily harm, permanent disability, or permanent disfigurement to the child.

A person who commits aggravated child abuse commits a felony of the first degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

- (3) (a) "Neglect of a child" means:
- (1) A caregiver's failure or omission to provide a child with the care, supervision, and services necessary to maintain the child's physical and mental health, including, but not limited to, food, nutrition, clothing, shelter, supervision, medicine, and medical services that a prudent person would consider essential for the well-being of the child; or
 - (2) A caregiver's failure to make a reasonable effort to protect a child from abuse, neglect, or exploitation by another person. Neglect of a child may be based on repeated conduct or on a single incident or omission that results in, or could reasonably be expected to result in, serious physical or mental injury, or a substantial risk of death, to a child.
- (b) A person who willfully or by culpable negligence neglects a child and in so doing causes great bodily harm, permanent disability, or permanent disfigurement to the child commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (c) A person who willfully or by culpable negligence neglects a child without causing great bodily harm, permanent disability, or permanent disfigurement to the child commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- (4) For purposes of this section, "maliciously" means wrongfully, intentionally, and without legal justification or excuse. Maliciousness may be established by circumstances from which one could conclude that a reasonable parent would not have engaged in the damaging acts toward the child for any valid reason and that the primary purpose of the acts was to cause the victim unjustifiable pain or injury.

Court Process Workgroup Continued:

The Court Process Workgroup met bi-monthly over a period of six months. One of the key areas examined included a “*Day in the Life of Injunctions*”, which involved the review of all entities within the Judicial system that deal with the injunction process. Presentations were made by the Family Services Division with the Clerk of the Court, Family Court Services with Court Administration and by the Orange County Sheriff’s Office on the Judicial process of serving injunctions. Harbor House, Orange County Center Against Domestic Violence, also presented on their court services program for working with victims filing injunctions for protection.

Information presented included the following:

- Process for filing petitions for domestic, repeat, dating and sexual violence;
- After-hours injunctions;
- Information on injunction hearings and courtroom readiness;
- Process for serving injunctions by law enforcement;
- Definitions/statutes regarding domestic violence; and
- Harbor House services – advocacy, information and referrals, crisis intervention, lethality assessments, safety planning, shelter services, injunction process and court advocacy.

The workgroup also received presentations regarding the strengths and weaknesses dealing with prosecution efforts, law enforcement issues pertaining to domestic violence/child abuse cases and the enforcement of injunctions, as well as greater advocacy needs for victims.

The Court Process Workgroup recommendations fall into the following broad categories:

1. Courthouse Environment/Safety Measures for Victims and the Injunction Process
 - Create a domestic violence court specifically to deal with domestic violence and other family-related issues.
 - Create a physical environment within the courthouse/courtroom setting that ensures safety for all.
 - Streamline the injunction process using all available technology resources whenever possible for victims.
2. Enforcement of Injunctions/Conditions of Release and Accountability of Perpetrators
 - Enhance enforcement efforts of injunctions.
 - Develop a process to serve injunctions in multiple ways.
 - Enhance prosecution efforts regarding domestic violence.

Currently, conditions of bond are rarely enforced due to a lack of notification to law enforcement regarding the conditions. Law enforcement needs to know and be able to view whether an injunction has been issued and/or what the conditions of release are for an individual who has bonded out of Jail.

Court Process Workgroup Continued

3. Develop a Victim Response Team or Center Concept
 - This team would be available 7-days-a-week, 24-hours-a-day to provide direct support to victims and children.

In addition, several issues were identified that the Workgroup felt important to highlight for further study and research:

1. There is anecdotal evidence that there has been an under-reporting of domestic violence and child abuse cases to law enforcement, and thus these numbers may increase dramatically.
2. The Florida Supreme Court mandates language written on the current injunction forms. Through review and testimony of victims who have sought injunctions, this language is often difficult to understand and is not written in “layman” terms. The workgroup recommends that research be conducted as to the feasibility/legality of revising this language. This would require a change to **F.S. 741.30**, which mandates the format for the sworn petition.
3. Domestic violence among teenagers/minors is a growing problem in our community, which brings with it unique challenges and issues:
 - (1) Complicated language on injunction forms is difficult to understand.
 - (2) Teenagers/minors don’t understand the legal consequences of an injunction.
 - (3) Transportation and other scheduling issues are a hindrance for teenagers/minors seeking an injunction.
 - (4) There are currently no shelters for teenagers/minors seeking shelter from abusive relationships.
 - (5) Teenagers/minors who violate a condition of an injunction cannot be put in Jail.
4. Currently all injunction hearings are open to the public, including domestic, repeat, dating and sexual violence. Due to the intimate nature of domestic violence, the workgroup recommends that true domestic violence hearings and/or testimony be closed to the public. This would require that the Florida Supreme Court extend closure to these types of hearings, particularly in criminal cases, and amend **F.S. 918.16** to include the testimony of domestic violence victims:

918.16 – Sex offenses; testimony of person under age 16 or person with mental retardation; testimony of victim; courtroom cleared; exceptions:

1. Except as provided in subsection (2), in the trial of any case, civil or criminal, when any person under the age of 16 or any person with mental retardation as defined in s. 393.063 is testifying concerning any sex offense, the court shall clear the courtroom of all persons except parties to the cause and their immediate families or guardians, attorneys and their secretaries, officers of the court, jurors, newspaper reporters or broadcasters, court reporters, and, at the request of the victim, victim or witness advocates designated by the state attorney's office.

Court Process Workgroup – F.S. 918.16 Continued:

2. When the victim of a sex offense is testifying concerning that offense in any civil or criminal trial, the court shall clear the courtroom of all persons upon the request of the victim, regardless of the victim's age or mental capacity, except that parties to the cause and their immediate families or guardians, attorneys and their secretaries, officers of the court, jurors, newspaper reporters or broadcasters, court reporters, and, at the request of the victim, victim or witness advocates designated by the state attorney may remain in the courtroom.

ISSUES, FINDINGS AND RECOMMENDATIONS

A. Issue – Courthouse Environment/Safety Measures for Victims and the Injunction Process:

Findings of Fact

The physical courtroom setting is not conducive to the safety of victims and/or staff. The courtroom is not staffed with enough Sheriffs' deputies for security measures. There are no separate entrances/exits for petitioners and respondents and therefore, they may encounter each other and/or family and friends in security lines, hallways, elevators, the courtroom and/or the courthouse garage, which creates many safety issues. In addition, the current hearing process involves all types of injunctions, which eliminates any privacy for true domestic violence victims vs. a neighbor against neighbor type of petition, or a "repeat" violence injunction. Victims have little or no emotional support during the hearing process or legal representation to advise them on court actions.

The injunction process can take hours, from the time an individual completes the paperwork to the time a Judge reviewing the injunction approves/denies it, and the individual receives the final decision. The injunction paperwork is detailed and often hard to understand. Changing the written language on the injunction petition would require Legislative change to **F.S. 741.03**. Legal assistance should be provided to victims in completing the injunction petition, including interpreters. Videos should be developed in different languages to educate petitioners on the injunction and prosecution process. Injunction petitions should be available in various languages and ultimately on-line. At the time of filing for an injunction, petitioners should be given a checklist of all the documentation they need to bring to court if the temporary injunction is granted and a court hearing is set.

Court Process Workgroup – Issue A Continued:

The current court process does not provide the Judge with enough thorough information to always make the best-informed decision when granting or denying an injunction. Victims often do not provide, or possess, police reports, photographs and/or information regarding the possible involvement of the Department of Children & Families for the court hearing. The Judge must not only rule on the injunction if granted, but also on child support and custody issues if children are involved.

A key theme, which emerged from these discussions, was the concept of a “Domestic Violence Court”. Such a court would provide consistency for victims, allowing assigned Judges and their team to hear and manage both civil and criminal domestic violence and/or child abuse matters. Victims are more likely to report domestic violence and perpetrators are more likely to comply with injunctions and bond conditions if there is stability in rulings and in enforcement.

Judges who have a desire and commitment to hearing domestic violence and child abuse cases would be assigned to the court, with an experienced staff who was familiar with the dynamics of domestic violence and child abuse and the resources available in the community. Judges presently sit in civil domestic violence cases only once every seven weeks. Criminal Judges hear domestic violence cases in trial dockets with hundreds of other crimes of all varieties. A domestic violence court that overlapped both the criminal and civil cases for a single victim and perpetrator would ensure that all conditions are coordinated for the protection of the victim and any children.

Domestic Violence Court Concept:

- Judges would be assigned to distinct court divisions to hear and manage domestic violence/child abuse cases, with at least one county Judge cross-assigned to circuit. The Judges would share a combined docket of the domestic violence/child abuse cases. The county Judge would run a criminal domestic violence/child abuse court; circuit Judges would hear civil and criminal cases on a rotating docket.
- Judges would adopt consistent policies to ensure the safety of victims and witnesses.
- Judges would handle criminal and civil domestic violence/child abuse cases on a unified docket, meeting at scheduled times to coordinate case management and reassign cases to obtain maximum efficiency and effectiveness.
- Existing court personnel would be utilized for case management and coordination. There would be a need for additional staff to assist in monitoring conditions of probation and of bond, as well as managing hearings for violations.
- A Domestic Violence/Child Abuse Steering Committee would be formed to provide a conduit for feedback and problem solving.

Court Process Workgroup – Issue A Continued:

Divisions of an Orange County Domestic Violence/Child Abuse Court:

- DV COURT DIVISION A: A standard criminal courtroom of misdemeanor domestic violence/child abuse cases, including arraignment of domestic violence/child abuse cases, violations of probation and domestic violence injunctions. Have assigned a contingent of Assistant State Attorneys and Public Defenders/conflict counsel.
- DV COURT DIVISION B: A standard civil courtroom of domestic violence injunctions, including pre-hearing motion practice, final injunction hearings and violation hearings (where there are no pending criminal issues).
- DV COURT DIVISION C: A combined criminal/civil courtroom. Shares criminal case docket with DIVISION A, as well as hearing criminal felony domestic violence/child abuse cases and same-party civil injunction hearings. Have assigned a contingent of Assistant State Attorneys and Public Defenders/conflict counsel.
- DV COURT DIVISION D: A standard civil courtroom of domestic violence injunctions, including pre-hearing motion practice, final injunction hearings and enforcement/violation hearings.

A goal of having combined courts would be to more effectively resolve violation of injunction cases, which are unique. Many violations of injunctions could be handled either civilly or criminally. Currently, the civil Judges are not immediately addressing these cases, because it causes a double jeopardy issue with the criminal case. The State Attorney is waiting for the law enforcement agencies to fully investigate the cases, before making a charging decision. This process sometimes takes months.

If violations of injunctions were handled in a criminal docket or the prosecutors were give time to participate in the civil dockets, many of these cases could be prosecuted in a timelier manner by Assistant State Attorneys in a non-jury civil setting. Currently the State Attorneys' Office does not have personal to cover both their criminal dockets and appear in a civil courtroom. By combining the courts, victims would have a quicker turnaround in their cases, defendants would be quickly brought into court and some cases could be resolved in a non-jury setting without using valuable juror resources.

Court Process Workgroup Continued:

Issue A Recommendations:

- ***Create a domestic violence court specifically to deal with domestic violence, child abuse and other family-related issues.***
 - Harmonize and manager together civil injunctions, criminal prosecution and criminal conditions of bond or probation to avoid inconsistent court orders, enhance the protection of victims and ensure that the perpetrator clearly understands the limitations on his/her contact with the victim.
 - Defendants need to sign “no contact orders” and other conditions pursuant to bond and these documents should be placed in the court file; a copy of conditions of bond should be sent to the victim and the bondsman to be entered into the teletype system.
 - Visitation issues and safety concerns need to be considered in setting bonds and in sentencing, including probation, when children are involved in/witness domestic violence episodes.
 - Judges should expand the use of the Family Ties visitation program whenever possible for children involved in/witness a domestic violence episode.
 - Judges in domestic violence cases should have specialized skills and knowledge to effectively manage and handle the issues in civil and criminal domestic violence cases.
 - The number of times a victim must appear and give testimony should be minimized. Further, the court can arrange specialized rules to minimize the incidence of contact between victim and perpetrator, as well as providing specialized courtroom procedures to ensure the safety of witnesses.
 - Judges should have a sense of ownership of the domestic violence cases in order to marshal resources, manage cases and coordinate with law enforcement, treatment providers and the legal community. There needs to be a locus within the court system for communication regarding issues of domestic violence.
 - More consistency is needed (than presently exists) when dealing with domestic violence cases. The court needs to actively manage and oversee compliance with domestic violence injunctions and the conditions of bond.
 - All domestic violence/child abuse court divisions should share the signing duty for domestic violence injunctions, including after-hours domestic violence petitions.
 - All criminal domestic violence cases should be separately heard at initial appearance and bond hearings by a domestic violence Judge.

Court Process Workgroup Recommendations Continued:

- ***Create a physical environment within the courthouse/courtroom setting that ensures safety for all.***
 - Develop a docket to separate “repeat” violence injunctions from domestic violence injunctions.
 - Provide additional court security deputies in the courtroom who are trained and aware of specific safety issues related to domestic violence.
 - Strategically install cameras throughout the courthouse to monitor behaviors between victims and perpetrators and/or family members (Clerk’s office, Harbor House, courtroom, hallways, elevators, parking garage).

- ***Streamline the injunction process using all available technology resources wherever possible for victims.***
 - Provide legal assistance to victims at time of an injunction filing and through the court hearing process.
 - Provide assistance/guidance to victims in completing the injunction paperwork, to include interpreters.
 - Create injunction petitions in various languages.
 - Develop a checklist of documents to bring to the court hearing.
 - Develop videos in various languages to educate petitioners on the injunction and prosecution process.
 - Reduce the time it takes to complete injunction paperwork and obtain an approved or denied petition.
 - Create domestic violence clinics for senior law school students to assist victims throughout the court process.
 - Ensure Judges’ and other court personnel’s responses are consistent to victims.
 - Provide victims with information regarding what to expect from the injunction process and any criminal proceedings that may take place.

Court Process Workgroup – Issue A Recommendations Continued:

- **Provide Judges access to criminal history and child abuse information/police reports at the time of the injunction hearing and initial appearance.**
 - Establish coordination between the Department of Children & Families and the court on child abuse issues/actions when children are involved in domestic violence cases.
 - Provide arrest affidavit and rap sheet on the perpetrator to the Judge at initial appearance – this is particularly important for on-call Judges on the weekends and after-hours to know in order to take into account victim safety.
 - Obtain law enforcement checklist/domestic violence worksheet for Judges to have at all domestic violence hearings; all law enforcement agencies should also attach the checklist/domestic violence worksheet to case packages submitted to the State Attorney's Office; this checklist/worksheet should contain information on the victim's demeanor and injuries, the suspect's demeanor and injuries, the relationship between the victim and suspect, if there is evidence of use of alcohol or drugs by either party, conditions of the residence, any said utterances, sworn or confidential statements given, prior history of domestic violence and number of incidents, medical treatment obtained, evidence collected and any weapons found (see appendix).

B. Issue – Enforcement of Injunctions/Conditions of Release and Accountability of Perpetrators:

Findings of Fact

Injunctions and conditions of release need to be enforced. The injunction should mean what it says. Perpetrators need to be held accountable to follow the conditions of their release from Jail or the conditions of an injunction. **F.S. 903.047** addresses the issue of following the conditions of release:

903.047 – Conditions of pretrial release:

- (1) As a condition of pretrial release, whether such release is by surety bail bond or recognizance bond or in some other form, the court shall require that:
 - (a) The defendant refrain from criminal activity of any kind; and
 - (b) The defendant refrain from any contact of any type with the victim, except through pretrial discovery pursuant to the Florida Rules of Criminal Procedure.

Court Process Workgroup – Issue B Continued:

- (2) Upon motion by the defendant when bail is set, or upon later motion properly noticed pursuant to law, the court may modify the condition required by paragraph (1)(b) if good cause is shown and the interests of justice so require. The victim shall be permitted to be heard at any proceeding in which such modification is considered, and the state attorney shall notify the victim of the provisions of this subsection and of the pendency of any such proceeding.

In order to best determine the most appropriate conditions of release at the time of initial appearance, an arrest affidavit and the perpetrator's rap sheet should be provided to the Judge. In addition, an advocate should contact the victim prior to first appearance to provide additional information to the Judge. This is being done on most weekdays, but not on weekends.

A fact sheet should be developed for a perpetrator on what "no contact" and "no hostile contact" means and should be signed before release from Jail and be made part of the official court file and sent to the bondsman; the victim should also receive a copy of the fact sheet. Law enforcement should be provided with official copies of injunctions and conditions of release (*e.g. no contact orders*) in a timely manner for enforcement purposes. When a subject's name is run through the teletype system, a law enforcement officer should be alerted if an injunction has been issued and any conditions of release from Jail; the Department of Children & Families should also have access to the same information.

The Jail should serve injunctions directly from the booking facility to inmates when appropriate. The service of injunctions at a scene by law enforcement is strongly recommended, because it would ensure victim safety and follow-through. Legislative change to F.S. 741.30 would be required for law enforcement to serve the injunction at the scene.

Service of the injunction on the perpetrator at the scene would not only be more cost effective for law enforcement, but other criminal justice stakeholders in the system. A suggested enforcement tactic is to develop and staff a "knock-knock" program whereby law enforcement knocks on the doors of the victims who have received injunctions to make sure the perpetrator has not returned and violated the conditions of the injunction and/or release. Other monitoring efforts for perpetrators, such as juris monitor and a Global Positioning System or GPS, should be utilized more frequently and in a timely manner to ensure safety for the victim and accountability of the perpetrator.

Court Process Workgroup – Issue B Continued:

To assist in prosecution efforts, greater coordination is needed between the Jail, law enforcement, Judiciary, the Department of Children & Families and the State Attorney's Office. For example, tasking sheets should be quickly provided to the State Attorney's Office by law enforcement to build a suitable prosecution case. Efforts should also be enhanced to educate victims on the prosecution process and how they can assist, such as keeping logbooks of contact attempts by a perpetrator.

Prosecutors assigned to domestic violence cases should receive specialized training and strategies on how to prosecute such cases. This training is mandated by **F.S. 741.2901**:

741.2901 – Domestic Violence cases; prosecutors; legislative intent; investigation; duty of circuits; first appearance:

Each state attorney shall develop special units or assign prosecutors to specialize in the prosecution of domestic violence cases, but such specialization need not be an exclusive area of duty assignment. These prosecutors, specializing in domestic violence cases, and their support staff shall receive training in domestic violence issues.

Batterers' intervention should be ordered as a condition of an injunction or bond in lieu of anger management classes. **F.S. 741.281** delineates when the court must order batterers intervention for a domestic violence perpetrator:

741.281 – Court to order batterers' intervention program attendance:

If a person is found guilty of, has had adjudication withheld on, or has pled nolo contendere to a crime of domestic violence, as defined in s. 741.28, that person shall be ordered by the court to a minimum term of 1 year's probation and the court shall order that the defendant attend a batterers' intervention program as a condition of probation.

The court must impose the condition of the batterers' intervention program for a defendant under this section, but the court in its discretion, may determine not to impose the condition if it states on the record why a batterers' intervention program might be inappropriate. The court must impose the condition of the batterers' intervention program for a defendant placed on probation unless the court determines that the person does not qualify for the batterers' intervention program pursuant to s. 741.325. Effective July 1, 2002, the batterers' intervention program must be certified under s. 741.32. The imposition of probation under this section shall not preclude the court from imposing any sentence of imprisonment authorized by s. 775.082.

Court Process Workgroup – Issue B Continued:

Likewise, Florida Statute 948.038 indicates BIP be ordered as a condition of probation:

948.038 – Batterers' intervention program as a condition of probation, community control, or other court-ordered community supervision:

As a condition of probation, community control, or any other court-ordered community supervision, the court shall order a person convicted of an offense of domestic violence, as defined in s. 741.28, to attend and successfully complete a batterers' intervention program unless the court determines that the person does not qualify for the batterers' intervention program pursuant to s. 741.325. The batterers' intervention program must be a program certified under s. 741.32, and the offender must pay the cost of attending the program.

Batterers' intervention program (BIP) staff and perpetrators should have regular status hearings with Judges where BIP has been ordered to report on a perpetrator's participation and progress in program.

Issue B Recommendations:

- ***Enhance enforcement efforts of injunctions.***
 - Develop a fact sheet for a perpetrator on what “no contact” and “no hostile contact” means and have them sign it prior to release from Jail – this document should be added to the official case file and provided to the victim and bondsman.
 - Provide law enforcement and the Department of Children & Families with official copies of injunctions and conditions of release through the Teletype system (e.g. *no contact orders*) in a timely manner for enforcement purposes.
 - Consider the use of GPS monitoring and juris monitor for violations of injunctions where applicable and develop process to monitor conditions of release.
 - Review the development and staffing of a “knock-knock” program whereby law enforcement knocks on doors of victims who have received injunctions to make sure the perpetrator has not returned and violated the conditions of the injunction.
 - The bonding agency should receive a copy of all conditions of release for enforcement purposes and to assist in educating individuals posting bail for an accused on those conditions.
 - The bail agent posting bail for an individual accused of domestic violence and/or child abuse should utilize the Victim Information and Notification Everyday (VINE) system to notify victims that an accused has bonded out of Jail.
 - BIP program staff and perpetrators to have regular status hearings with Judges.

Court Process Workgroup – Issue B Recommendations Continued:

- ***Develop a process to serve injunctions in multiple ways.***
 - Issue directly from the Jail’s booking facility when appropriate; this process will make victims safer and save considerable manpower in finding defendants after they are released from Jail.
 - Ensure deputies at the Jail receive approved injunctions either electronically or by fax to facilitate service to applicable inmates.
 - Issue directly by law enforcement at the scene of an incident.

- ***Enhance prosecution efforts regarding domestic violence.***
 - Law enforcement to provide the State Attorney’s office in a timely manner with tasking sheets pertaining case information, such as sworn statements and any other investigative information or evidence.
 - Increase coordination regarding the sharing of information between the jail, law enforcement, Judiciary, Department of Children & Families and the State Attorney’s Office.
 - Educate victims on ways to assist in prosecution efforts, such as keeping a sample log regarding contacts by the perpetrator.
 - Ensure all prosecutors assigned to domestic violence cases receive specialized training/strategies on how to prosecute such cases, to include the dynamics of domestic violence as stipulated in F.S. 741.2901.
 - Ensure there are adequate advocates to contact victims of domestic violence prior to initial appearance, for both weekdays and weekends.

C. Issue – Services to Victims:

Findings of Fact

Victims need assistance and guidance to help them navigate through the complex court system. During the discussions of the workgroup, establishing consistency throughout the system was reiterated. Anyone who may have contact with a victim, from Harbor House, the Victim Service Center, law enforcement, Judiciary, State Attorney’s Office, medical community, faith community and others, need to provide consistency in their message to victims. Victims need to have a “human connection” to help them build trust in the system and to understand that they can be part of the solution to breaking the cycle of violence. Adversarial roles within the system need to be put aside in order to provide greater safety for victims and children while holding perpetrators accountable for their actions.

The development of a victim “response team” or “one-stop center”, similar to the Children’s Advocacy Center, is strongly recommended. Multiple services should be centrally located at one site to help victims and children access the services appropriate for them and to keep victims from having to “tell their story” to multiple individuals or agencies.

Court Process Workgroup – Issue C Continued:

Due to power and control issues, meaningful and timely access to victims, preferably within 4-8 hours before a perpetrator is able to bond out of Jail and re-establish control, is critical to providing the necessary support and assistance to help victims break free of abusive relationships.

The victim “response team” and/or “center” would foster stronger and more effective collaborations between the Judiciary, law enforcement, Clerk of the Court, State Attorney and domestic violence advocates. Members of the response team would provide crisis intervention, lethality assessments, shelter assistance and safety planning, services to children in homes with domestic violence and linkages to other community services such as employment, food, financial and housing assistance, childcare, counseling, transportation, medical care and legal representation.

Members of the team would be deputized by the Clerk of the Court to facilitate the issuance of after-hour injunctions at a scene and collaborate with law enforcement for timely service of the injunction to the perpetrator. Team members would work closely with the State Attorney’s Office to obtain victim statements and other pertinent information to assist in prosecution efforts.

Issue C Recommendations:

- ***Develop a victim response team or center (similar to the Children’s Advocacy Center), which would be available 7-days-a-week, 24-hours-a-day.***
 - Establish a one-stop center for victims, with multiple services in one location.
 - Establish a victim response team who can readily assist victims and provide linkages to services in a timely manner.
 - Provide a “human connection” to help victims navigate through the system.
 - Develop a clear and consistent message to victims on the court and prosecution process.

Court Process Workgroup Continued:

Summary:

The courts – civil, criminal and juvenile – play key roles in the effort to end domestic violence and child abuse in our community. The courts should take a lead role in ensuring that all participants in the court system are trained in the dynamics of family violence and particularly, the impact of such violence on children.

Pertinent information should be available to the court when determining whether to issue injunctions for protection, orders for safe visitation involving children, financial implications to victims and treatment options for perpetrators.

The courts are also the ultimate authority in holding perpetrators accountable for their crime and the conditions of release. Enhanced penalties should be considered for domestic violence penalties committed within 72 hours of release after arraignment or issuance of an order of protection. Legislative issues hindering the court's ability to effectively deal with domestic violence and child abuse cases should be a top priority for review.

SYSTEMS PROCESS WORKGROUP

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Clerk of the Circuit & County Courts Office

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SYSTEMS PROCESS WORKGROUP – PROCESS AND BACKGROUND INFORMATION:

The Systems Process Workgroup was charged with reviewing the current system processes related to domestic violence and child abuse cases. The workgroup was also charged with formulating recommendations for management of such cases using best practices to include issues such as training of court personnel in the dynamics of domestic violence and child abuse, legal interventions to stop the cycle of violence and the expansion and/or reallocation of resources to create an effective and accessible system for victims.

The workgroup met monthly over a period of six months and received a variety of information to include the under-reporting of domestic violence and child abuse cases and the strengths and weaknesses dealing with prosecution efforts. Law enforcement presented their challenges in dealing with domestic violence and child abuse cases, training issues of law enforcement officers, the enforcement of injunctions and greater advocacy needs for victims.

Presentations received during the meetings included the following:

- Information on batterers' intervention programs;
- The standard operating procedures from the Orange County Sheriff's Office and Orlando Police Department on dealing with domestic violence and child abuse cases;
- The "Guide for Victims and Witnesses" from the Orange County Sheriff's Office;
- The standard operating procedures and domestic violence checklist from Orange County Corrections/Probation Unit;
- The prosecution process and procedures from the State Attorney's Office;
- Services provided by Harbor House – Orange County Center Against Domestic Violence;
- The Child Protective Investigations Program – Performance Evaluation Reports for January, 2001 through January, 2004 from the Department of Children & Families;
- Process for filing petitions for Domestic, Repeat, Dating and Sexual violence;
- Process for serving injunctions by law enforcement; and
- Definitions/statutes regarding domestic violence.

SYSTEMS PROCESS WORKGROUP: ISSUES, FINDINGS AND RECOMMENDATIONS:

A. Issue – Training:

Training Module I: Need for an “Advanced Career Development Track” training module for law enforcement officers that offers more in-depth training on domestic violence and child abuse:

Findings of Fact

New law enforcement recruits currently receive 40 hours of uniform training while attending the law enforcement academy. The uniformed training includes instruction on the process of investigating specific offenses, such as domestic violence and child abuse. Law enforcement agencies also conduct mandatory “block training” throughout the year on various topics. These training avenues however, only touch the surface of the issue of domestic violence and child abuse and do not provide officers with enough in-depth knowledge or expertise to effectively deal with these types of crime. Additional training in the area of gathering data specific to domestic violence and child abuse, i.e. photographs, evidence, statements is needed to enhance the likelihood of successful prosecution.

An advanced career development track would provide such in-depth training and could be tied to incentives, such as increased pay or bonuses. Experts in the field of domestic violence and child abuse would provide this in-depth training.

Issue A: Training Module I Recommendation:

- ***Create an advanced career development track training for law enforcement.***
 - Local law schools to create track training module for law enforcement officers on the dynamics of domestic violence and child abuse that would be tied to various incentives.
 - Establish a voluntary training program for law enforcement modeled after the CIT training program.
 - Obtain grants to provide specialists from other areas for ongoing and updated information regarding best practices in the area of domestic violence and child abuse.
 - Develop and implement appropriate protocols based on training.

Systems Process Workgroup – Issue A Recommendations Continued:

Training Module II: Need for in-depth training to the Department of Children & Families regarding the dynamics of domestic violence and the power and control issues surrounding children.

Findings of Fact

The Department of Children & Families can play a key role in helping domestic violence victims and their children live violence-free lives. Front-line investigators, abuse registry call-takers and caseworkers through contracted community based care organizations can benefit by understanding more fully the dynamics of domestic violence and its correlation to child abuse. Abusers will often threaten harm to children as a way to keep the victim in a relationship or may directly abuse the children as a means to hurt a victim. In-depth training on interviewing techniques and recognizing signs of domestic violence can enhance the protection of children.

Issue A: Training Module II Recommendation:

- ***Provide in-depth training for the Department of Children & Families.***
 - Training to focus on the dynamics of domestic violence and child abuse, appropriate interventions and safety planning and include front-line investigators, abuse registry call-takers, caseworkers with contracted community based care organizations and other key staff.
 - Develop and implement appropriate protocols based on training.

Training Module III: Need for training assistance and advocacy to emergency departments and healthcare providers regarding the dynamics of domestic violence and child abuse.

Findings of Fact

It is critical for staff at local emergency departments and within the healthcare community as a whole, to fully understand the dynamics of domestic violence and child abuse. Policies and protocols should be in place regarding the separation of victims and potential perpetrators when seeking medical care. Healthcare providers should be knowledgeable regarding warning signs and symptoms of domestic violence and child abuse. The use of appropriate “prompt questions” can help solicit dialogue from potential victims and help ensure their safety. The healthcare community can be a key resource for educating patients on programs/services available to help victims and children live violence-free lives.

Systems Process Workgroup – Issue A: Module III Continued:

Issue A: Training Module III Recommendation:

- ***Provide training assistance and advocacy to local emergency departments and community healthcare providers.***
 - Establish relationships with the local emergency departments and community healthcare providers to provide training assistance on the dynamics of domestic violence and child abuse, appropriate interventions and safety planning as it relates to patient care.
 - Develop and implement appropriate protocols based on training.

Training Module IV: Need for in-depth multidisciplinary and interagency training regarding domestic violence and child abuse.

Findings of Fact

The concept of a multidisciplinary interagency training module would allow for cross training between all disciplines to more effectively respond to domestic violence and child abuse cases. Collaborative training with law enforcement officers, child abuse investigators and case managers, prosecutors and community advocates, will increase victim safety and perpetrator accountability.

Issue A: Training Module IV Recommendation:

- ***Provide in-depth multidisciplinary and interagency training regarding domestic violence and child abuse.***
 - Training should include law all criminal justice stakeholders and community advocates/providers of services.
 - Develop and implement appropriate protocols based on training.

B. Issue – Secure Database for the Sharing of Civil and Criminal Information Between Criminal Justice Stakeholders:

Findings of Fact

A secure database is critical to effectively and efficiently deal with domestic violence and child abuse crimes. The Judiciary, law enforcement, Jail, State Attorney's Office, Department of Children & Families and other key criminal justice stakeholders need to be able to access information regarding domestic violence injunctions, child abuse investigators, criminal histories, arrest affidavits, conditions of release and other vital information.

Issue B Recommendation:

- ***Adopt the Technology Workgroup's recommendation regarding the creation of a secure database.***

Systems Process Workgroup Continued:

C. Issue – Service of Temporary Injunctions by Law Enforcement at the Scene of a Domestic Violence Episode:

Findings of Fact

Issuing and serving temporary injunctions at the scene of a domestic violence episode by law enforcement would not only be cost effective for criminal justice stakeholders in the system, but would also ensure greater victim safety and enhanced follow through regarding criminal prosecution efforts. Legislative change would need to be made to **F.S. 741.30** for the service of an injunction at the scene by law enforcement.

Issue C Recommendation:

- ***Amend F.S. 741.30 to allow law enforcement officers to serve a temporary injunction at the scene of a domestic violence episode.***

D. Issue – “Family Advocacy Center and/or Team” to Assist Victims:

Findings of Fact

Victims of domestic violence and their children need assistance navigating the complex court and social service system. A human connection helps victims build trust in the system and be more willing to break free of violent relationships.

In a “Family Advocacy Center” multiple services would be centrally located and advocates/staff would provide assistance and referral services to victims and their children in a number of areas. The “Family Advocacy Center” would include a domestic violence legal clinic where victims would be able to obtain legal counsel to help them navigate the judicial system. A “Family Advocacy Team” would provide many of the same services but not at a physical location.

Domestic violence victims are a very unique class of victims. After the police have taken their reports, the victim’s immediate support network will likely include friends and family members of the perpetrator. In many instances, law enforcement and advocates will only have access to the victim for a few hours after an arrest. Once that time has passed, pressures will be put on the victim by the defendant and family members not to participate with the court system.

Systems Process Workgroup – Issue D Continued:

Victims will also feel tremendous financial pressures and guilt associated with the perpetrator being arrested. Perpetrators can use these tools in controlling the victim's behavior. If the center or team could meet with the victim early enough, safety planning, counseling and services could enable the victim to more successfully navigate the criminal justice system. Without immediate access to the victim and their children, the opportunity to help could be lost.

Issue D Recommendation:

- ***Develop a “family advocacy center and/or team” to provide multiple services and resources to victims of domestic violence and their children.***

E. Issue – Family Justice Court:

Findings of Fact

A key theme, which emerged from the Systems Process Workgroup and other Commission workgroups, was the concept of a “Domestic Violence Court” or a “Family Justice Court.” Such a court would provide consistency for victims, allowing one Judge and his/her team to deal with a family in all civil and criminal matters regarding domestic violence and child abuse. Civil injunctions, criminal prosecution and criminal conditions of bond or probation need to be heard in one court to avoid inconsistent court orders, to protect victims and to ensure that the perpetrator clearly understands the limitations of his/her contact with the victim.

Issue E Recommendation:

- ***Adopt the Court Process Workgroup’s recommendation for a Domestic Violence Court.***

Systems Process Workgroup Continued:

F. Issue – Need for School Personnel to be Informed When Children Have Witnessed and/or Been Involved in a Domestic Violence Episode:

Findings of Fact

A child that is involved in or may witness a domestic violence episode must deal with a number of emotional and behavioral issues. Due to the turmoil in the home, a child may not have eaten, received adequate rest or completed school-related assignments. School personnel should be informed of the domestic violence episode so that they are supportive and able to help a child deal with their emotions in the school setting. Law enforcement should obtain the full name of all children, their grade, school and teachers' names and make notification by the next business day to the school's guidance counselor in order to support the child's emotional needs.

Issue F Recommendation:

- ***Law enforcement should obtain all pertinent school-related information for all children involved in/witnessed a domestic violence episode and make notification the next business day to the school guidance counselor to support the child's emotional needs.***

G. Issue – Transferring Responsibilities for Child Protective Investigations from the Department of Children & Families to the Orange County Sheriff's Office:

Findings of Fact

Law enforcement agencies should conduct child abuse investigations in Orange County. In 1999, the Florida Legislature enacted significant legislative changes impacting the manner in which child protective investigations are conducted in the State of Florida. The legislature found that the health and safety of children served by Florida's child protection system should be of paramount concern. The Legislature expressly stated that one of the purposes of the statutory change is to provide a child protection system that reflects a partnership between the Department of Children & Families, other agencies and the community. It is the belief of the workgroup that law enforcement agencies should conduct child abuse investigations in Orange County.

Issue G Recommendation:

- ***The Orange County Sheriff's Office and the Department of Children & Families should explore the feasibility of transferring to the Sheriff's Office all responsibilities for child protective investigations involving allegations of abuse, neglect and/or abandonment occurring in Orange County.***

Systems Process Workgroup Continued:

H. Issue – Public school employees exempted as group that were required to be reported for suspected child abuse.

Findings of Fact

In 1993, Florida law was changed in Chapter 93-25, which exempted public school employees as a group that were required to be reported for suspected child abuse. In an Osceola County case where several public school employees were charged with failing to contact the Department of Children & Families or law enforcement appropriately when they learned of sex abuse occurring on their students by a public school employee, a local court ruled that no one is statutorily required to contact the Department of Children & Families in child abuse cases if the alleged offender is a public school employee.

Public school employees should be placed back into the appropriate statute as individuals who should be reported for suspected abuse and neglect.

Issue G Recommendation:

Amend the appropriate F.S to include public school employees as a group of individuals that warrant mandatory reporting for child abuse.

Summary:

Enhanced training for law enforcement officers, the Department of Children & Families, emergency departments, healthcare providers, community advocates, service providers and other key stakeholders is critical for consistent messaging, victim safety and perpetrator accountability. In-depth multidisciplinary and interagency training should be developed regarding the dynamics of domestic violence and child abuse for successful outcomes.

Increased communication needs to occur between the criminal justice stakeholders regarding the sharing of information between civil and criminal matters. A secure database should be created for this purpose to enhance the decision-making processes for all involved.

A domestic violence court that blends civil and criminal matters pertaining to domestic violence and child abuse provides greater consistency in court orders, increases perpetrator accountability and safety strategies for a family. Enhancing enforcement efforts for conditions of injunctions and bonds and facilitating the timely service of injunctions will meet the same goals.

Collaborating with the public and private school systems regarding the affects of domestic violence on children will lead to greater emotional support to children in crisis. Likewise, studying the issue of transferring the child protective investigative arm to the Orange County Sheriff's Office from the Department of Children & Families, is prudent in times of increasing child abuse rates. All of these efforts will help to lead to a "zero tolerance" policy for violence.

COMMUNITY SERVICES WORKGROUP

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COMMUNITY SERVICES WORKGROUP – PROCESS AND BACKGROUND INFORMATION:

The Community Services Workgroup began meeting in July of 2004. The workgroup felt strongly that domestic violence must not be viewed simply as a civil or “family matter”, but as a criminal matter. Inherent in this belief is the philosophy that it is incumbent upon society to provide both protections to victims and children of domestic violence and child abuse while holding perpetrators accountable for their actions. Through the use of such avenues as a social marketing campaign, it is hoped that a cultural change can occur that supports the understanding that domestic violence is a societal problem that must end.

The workgroup was chaired by psychologist Dr. Deborah Day and met regularly for five months, defining and researching issues, outlining strategies, and developing recommendations to address the complex social issue of domestic violence, our community’s response and the resources devoted to it. The workgroup elected to focus on immediate crisis intervention and prevention services for victims.

The issue of child abuse in the context of domestic violence was discussed at length. Workgroup members fully recognized the correlation between child abuse and domestic violence and the devastating effects on children. Workgroup members felt that if immediate crisis services are provided to a family, these issues could be addressed holistically.

The workgroup researched such topics as lethality assessments, batterers intervention programs and certification, community responses to domestic violence in other states and safety planning. Workgroup members felt that a centralized system of care that provides accessible and readily available resources was critical to help families regain control of their lives. Basic services such as community outreach and education, along with prevention services is a must. Extended services such as rent subsidy, individual and family counseling, vocational training, financial assistance, healthcare, childcare and educational assistance for both children and adults are essential.

The Community Services Workgroup received presentations from No Abuse, Inc. and the Orange County Public Schools’ SAFE and Drug Free Schools Program. No Abuse, Inc. provided extensive information on batterers’ intervention programs, perpetrators of domestic violence and issues surrounding the power/control model. The SAFE Program informed the workgroup of the many and varied programs and resources available to children and teens who attend Orange County Public Schools. Workgroup members also toured Harbor House to improve their understanding of domestic violence shelters and residential services.

Community Services Workgroup Continued:

The issue of privileged communication with victims was also discussed. The workgroup supports the use of certified advocates providing crisis intervention services and who have a statutory right to privileged communication with victims under **F.S. 909.5036**:

F.S. 909.5036: Domestic violence advocate-victim privilege – section D:

A communication between a domestic violence advocate and a victim is "confidential" if it relates to the incident of domestic violence for which the victim is seeking assistance and if it is not intended to be disclosed to third persons other than:

1. Those persons present to further the interest of the victim in the consultation, assessment or interview.
2. Those persons to whom disclosure is reasonably necessary to accomplish the purpose for which the domestic violence advocate is consulted.

A victim has a privilege to refuse to disclose, and to prevent any other person from disclosing, a confidential communication made by the victim to a domestic violence advocate or any record made in the course of advising, counseling, or assisting the victim. The privilege applies to confidential communications made between the victim and the domestic violence advocate and to records of those communications only if the advocate is registered under s. [39.905](#) at the time the communication is made. This privilege includes any advice given by the domestic violence advocate in the course of that relationship.

Currently, only advocates and volunteers through Harbor House - Center Against Domestic Violence, have the right of privileged communication. It is important that advocates from all organizations discuss with victim the type of privileged and/or confidential communication between them and how that relates to the sharing of information.

Other relevant issues were identified pertaining to domestic violence that would require more in-depth study and analysis such as the issues surrounding domestic violence and the elderly to include dementia and Alzheimer's diseases, mental illness and traumatic brain injuries.

COMMUNITY SERVICES WORKGROUP: ISSUES, FINDINGS AND RECOMMENDATIONS:

A. Issue – Use of a Countywide Lethality Assessment that is Research-Based, Reliable and Consistent with Nationally Accepted Standards:

Findings of Fact

The workgroup determined that lethality assessments used locally might not be research based, and may thus be flawed in their ability to accurately assess risk to domestic violence victims. Lethality assessments provide information for a victim and advocate in designing a comprehensive and effective personal safety plan. When fleeing from a domestic violence situation, victim safety is often an issue for a number of reasons: the time required to prepare a domestic violence case for prosecution, the short stay in domestic violence shelters, enforcement of injunctions and the fact that perpetrators are back in the community quickly. In addition, victims are often worried about the protection of their children, must successfully find or maintain employment and seek the emotional support from family and friends needed to remain free from a violent situation. Often assessment instruments have been adapted and used by a local agency without any assurance of the reliability of the instrument. The use of uniform and research based lethality assessment across the county and municipalities are critical to insuring victim safety.

Issue A Recommendation:

- ***Implementation of a countywide lethality assessment.***
 - Lethality assessment tool should be research-based, reliable and consistent with nationally accepted standards.
 - Community stakeholders from law enforcement, State Attorney's office, Judiciary, Department of Children & Families, crisis intervention providers, community advocates, healthcare and mental health providers should be trained to administer this instrument to further ensure reliability.
 - Evaluate and provide ongoing monitoring of lethality assessment tool.

Community Services Workgroup Continued:

B. Issue – Service Ex Parte Injunctions at the Scene of a Domestic Violence Episode:

Findings of Fact

Victim safety and holding perpetrators accountable for their actions is paramount. With ex parte injunctions delivered at the scene, victims will experience greater safety and be more inclined to accept needed services. Follow through by the victim is also enhanced, particularly if a court date is already indicated on the injunction petition when served. **F.S. 741.30: Domestic violence; injunction; powers and duties of court and clerk; petition; notice and hearing; temporary injunction; issuance of injunction; statewide verification system; enforcement** states that injunctions may be granted ex parte pending a full hearing. However, language would need to be added to the statute to allow enforcement to serve an injunction at the scene.

Issue B Recommendation:

- ***Pursue legislative change to F.S. 741.30 for the service of ex parte injunctions at the scene by law enforcement.***

C. Issue – Copies of Official Police and Arrest Reports, Photos and Other Evidence for Victims:

Findings of Fact

Victims should receive copies of official police and arrest reports, as well as copies of any photos taken of the scene or other evidence, prior to any civil court hearing to fully inform a Judge of the circumstances of the domestic violence episode.

Issue C Recommendation:

- ***Develop a process to ensure victims receive copies of official police reports, arrest affidavits, photos and other evidence in a timely manner for all civil court hearings.***

Community Services Workgroup Continued:

D. Issue – Crisis Intervention Services for Victims:

Finding of Fact

The Community Services Workgroup determined that there is a significant need for trained advocates to provide services immediately to victims at the time of a crisis, 24-hours-a-day/7 days-a-week. Immediate intervention will facilitate helping victims to navigate through the complex criminal justice system and provide linkages to agencies providing legal, counseling, childcare, employment, transportation, food and housing and medical assistance. An inclusive model of outreach services that are culturally and demographically sensitive is critical.

Harbor House, Orange County Center Against Domestic Violence, currently has outreach advocates to provide support groups, crisis intervention, safety planning, lethality assessments, information and referral, shelter access and relocation and case management services. These services are key to helping a victim become self-sufficient and lead violence-free lives. Based on an analysis of other counties similar in size to Orange County, a minimum of two-to-four additional advocates would be needed to provide these critical crisis services to victims.

Issue D Recommendation:

- ***Develop a system and adequate staffing to provide immediate crisis intervention and outreach services by trained advocates to victims of domestic violence, accessible 24-hours/7-days-a-week.***

E. Issue – Uniform and/or Mandatory Training for Criminal Justice Stakeholders on the Dynamics of Domestic Violence that is Based on Nationally Accepted Standards:

Findings of Fact

Training in the dynamics of domestic violence is often inconsistent across the various disciplines that interface with victims. A keen awareness of the system and how victims access services is critical. Consistent and uniform training will allow law enforcement, 9-1-1 operators, the Judiciary, medical providers, prosecutors and community advocates and other criminal justice stakeholders to enhance safety for victims and their children. Training must also be based on nationally accepted standards and address issues of confidentiality, informed consent, statutory requirements and risk assessment.

Community Services Workgroup: Issue E Continued:

The Basic Recruit curriculum for law enforcement consists of 40 hours of training on the process of investigating specific offenses, to include domestic violence. The Criminal Justice Standards and Training Commission with the Florida Department of Law Enforcement conduct this training for all new recruits. Each law enforcement agency also provides so mandatory hours of “block training” with rotating curriculum subjects.

Uniform and consistent ongoing training regarding the dynamics of domestic violence across all law enforcement municipalities however, needs to be coordinated. Protocols for how law enforcement handles children in domestic violence cases also needs consistency. Some law enforcement agencies will contact the child abuse registry when children are involved while others do not.

In order for the Judiciary to make sound and knowledgeable rulings in domestic violence cases, they must understand the dynamics of power and control and the risk factors to victims when they begin to take back control. Training for Judges and attorneys should be mandatory. Attorneys trained in these dynamics are better prepared to represent victims and should be encouraged to provide their services pro bono.

Issue E Recommendation:

- ***Provide uniform training to all criminal justice stakeholders, community advocates, service providers and medical community.***
 - Uniform training should be based on nationally accepted standards and include law enforcement, 9-11 operators, Department of Children & Families, medical providers and domestic violence advocates and service providers.
 - Provide mandatory domestic violence training to all Judges and attorneys.

F. Issue – Mandatory Reporting to the Child Abuse Registry Whenever Children are Involved In/Witness a Domestic Violence Episode:

Findings of Fact

Children who live with domestic violence face increased risk of violence themselves and can experience increased behavioral, social and emotional problems. In order to determine the extent of harm to children who are either involved in and/or witness an episode of domestic violence, a report should be made to the abuse registry hotline so a thorough evaluation and assessment can be made.

Issue F Recommendation:

- ***Mandatory reporting to the abuse registry when children are involved in and/or witness an episode of domestic violence.***

Community Services Workgroup Continued:

G. Issue – Housing for Victims of Domestic Violence:

Findings of Fact

Residential housing, both short-term beds and long-term transitional housing are limited in Orange County. The number of short-term beds in residential shelters is not adequate for the number of victims seeking shelter. Transitional housing is increasing in demand as well. Many victims are often forced to return to their abuser because they have no other financial options for housing.

Harbor House – Orange County Center Against Domestic Violence, currently has 52 short-term residential beds at their shelter. Based on studies of comparable metropolitan areas in the state, as well as the number of women and children who are turned away due to being at capacity, an additional 52 beds and staffing are needed. These additional bed costs would be approximately \$3,400,000 - \$4,000,000 at today's market rates, and \$700,000 annually for additional staffing and operational costs. Fortunately, Harbor House had adequate space for such an expansion. With the expansion of bed space, an on-site school would be recommended to address the varied educational and emotional needs of the children housed at the shelter.

Through Orange County's Housing and Community Development Division, 20 Section 8 transitional housing vouchers are reserved for Harbor House shelter clients and are always filled at any given time. The housing voucher is good for up to two years and the amount is dependent on family size and available income.

Issue G Recommendation:

- ***Expand housing options for victims of domestic violence.***
 - Expand short-term residential shelter beds at Harbor House by 52 beds, to include staffing and operational costs to support the expansion.
 - Expand the Section 8 transitional housing vouchers for domestic violence victims.

Community Services Workgroup Continued:

H. Issue – Counseling Services for Domestic Violence Victims and Their Children

Findings of Fact

Affordable and accessible counseling services for victims of domestic violence and their children is limited. Many victims suffer from post-traumatic stress disorder after experiencing domestic violence, and thus counseling is a crucial component to help a victim understand the violence was not their fault and to lead them toward self-sufficiency. Many victims on their own do not have medical or health insurance or the financial stability to purchase it, and are reluctant to access therapy through the abuser's coverage for safety reasons. Counselors should be well trained in the dynamics of domestic violence to best address issues related to survivors.

The counseling program through Harbor House has been reduced due to other funding cuts affecting their services. Additional four-to-five full-time advocates would be needed to provide free counseling services to victims and their children. Children who witness domestic violence suffer distress themselves and are more likely to become abusers if not removed from a violent home. Community counselors, therapists and/or agencies should be encouraged to offer reduced-fee counseling services to victims.

Issue H Recommendation:

- ***Expand counseling services for domestic violence victims and their children.***
 - Provide additional four-to-five full-time counselors to be made available through Harbor House and/or the Victim Service Center to provide domestic violence counseling.
 - Encourage community counselors, therapists and/or agencies to offer reduced-fee counseling services to domestic violence victims.

Community Services Workgroup Continued:

I. Issue – Domestic Violence Court:

Findings of Fact

A domestic violence court that blends both civil and criminal domestic violence cases is critical. Victims often feel the court system is complicated and frightening and thus can be more traumatized. The workgroup advocates for the blending of civil and criminal domestic violence cases to ensure victim safety, consistent court orders and perpetrator accountability. Judges should also be aware of other civil matters pertaining to a family, such as a pending divorce. Judges who have an interest and training regarding the dynamics of domestic violence should be assigned to the court. Prosecutors assigned to domestic violence cases should receive specialized training on how to prosecute such cases, to include the dynamics of domestic violence as stipulated in **F.S. 741.2901**. Court advocacy should be an integral component to help victims navigate through the injunction process and hearings, provide safety planning and other support services. Free legal representation, as needed, should also be provided to victims.

Issue I Recommendation:

- ***Adopt the Court Process Workgroup’s recommendation for a domestic violence court.***

J. Issue – Expansion of Supervised Visitation Centers:

Findings of Fact

Supervised visitation centers should be expanded, which offer a safe environment for children and parents to visit. When children are involved in domestic violence situations, a Judge should either order no visitation or at a minimum, supervised visitation with the offending parent in all domestic violence cases. Supervised visitation should be enforced from the time a temporary injunction is issued and until a court hearing takes place. If a permanent injunction is granted, supervised visitation should continue until a trained/certified counselor can conduct a lethality assessment and present the assessment to the court for review.

Issue J Recommendation:

- ***Expand supervised visitation centers throughout the county.***

*Community Services Workgroup Continued:***K. Issue – Batterers’ Intervention Program vs. Anger Management:**

Perpetrators are at times ordered by the court to attend anger management classes rather than a batterers’ intervention program. Research has shown that anger management programs do not change batterers’ behaviors and may exacerbate the problem by offering techniques to increase manipulation skills. Anger management programs generally last for eight-to-ten hours and can be completed in a day. These programs are not state certified and view the violence as momentary outbursts of anger that can be controlled through such avenues as “time outs”.

Batterers’ intervention programs are state certified and last a minimum of 26 weeks. These programs require batterers to take responsibility for their behavior and provide opportunities to practice non-controlling conflict resolution strategies based on the value of equality in the relationship. Judges are mandated by **F.S. 741.281** to order perpetrators into approved batterer intervention programs if found guilty of, has had adjudication withheld on, or has pled nolo contendere of a crime of domestic violence:

741.281 - Court to order batterers’ intervention program attendance.

If a person is found guilty of, has had adjudication withheld on, or has pled nolo contendere to a crime of domestic violence, as defined in s. [741.28](#), that person shall be ordered by the court to a minimum term of 1 year's probation and the court shall order that the defendant attend a batterers' intervention program as a condition of probation. The court must impose the condition of the batterers' intervention program for a defendant under this section, but the court, in its discretion, may determine not to impose the condition if it states on the record why a batterers' intervention program might be inappropriate. The court must impose the condition of the batterers' intervention program for a defendant placed on probation unless the court determines that the person does not qualify for the batterers' intervention program pursuant to s. [741.325](#). Effective July 1, 2002, the batterers' intervention program must be a certified program under s. [741.32](#). The imposition of probation under this section shall not preclude the court from imposing any sentence of imprisonment authorized by s. [775.082](#).

Community Services Workgroup: Issue K Continued:

Likewise, **F.S. 948.038** specifies batterers' intervention as well.

948.038 - Batterers' intervention program as a condition of probation, community control, or other court-ordered community supervision.

As a condition of probation, community control, or any other court-ordered community supervision, the court shall order a person convicted of an offense of domestic violence, as defined in s. [741.28](#), to attend and successfully complete a batterers' intervention program unless the court determines that the person does not qualify for the batterers' intervention program pursuant to s. [741.325">741.325](#). The batterers' intervention program must be a program certified under s. [741.32">741.32](#), and the offender must pay the cost of attending the program.

Batterers' intervention programs must be certified as stipulated in **F.S. 741.32:**

741.32 - Certification of batterers' intervention programs.

(1) The Legislature finds that the incidence of domestic violence in Florida is disturbingly high, and despite efforts of many to curb this violence, that one person dies at the hands of a spouse, ex-spouse, or cohabitant approximately every 3 days. Further, a child who witnesses the perpetration of this violence becomes a victim as he or she hears or sees it occurring. This child is at high risk of also being the victim of physical abuse by the parent who is perpetrating the violence and, to a lesser extent, by the parent who is the victim. These children are also at a high risk of perpetrating violent crimes as juveniles and, later, becoming perpetrators of the same violence that they witnessed as children. The Legislature finds that there should be standardized programming available to the justice system to protect victims and their children and to hold the perpetrators of domestic violence accountable for their acts. Finally, the Legislature recognizes that in order for batterers' intervention programs to be successful in protecting victims and their children, all participants in the justice system as well as social service agencies and local and state governments must coordinate their efforts at the community level.

Community Services Workgroup: Issue K Continued:

(2) There is hereby established in the Department of Children and Family Services an Office for Certification and Monitoring of Batterers' Intervention Programs. The department may certify and monitor both programs and personnel providing direct services to those persons who are adjudged to have committed an act of domestic violence as defined in s. [741.28](#), those against whom an injunction for protection against domestic violence is entered, those referred by the department, and those who volunteer to attend such programs. The purpose of certification of programs is to uniformly and systematically standardize programs to hold those who perpetrate acts of domestic violence responsible for those acts and to ensure safety for victims of domestic violence. The certification and monitoring shall be funded by user fees as provided in s. [741.327](#).

Regular status hearings with a Judge, to include a representative from the batterers' intervention program along with the perpetrator, should occur to ascertain the perpetrator's participation and progress in the program. The court should levy sanctions if the perpetrator is not adhering to or participating in the program.

Issue K Recommendation:

- ***Batterers' intervention to be ordered in lieu of anger management classes as stipulated in F.S. 741.281 and 948.038.***
 - Batterers intervention program must be certified as stipulated in F.S. 741.32.
 - Regular status hearings to occur with Judges to review participation and progress in program.

L. Issue – Creation of a Social Marketing Campaign Regarding the Dynamics of Domestic Violence and the Impact on Children.

A social marketing campaign regarding the dynamics of domestic violence and the impact on children should also be developed. Domestic violence is a societal issue and not just a family problem.

Employers need to implement policies and protocols in their places of business to assist victims. More open dialogue should take place within the Faith community to increase the level of appropriate involvement in addressing this social issue. Domestic violence should be incorporated into the curriculum at all educational settings to enhance training of teachers, guidance counselors and other professionals. Educational materials, PSAs and other media strategies should be implemented to reach the broader community.

Issue L Recommendation:

- ***Adopt the Public Awareness/Community Education Workgroup's recommendation regarding domestic violence/child abuse educational and marketing campaigns.***

Community Services Workgroup Continued:

Summary

Domestic violence and child abuse are criminal matters and should not be viewed as a “family problem” to be ignored. A comprehensive and community-wide social marketing campaign is needed to educate the community as a whole regarding the dynamics of domestic violence and the effects on children.

The courts should hold perpetrators accountable for their behaviors and levy increased sanctions for violating the conditions of an injunction or bond. Such efforts will increase victim safety and will to greater trust in the system. Crisis intervention and prevention services are critical to helping victims and their children lead violence-free lives. Community outreach and support services are needed for families to live independently and break the cycle of violence.

TECHNOLOGY WORKGROUP

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Ms. Joan Harrelson
Ms. Sally Wolfe

TECHNOLOGY WORKGROUP – PROCESS AND BACKGROUND INFORMATION

The Technology Workgroup was charged with reviewing the need for enhanced technology related to the sharing of information between the criminal justice stakeholders regarding domestic violence and child abuse cases. These technology needs were based on the business needs and recommendations of the other four workgroups.

The Technology Workgroup met bi-monthly for six months. Early on, it became very apparent that technology was desperately needed to aide in the injunction process and in providing the Judges electronic information regarding civil and criminal domestic violence and child abuse charges.

Technology workgroup members attended meetings of the other workgroups in order to have a better understanding of the business needs and processes required to implement the technology recommendations that were being presented. Understanding the basis for the other workgroups' recommendations was critical to framing the overall technology recommendations.

A. Issue – Deployment of a Web-Enabled Domestic Violence Injunction Application:

Findings of Fact

All domestic violence injunction petitions are completed via a paper-driven process, with most completed at the Orange County Courthouse. Often the injunction petitions are not completed until late in the business day, creating a backlog for a Judge to take action on the request. This paper-driven process limits the number of locations in which the injunction petitions may be completed, and requires a great deal of staff support in answering questions regarding their completion. Due to language and literacy barriers, Judges and other court staff often have difficulty reading and understanding the handwritten injunction petitions.

A web-enabled application, such as TurboCourt, would enable creation of injunction requests at any location in which the customer has access to the Internet and would provide answers to questions currently answered by the Clerk of Courts' staff.

TurboCourt is an interactive domestic violence electronic application for self-reporting litigants. The application includes a visual tutorial, introduction/overview of the process, help screens and can populate multiple forms based on the litigant's answers. Information can be saved and retrieved later for completion if necessary. The web-enabled petition would be completed in the requestor's chosen language via the Internet but would be printed in English. The printed petition could be brought to the Clerk of the Court's office for a Judge to approve or deny and ultimately sent electronically directly to the Clerk's office. The data generated through the completion of these petitions could be used to populate the Clerk's Case Maintenance System that, in turn, would reduce data entry requirements (see appendix).

Technology Workgroup – Issue A Continued:

Issue A Recommendation:

- ***Deploy a web-based domestic violence application.***
 - The Clerk of the Circuit and County Court to deploy a web-enabled domestic violence application such as TurboCourt.
 - A sub-committee under the Criminal Justice Public Safety Coordinating Council (CJ/PSCC) to be appointed to determine the most appropriate deployment and usage of application based on business model.

B. Issue – Court Ordered Injunctions, Child Protection Orders and Release of Confinement Orders Available Electronically for Viewing or Service by Law Enforcement Officers 24-Hours-Per- Day:

Findings of Fact

Law enforcement officers do not have the ability to view court orders to determine if the conditions have been violated. The current process requires the officer to call their dispatcher, who in turn calls the Clerk of Courts' Office (836-2360) to have the file pulled. The conditions are read to the dispatcher, who in turn teletypes the officer with the conditions. This service is currently only available from 8:00 a.m. until midnight.

The conditions of the orders are not currently entered into the Clerk's Case Maintenance System. Most officers have access to the Internet in their cars and could access these orders if they were available on the Internet.

Issue B Recommendation:

- ***Develop a process for electronic viewing of documents by law enforcement.***
 - Perform a business analysis regarding the implementation of having court ordered injunctions, child protection orders and release of confinement orders available electronically for viewing or service by law enforcement officers 24-hours-per-day.
 - A sub-committee under the Criminal Justice Public Safety Coordinating Council (CJ/PSCC) to be appointed to initiate dialog on the issues and recommend any solutions required.

Technology Workgroup Continued:

C. Issue – Information Sharing Needs and Mutual Business Processes Between Criminal Justice Stakeholders:

Findings of Fact

The courts need vital information from the Department of Children & Families (DCF) pertaining to child abuse investigations and past history when making decisions on injunction orders where children are involved. In turn, DCF needs information from the courts and other criminal justice stakeholders to determine the most appropriate case and safety plan strategies for a family.

The current paper process for sharing of information is not timely and can leave decision makers without critical information needed to make informed and safe decisions for a family. The DCF computer information system should be reviewed for integration with the current criminal justice information system. A detailed business analysis would document the information share needs between the stakeholders and enhance the ability to automate these processes through a secure database.

Issue C Recommendation:

- ***Develop the sharing needs and business processes between criminal justice stakeholders.***
 - Conduct and document a detailed business analysis of the information share needs between the criminal justice stakeholders.
 - Establish the Criminal Justice Public Safety Coordinating Council (CJ/PSCC) as the governing body for this initiative and appoint a sub-committee to report back to the Council.
 - Appoint a representative from DCF and the domestic court to the CJ/PSCC.

D. Issue – Electronic Arrest Information Available to Judges:

Findings of Fact

Currently, Judges do not always have access to paper copies of arrest affidavits, criminal history information, or evidence to consider during injunction hearings. The Integrated Criminal Justice Information System (ICJIS) is capturing electronic arrest affidavits from law enforcement remote data terminals that can be made available to Judges.

Issue D Recommendation:

- ***Provide electronic arrest information to the Judges through “look up” screens from the ICJIS hub.***

Technology Workgroup Continued:

E. Issue – Automated Telephone Notification System to Contact Victims upon Changes in Status of Injunction Cases:

Findings of Fact

Currently victims have no way of knowing when injunction orders are signed or terminated other than by contacting the Clerk of Court's office. This practice often leaves the victim at risk if they are unaware of changes. An automated notification system, such as VINE (Victim Information & Notification Everyday), automatically notifies the victim when the status of the injunction is changed in the Clerks' database.

Issue E Recommendation:

- ***Implement an automated telephone notification system that contacts victims upon changes in status of injunction cases.***

F. Issue – Linkage Between Civil and Criminal Court:

Findings of Fact

The criminal and civil case maintenance automated records have no linkage. This is problematic when Judges need to see the complete "family picture" when making decisions on domestic violence, child custody and juvenile case issues. This problem is not unique to Orange County as the state is studying this issue as well.

Issue F Recommendation:

- ***Appoint a sub-committee of the Criminal Justice Public Safety Coordinating Council (CJ/PSCC) to study the process needed to enable linkage between the civil and criminal courts and to report back to the Council.***

Summary

The sharing of information between the criminal justice stakeholders for civil and criminal matters is problematic in Orange County. Decision makers need timely and accurate information in order to make informed decisions and must be aware of cases affecting a family that is pending, or have already occurred, in both civil and criminal courts. The Technology Workgroup feels confident that implementation of these recommendations will greatly fulfill the need for information sharing, improve business processes and keep victims and children safe.

PUBLIC AWARENESS/COMMUNITY EDUCATION WORKGROUP

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.Com Marketing

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Ms. Laura Williams
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PUBLIC AWARENESS/COMMUNITY EDUCATION WORKGROUP – PROCESS AND BACKGROUND INFORMATION:

The mission of the Public Awareness/Community Education Workgroup was ***the development of an education/community awareness campaign aimed at governmental bodies, the Legislature, foundations, businesses and the public regarding the economic, legal, emotional and social support needed for victims of domestic violence and child abuse, focusing on the correlation between domestic violence and child abuse.***

Although the 2004 hurricane season created a slow start for the workgroup, members met bi-weekly from July 2004 through February 2005. Workgroup members recognized the connection between domestic violence and child abuse to be factual and consistent, detrimental to children and present in Orange County. Obviously, violent homes are not safe or healthy environments for children, and children living in homes with domestic violence are at a 40% or greater chance of being physically abused themselves. Finally, the danger for such children is potentially lethal, as evidenced by the seven children who were murdered in Central Florida in 2003, in retaliation for their mothers' leaving, or attempting to leave, abusive partners (and their four brothers and sisters who survived attempts to kill them) (see appendix).

A. Issue – Assessment and Utilization of Existing Domestic Violence/Child Abuse Public Awareness and Educational Programs:

Findings of Fact

The workgroup was unsure of the current resources available for a community-wide public awareness and education campaign (how much money, time and personnel would be available to implement recommendations), and therefore decided to assess what programs presently exist both within and outside of Orange County. Presentations were received from the Howard Phillips Center for Children & Families; Harbor House – Orange County Center Against Domestic Violence; and the Mentors in Violence Prevention Program.

In addition, various law enforcement agencies were contacted to find out what kinds of domestic violence and child abuse trainings were being provided to officers. Workgroup members reviewed written plans for workplace violence training programs from the *Partnership for Prevention* and *Greenberg Taurig, LLP*. A comprehensive 34-page booklet published by the Brevard County Domestic Violence Task Force and Holmes Regional Medical Center called *Domestic Violence Victim Services Guide* and a program from Collin County, Texas called the *Collin County Council on Family Violence* was also examined. Workgroup members watched videos and public service announcements from violence prevention programs and reviewed websites such as the Family Violence Prevention Fund.

Public Awareness/Community Education Workgroup – Issue A Continued:

The workgroup concluded that while there are excellent programs existing in the county, lack of funding and other resources, including personnel, prevent them from being ongoing and systemic. For example, both the Howard Phillips Center for Children & Families and Harbor House have speakers' bureaus, trainings and programs in place, yet none of these programs are currently operating. While enhanced public awareness and education initiatives could build upon these existing programs, ongoing funding and/or personnel would be needed to keep them up and running. The primary agencies that have programs the workgroup felt should be supported and to built upon were the Howard Phillips Center for Children & Families, Harbor House, Victim Service Center and the Mentors in Violence Prevention Program.

- The Howard Phillips Center for Children & Families is getting ready to launch their "*Is it Good for the Children?*" campaign, and have been extremely receptive to including the recommendations of the Commission in the campaign. "Is it Good for the Children?" is a social marketing campaign that uses public service announcements (radio and television), newspaper ads, billboards, the Internet and via community leaders to encourage everyone to ask the question "Is it Good for the Children?" before making decisions or taking action. Some of the ads could be worded to specifically address the issue of domestic violence and how it is never good for children to be witnesses or victims of violence.
- The *National Consortium for Academics and Sports' Mentors in Violence Prevention* Program is a gender violence prevention program that uses college and professional athletes in high school and college classrooms to speak out against all forms of sexual abuse and violence. The program is interactive and aimed at changing both the perceptions and behavior of the attendees. Dr. Richard Lapchick, a faculty member at the University of Central Florida and one of the founders of the program, as well as a workgroup participant, provided an overview of the program. UCF has agreed to implement this program; the annual cost is \$111,510 and the National Consortium for Academics and Sports had pledged \$27,800 toward the total cost (see appendix).
- Two additional programs within Orange County focusing on education are Harbor House's *Teens Ending Abusive Relationships (TEAR)* program, and the Victim Service Center's "*Every 90 Seconds*" program. Both programs target middle and high school students through life management skills classes, teaching both education and prevention messages regarding dating violence, domestic violence, sexual abuse, assault and harassment.

Public Awareness/Community Education Workgroup – Issue A Continued:

Issue A Recommendation:

- ***Endorse, support and use current domestic violence/child abuse education/public awareness campaigns to include the “Is It Good for the Children?” campaign, the National Consortium for Academics and Sports’ Mentors in Violence Prevention program, TEAR program and the “Every 90 Seconds” program.***

B. Issue – Need for a Community-Wide Family Violence Public Awareness and Education Campaign:

Findings of Fact

The need for both prevention and intervention education in the community is critical and is not being met by any one agency or group of agencies. The workgroup had many discussions pertaining to what type of campaign would be the most effective. Three main questions were the focus of these early discussions:

1. Should our efforts be centered on *intervention* (getting help and information) to those who had already been victimized) or *prevention* (providing information and education which would prevent individuals from becoming victims and/or abusers);
2. Should the campaign be *educational* (aimed at providing information and/or changing ideas and beliefs) or should it be a *social marketing* campaign (aimed at changing people’s behavior); and
3. Who should be the target of our campaign: victims, abusers and potential abusers, those who work with survivors, clergy, the judiciary, or the general public?

The workgroup began by looking at the reasons for a public awareness campaign and found the following to be the most compelling:

- There is no comprehensive public awareness campaign in Central Florida which deals with domestic violence or child abuse;
- There is no comprehensive educational program for those who work with survivors of either domestic violence or child abuse;
- There is no systemic training program in either domestic violence or child abuse that is mandatory for law enforcement personnel, Judges or attorneys in the areas covered by the 9th Judicial Circuit (training for these groups is hit and miss at best);
- Experts in domestic violence know that often victims go to friends, family, co-workers, or others before resorting to law enforcement or experts in the field, so it is important that lay people know best practices for responding to victims;
- There is much anecdotal evidence to support the belief that when victims do speak with “non-experts” they are given incorrect and sometimes dangerous advice and information;
- Belief that *prevention* efforts must be addressed to the general public and not just victims and/or those who work in the field; and
- Orange County has a high number of domestic violence fatalities, which demonstrates a need for victims and those who know them to understand the potential for lethality in violent relationships and the indicators of such danger.

Public Awareness/Community Education Workgroup – Issue B Continued:

Issue B Recommendation:

- ***Develop a community wide family violence education/public awareness campaign.***
 - Contract with a marketing/public relations firm to develop a message (i.e., zero tolerance for family violence in Orange County), design a logo and tagline and create a variety of collateral materials such as stationery, billboards, press kit, printed materials and establish a print, radio and television campaign.
 - Recruit male leaders in the community to use in a series of public service announcements reinforcing the tagline, or message of the campaign, emphasizing the role of men in ending family violence.
 - Expand and promote a domestic violence/child abuse prevention speakers' bureau, building on the programs in place at the Howard Phillips Center for Children & Families and Harbor House, and develop videos, which will be used by speakers' bureau to ensure the message is consistent and comprehensive.
 - Develop workplace violence training programs, such as the one developed by Greenberg Traurig, to teach employers and employees how to deal more effectively with domestic violence, what the impact is on the workplace and how to minimize the impact and keep employees safe, healthy and productive.
 - Create and distribute education materials pertaining to domestic violence and child abuse.

C. Issue – Monitoring and Coordination of Public Awareness and Education Campaigns:

Findings of Fact

Community awareness and behavioral change require years of sustained and persistent effort. They also require constant vigilance to ensure the most effective use of resources, consistent messaging and monitoring of the environment for needs, as well as duplication of services. The workgroup felt strongly that there needs to be one overall body that monitors and coordinates a community-wide education campaign for consistency in the message, as well as to pursue funding for the implementation of various education projects.

An Orange County Council on Family Violence would oversee these monitoring and coordination activities while maintaining and updating a website and housing the collateral materials of the public awareness and education campaign. The Council would need to be staffed with a Director, to include administrative support, and could be housed at the Victim Service Center or other easily accessible and suitable location. Activities such as keeping track of the speakers' bureau calendar and equipment, finding voices for Public Service Announcements, approving the latest billboard sign, working with grant writers to seek additional funding, to connecting people and resources, would be coordinated by the Orange County Council on Family Violence.

Public Awareness/Community Education Workgroup – Issue C Continued:

Issue C Recommendation:

- ***Create the Orange County Council on Family Violence to monitor and coordinate public awareness and community education campaigns regarding domestic violence and child abuse.***

SUMMARY

After assessing the need, scope of the problem and the existing programs, the workgroup's conclusion to the three questions we struggled with throughout this process is that Orange County needs a campaign that is focused both on **prevention** as well as **intervention**, or we will continually be working with survivors of domestic violence and child abuse and never ending the cycle of violence in our community.

While the needs of current victims (most importantly, keeping them alive) should come first, a real commitment to ending domestic violence and its impact on children must include a prevention program. Additionally, a public awareness and education campaign must incorporate some **social marketing** strategies (as do the Mentors in Violence Prevention Program and the "Is it Good for the Children?" campaign), since education and information do not necessarily change behavior.

Finally, in this, a community with high rates of domestic violence, domestic violence-related deaths and child abuse, there is a need for an education/public awareness campaign that is **widespread, comprehensive and consistent** in a message of "zero tolerance" for family violence. Such a campaign should be aimed at the Judiciary, law enforcement, prosecutors, advocates, employers, victims, abusers and potential abusers and the general public.

Every year in Orange County thousands of people, primarily women and children, fall victim to domestic violence or child abuse. These are the women we see in our places of worship and grocery stores. These are the innocent children whose laughter and delight we hear coming from the play on our playgrounds and who attend schools with our own children.

Domestic violence and child abuse respects no boundaries and are not limited to any socioeconomic group or class standing. The women and children who suffer everyday in our community are our friends, colleagues and next-door neighbors. And in every case, innocent lives are being destroyed and promising futures are being lost. While domestic violence and child abuse most often punishes its victims behind closed doors, its dehumanizing effects reach far beyond the walls of the home. It is a community-wide problem that will require all of the resources of the community to prevent, identify and treat these victims.

To better protect these victims, the 9th Judicial Circuit will adopt a “**zero tolerance**” policy for domestic violence and child abuse in Orange County, as should the community as a whole. Since June 2004, the Domestic Violence/Child Abuse Commission has studied various court and other system-related issues that touch the lives of victims of domestic violence and child abuse. The Commission has made strong recommendations with the goal of hopefully ending the abuse of innocent women and children.

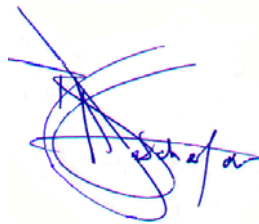
We can no longer wait to break the cycle of violence – we must ensure that the victims of family abuse have every resource necessary to regain control of their lives. As a community, we must provide the programs and assistance that will end the suffering. We must educate our children and ourselves about domestic violence and child abuse, while creating strategies for the prevention, intervention and elimination of such abuse. As a society, we can no longer tolerate the abuse of women and children and must be quick and decisive in our actions against those who commit such horrific acts.

We call on all citizens of Orange County to stand united with us against domestic violence and child abuse. There is a role that each of us can play to combat the violence and unnecessary suffering. Please join us, for together we can make the community we live in a safer place for all citizens of Orange County.

Sincerely,




Robert M. Evans – Circuit Judge
9th Judicial Circuit
Commission Co-Chair



Dick Batchelor – President
Dick Batchelor Management, Inc.
Commission Co-Chair

APPENDICES

- **Domestic Violence Worksheet – Orange County Sheriff’s Office**
- **TurboCourt Application Summary**
- **Domestic Violence Fact Sheet**
- **Child Abuse Fact Sheet – 2003/2004**
- **Every 90 Seconds Program Fact Sheet – Victim Service Center**
- **“Is it good for the children?” Campaign Fact Sheet – Howard Phillips Center for Children & Families**
- **National Consortium for Academics and Sports’ Mentors in Violence Prevention Summary**

		<h2 style="margin: 0;">Domestic Violence Worksheet</h2> <h3 style="margin: 0;">ORANGE COUNTY SHERIFF'S OFFICE</h3>			
Page ____ of ____					
VICTIM'S NAME (Last, First, Middle):		RACE:	SEX:	DATE OF BIRTH:	OCISO CASE #:
HOME ADDRESS:		HOME PHONE:	WORK ADDRESS:		WORK PHONE:
WILL VICTIM BE AT A TEMPORARY ADDRESS? YES <input type="checkbox"/> NO <input type="checkbox"/>		IF YES, LIST ADDRESS:			TEMP. PHONE:
VICTIM		SUSPECT		VICTIM/SUSPECT RELATIONSHIP	
Demeanor <input type="checkbox"/> ANGRY <input type="checkbox"/> APOLOGETIC <input type="checkbox"/> CRYING <input type="checkbox"/> WITHDRAWN <input type="checkbox"/> HYSTERICAL <input type="checkbox"/> CALM <input type="checkbox"/> AFRAID <input type="checkbox"/> IRRATIONAL <input type="checkbox"/> NERVOUS <input type="checkbox"/> THREATENING <input type="checkbox"/> OTHER (EXPLAIN) _____		Injury <input type="checkbox"/> COMP. OF PAIN <input type="checkbox"/> BRUISE(S) <input type="checkbox"/> ABRASIONS <input type="checkbox"/> MINOR CUT(S) <input type="checkbox"/> LACERATIONS <input type="checkbox"/> FRACTURES <input type="checkbox"/> GUNSHOT(S) <input type="checkbox"/> NONE OBSERVED <input type="checkbox"/> OTHER (EXPLAIN) _____		Demeanor <input type="checkbox"/> ANGRY <input type="checkbox"/> APOLOGETIC <input type="checkbox"/> CRYING <input type="checkbox"/> WITHDRAWN <input type="checkbox"/> HYSTERICAL <input type="checkbox"/> CALM <input type="checkbox"/> AFRAID <input type="checkbox"/> IRRATIONAL <input type="checkbox"/> NERVOUS <input type="checkbox"/> THREATENING <input type="checkbox"/> OTHER (EXPLAIN) _____	
				Injury <input type="checkbox"/> COMP. OF PAIN <input type="checkbox"/> BRUISE(S) <input type="checkbox"/> ABRASIONS <input type="checkbox"/> MINOR CUT(S) <input type="checkbox"/> LACERATIONS <input type="checkbox"/> FRACTURES <input type="checkbox"/> GUNSHOT(S) <input type="checkbox"/> NONE OBSERVED <input type="checkbox"/> OTHER (EXPLAIN) _____	
				LENGTH OF RELATIONSHIP: _____ YEAR(S) _____ MONTHS IF APPLICABLE, DATE RELATIONSHIP ENDED: _____	
				SPOUSE <input type="checkbox"/> FORMER SPOUSE <input type="checkbox"/> COHABITANTS <input type="checkbox"/> FORMER COHABITANTS <input type="checkbox"/> SAME SEX <input type="checkbox"/> PARENT OF CHILD FROM RELATIONSHIP <input type="checkbox"/> OTHER FAMILY MEMBER <input type="checkbox"/>	
				USE OF: <input type="checkbox"/> ALCOHOL <input type="checkbox"/> CONTROLLED SUBSTANCE BY: <input type="checkbox"/> VICTIM <input type="checkbox"/> SUSPECT <input type="checkbox"/> N/A	
CONDITIONS OF RESIDENCE: <input type="checkbox"/> NEAT <input type="checkbox"/> FURNITURE OVERTURNED/DISARRAY <input type="checkbox"/> HOLES IN WALLS/DOORS, ETC. <input type="checkbox"/> PHONE LINE CUT <input type="checkbox"/> N/A					
UTTERANCE SAID (DETAIL IN REPORT): _____				VICTIM CONFIDENTIALITY FORM? <input type="checkbox"/> YES <input type="checkbox"/> NO	
SWORN STATEMENT <input type="checkbox"/> YES <input type="checkbox"/> NO IF NO, WHY? _____				VICTIM NOTIFICATION CARD? <input type="checkbox"/> YES <input type="checkbox"/> NO	
HOW NOTIFIED? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> VICTIM <input type="checkbox"/> CHILDREN <input type="checkbox"/> NEIGHBOR <input type="checkbox"/> ANONYMOUS <input type="checkbox"/> SUSPECT					
PRIOR HISTORY OF DOMESTIC VIOLENCE? <input type="checkbox"/> YES <input type="checkbox"/> NO		NAME OF CHILDREN PRESENT		AGE DOB SCHOOL	
PRIOR HISTORY OF VIOLENCE DOCUMENTED? <input type="checkbox"/> YES <input type="checkbox"/> NO		1. _____		2. _____	
NUMBER OF PRIOR INCIDENTS <input type="checkbox"/> MINOR <input type="checkbox"/> SERIOUS		3. _____		_____	
MEDICAL TREATMENT					
<input type="checkbox"/> NONE <input type="checkbox"/> WILL SEEK OWN DOCTOR <input type="checkbox"/> FIRE/RESCUE - STATION # _____		MEDICAL RELEASE OBTAINED <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> FIRST AID <input type="checkbox"/> HOSPITAL _____		ATTENDING PHYSICIAN(S)/FIRE DEPT. PERSONNEL: _____	
<input type="checkbox"/> REFUSED MEDICAL AID					
EVIDENCE COLLECTED		WEAPONS		NOTIFICATIONS	
FROM: CRIME SCENE <input type="checkbox"/> HOSPITAL <input type="checkbox"/> OTHER (EXPLAIN) <input type="checkbox"/>		TYPE OF WEAPON(S) USED: _____		FORENSICS: <input type="checkbox"/> YES <input type="checkbox"/> NO	
TYPE: _____		WEAPON(S) IMPOUNDED: <input type="checkbox"/> YES <input type="checkbox"/> NO		NAME: _____	
DISPOSITION: _____		FIREARM(S) IMPOUNDED FOR SAFETY: <input type="checkbox"/> YES <input type="checkbox"/> NO		DOMESTIC INVESTIGATOR: <input type="checkbox"/> YES <input type="checkbox"/> NO	
PHOTOS TAKEN: <input type="checkbox"/> YES <input type="checkbox"/> NO				NAME: _____	
ARREST: <input type="checkbox"/> YES <input type="checkbox"/> NO		FSAO: <input type="checkbox"/> YES <input type="checkbox"/> NO		BOLO: <input type="checkbox"/> YES <input type="checkbox"/> NO # _____	
IF NO ARREST, WHY: _____			IF BOTH ARRESTED, WHY: _____		
IF NO ARREST, LIST POSSIBLE ADDRESSES/PHONE NUMBERS WHERE SUSPECT MAY BE FOUND:					
1. _____ 2. _____					
STATEMENTS		INJUNCTION INFO.		VICTIM GIVEN:	
DOMINANT AGGRESSOR STATEMENT OBTAINED: <input type="checkbox"/> YES <input type="checkbox"/> NO VICTIM STATEMENT OBTAINED: <input type="checkbox"/> YES <input type="checkbox"/> NO		SERVED: <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> CURRENT <input type="checkbox"/> EXPIRED		<input type="checkbox"/> DOMESTIC VIOLENCE FDLE VICTIM INFORMATION PAMPHLET <input type="checkbox"/> V.I.N.E. INFORMATION <input type="checkbox"/> OCISO CASE NUMBER <input type="checkbox"/> DOMESTIC VIOLENCE PHONE NUMBER (407-836-4020)	
IF CHILDREN WERE PRESENT, DOCUMENT NAME, AGE, DATE OF BIRTH, RELATIONSHIP TO VICTIM/PERPETRATOR AND SCHOOL ATTENDED ON THIS FORM AND REPORT.		ISSUING JUDGE: _____ COURT CASE (DR) #: _____			
REPORTING OFFICER: _____		ID #: _____		DATE: _____	
<input type="checkbox"/> ARRESTED <input type="checkbox"/> FSAO <input type="checkbox"/> PENDING					



Welcome to TurboCourt: extra convenience, help, and preparedness. **TurboCourt** is an interactive program that has helped over 55,000 people like you fill out the forms necessary to file or respond to court papers for a variety of legal issues.

TurboCourt will ask you questions. Read each question carefully, your answers will be used to fill out the necessary legal forms.

- **TurboCourt** is simple - It asks you basic, easy-to-understand questions
- **TurboCourt** is smart - It completes the proper forms automatically based on your responses
- Saves you time and money - You don't have to go to court to file
- Teaches - Learn legal terms and court procedures.

TurboCourt can help you fill out forms for the following legal issues:

- **Family Law** (Divorce, Separation, Child Custody, Child Support, Spousal Support, Visitation, Paternity, and corresponding Responses)
- **Small Claims** (Plaintiff's Claim, Defendant's Counter-Claim)
- **Landlord – Tenant** (Eviction, Defendant's Response to Eviction)
- **Domestic Violence** (Filing Temporary and Permanent Restraining Orders; Renewing or Re-issuing a Restraining Order; Registering Your Out-of-State Restraining Order; Child Custody, Visitation, and Child Support Orders; Answering a Temporary Restraining Order; Showing Proof of Firearms Turned In or Sold)
- **Guardianship Probate** (Permanent and/or Temporary Guardianship of Minors and their Estates)

Visit: [www: TurboCourt.com](http://www.TurboCourt.com)



Harbor House

Orange County Center Against Domestic Violence

Domestic Violence Fact Sheet – Orange County

Number of reported incidences of Domestic Violence in Orange County (2003): **8,221**

Orange County ranks 4th in the state for reported cases of domestic violence (2003)

- First: Miami-Dade County; Second: Hillsborough County; Third: Pinellas County

Orange County ranks 2nd in the state for domestic violence related homicides (2003)

- In 2003, there were 19 domestic violence related homicides in Orange County (seven of these were children)
- First: Miami-Dade County had 22 domestic violence related homicides in 2003

Harbor House provided the following services to individuals in 2003:

Women	7,051
Men	810
Children	332
Hotline Calls	<u>3,998</u>
Total	12,191

Risk Factors for Domestic Violence:

- Unemployment
- Previous incident of domestic assault
- Alcohol and drug use
- Separation from partner
- Child Abuse
- Growing up in a violent or abusive household

Domestic Violence Fact Sheet Continued:

- 1 out of 4 American women report having been raped or assaulted by an intimate partner and an estimated one million women are stalked every year in this country. (National Women's Health Information Center)
- 1 out of every 14 U.S. men reported being raped or physically assaulted by someone they know every year. (National Center for Injury Prevention and Control)
- About 50 percent of children, whose mothers are abused, are abused themselves. (Centers for Disease Control)

The Correlation between Domestic Violence and Child Abuse

Child abuse and domestic violence are linked in a number of ways that have serious consequences for the safety of children. But with effective intervention and a coordinated response to child abuse and domestic violence, battered women advocates, child protective workers, judges and community members can help keep families safer.

- ***Children can be injured as a direct result of domestic violence.*** Batterers sometimes intentionally injure children in an effort to intimidate and control their adult partners. These assaults can include physical, emotional, and sexual abuse of the children. Children are also injured - either intentionally or accidentally – during attacks on their mothers. Assaults on younger children may occur while the mother is holding the child. Injuries to older children often occur when an adolescent attempts to intervene in violent episodes.
- ***There is a correlation between domestic violence and child abuse.*** In a national survey of more than 6,000 American families, 50 percent of the men who frequently assaulted their wives also frequently abused their children
- ***Children can be adversely affected by witnessing domestic violence.*** Although many parents believe that they can hide domestic violence from their children, children living in these homes report differently. Research suggests that between 80 and 90 percent of these children are aware of the violence. Even if they do not see a beating, they hear the screams and see the bruises, broken bones, and abrasions sustained by their mothers.

Harbor House Resources

Emergency Shelter & 24 hour hotline	(407) 886-2856 or 1-800-500-1119
Outreach Services for Adults and Children	(407) 886-2856
Courthouse Advocacy and Injunction Assistance	(407) 836-2001
Community Education & Prevention Services	(407) 886-2244 x 230
School-based Education Program (T.E.A.R.)	(407) 886-2244 x 222



Child Abuse Fact Sheet – Orange County

In 2004, Florida ranked 34th in the country for child well-being, according to KIDS COUNT, an annual state-by-state ranking published by the Annie E. Casey Foundation. Florida has the second highest rate of child maltreatment in the nation (Alaska is first). Orange County ranked 6th in Florida for 2002-2003 for reports to the Florida Abuse Hotline. For four previous years, Orange consistently ranked in the top four counties in Florida (Miami-Dade, Broward, and Hillsborough have rotated with Orange for the highest volume of calls.)

There was a 62% increase in reports to the hotline in Orange County for the period of the study examined in *The Blueprint* - 1997-1998 to 2001-2002. There were 12,523 reports to Florida Abuse Hotline for Orange County for FY 02-03 according to the Department of Children and Families website. (*<http://www.dcf.state.fl.us/abuse/publications/fahc0203.pdf>)

The risk factors for child abuse and neglect are:

- Poverty/financial hardship
- Domestic violence
- Substance abuse
- Untreated mental illness
- Intergenerational patterns of abuse and poor coping skills/stress
- Developmental disabilities and behavior problems in children

Approximately 63% of all reports to the hotline are for neglect, and of those calls according to DCF, approximately 40-50% of all reports are substantiated. According to the 2000 U.S. Census, 53.8% of the children in Orlando and 40.9% of the children in Orange County are growing up in poverty or low-income homes. In addition, relatives or people known and trusted by the family perpetrate most of the sexual abuse against children.

Challenges to Overcome in Designing Child Abuse Prevention Initiatives

- Defining child abuse – families, states, & cultures all define it differently.
- Private behavior in a culture of privacy, individualism and personal freedoms.
- Complex set of ingrained behaviors often passed down inter-generationally, sometimes with religious and/or cultural overtones.
- Parents often defend severe punishment, reporting that they have to use harsh discipline to keep control and offset influences of TV, movies, rap music, etc.
- Critical to make the issue important to the majority and avoid creating ‘us’ versus ‘them.’
- Shocking, shaming, finger pointing don’t work; turns target audience off.
- Research and the success of other campaigns have demonstrated what works; need to use evidence-based strategies.

Source: *Blueprint to Prevent Child Abuse & Neglect* by Howard Phillips Center and available on website at www.hpc.arnoldpalmerhospital.org. National Child Abuse and Neglect Database and DCF website <http://www.dcf.state.fl.us/abuse/publications/fahc0203.pdf>. For more information contact: Jill Hamilton, Marketing Mgr. at The Howard Phillips Center for Children & Families, 407-317-7430 ext. 2220 or via email at hamiltonj@orhs.org.



Every 90 seconds

Every 90 seconds someone in the US is the victim of a sexual assault, and 44% of those victims are between 12 and 18.

This sobering information led to the development of an outreach and educational program for high school students, a program focused on making young men and women safe and empowering them to help themselves.

"Every 90 Seconds" is a live, 6-person theatrical program, which deals with issues of dating violence, acquaintance rape, pedophilia and incest in a factual and honest manner.

Working with the Orange County Public Schools, the actors of MicheLee Puppets with follow-up curriculum conducted by victim advocates of our Sexual Assault Treatment Center present moving one-hour performances to 9th graders in their Life Skills classes.

Helping students understand what is and is not responsible and healthy relationship behavior is the primary focus of the program.



We all know that children take promises very seriously. So, when you make a promise to them, you have to keep it. There is one promise that will do more for children than any other you will ever make. It doesn't take any time or cost any money. It just takes a promise that before you make any decision, you will ask one simple question: "Is it good for the children?" - Central Florida's #1 Question.

The #1 Question Campaign, which is coordinated locally by The Howard Phillips Center for Children & Families, is designed to improve child well-being in Central Florida-whether it's education, healthcare, or freedom from abuse and neglect-it's about decision-making. It's about considering how the decisions we all make will affect the children and youth in our lives and our community. The idea is to get all of Central Florida to put the needs of its children at the top of our priority list.

To help you remember, the popular, blue "Is it Good for the Children?" wristbands are available at The Howard Phillips Center for Children & Families. Get yours for just \$1 and show your support for children.

By encouraging Central Floridians to use this simple question, our goal is to improve the status of children and youth in Central Florida--to end child maltreatment. So, please promise that before you make any decision, you'll ask "Is it good for the children?" And...get with the band!

- Before turning on the TV...
- Before deciding to work late...
- Before raising your voice or a hand to your child or partner...
- When you're deciding how to spend your Saturday...
- As an employer or manager--when deciding what benefits to offer...
- In your place of work or worship, encourage others to consider the question when making any decision...

Ask: Is it good for the children?

National Consortium for Academics and Sports – Mentors in Violence Prevention (MVP)



*Proposal From the National Consortium for Academics and Sports to the
Domestic Violence/Child Abuse Commission*

NCAS – National Office
University of Central Florida
4000 Central Florida Blvd. – P.O. Box 161400
College of Business II – Suite 113
Orlando, Florida 32816-1400

The purpose of this proposal is to provide funding support for the MVP Orange County program. The expansion of the existing MVP program to the Central Florida area will be very helpful to the educational and developmental growth of youth regarding gender violence prevention.

MVP was created in 1993 to provide gender violence prevention training to help student-athletes take a leadership role in campus-wide efforts to prevent rape, battering, sexual harassment and all forms of men's violence against women. The MVP program seeks to educate both male and female students about their roles and responsibilities, and to inspire them to take active leadership roles on these critical societal issues.

The National Consortium for Academics and Sports is seeking \$71,310 per year for three years to establish and operate the MVP Orange County program. Funds received from this proposal will be used for program delivery and administrative support.

Brief History of the National Consortium for Academics and Sport:

The National Consortium for Academics and Sports (NCAS) is an ever-growing organization of colleges and universities that provides opportunities for current and former student-athletes to continue their pursuit of higher education, while working in the community with children to address social issues. Established in 1985, the overall mission of the NCAS is to create a better society by focusing on educational attainment and using the power and appeal of sport to positively affect social change. The NCAS and its members have proven to be effective advocates of the balance between academics and athletics and are leaders in effectively teaching conflict resolution skills to young people. Over the past 18 years, the NCAS has assisted over 23,000 student-athletes return to school to complete their degrees. More than 10,000 student-athletes have graduated through the NCAS Degree Completion Program. The NCAS membership has supported these efforts with more than \$246 million in tuition assistance. Student-athletes represented by NCAS members have worked with more than 12 million children in various community service programs. They have also donated 11.5 million hours of service to children in need.

NCAS/MVP Continued:

The NCAS is collectively the nation's largest and most highly recognized outreach and community service program using student-athletes to reach children. More than 95 percent of NCAS programs directly benefit children.

NCAS members are also entitled to a variety of innovative services and programs. The Mentors in Violence Prevention (MVP) program enlists high school, collegiate, and professional athletes in the effort to prevent men's violence against women. The Teamwork Leadership Institute (TLI) provides diversity management training services to help senior administrators and athletic department staffs create a more comfortable working environment and challenge all forms of prejudice, intolerance, and stereotypes. TLI proactively addresses these and other issues in an intelligent, safe, and structured manner. Project Teamwork is an intensive community outreach program that focuses on diversity awareness and trains youth in conflict resolution. It has been called America's most successful violence prevention program. Project Teamwork is staffed with former professional, collegiate and Olympic athletes who are dedicated to utilizing their athletic experiences as teaching tools for unity, cooperation, respect, responsibility and pride. National Student-Athlete Day is a nationally recognized day designed to honor the achievement of student-athletes in the classrooms and in their communities.

Mentors in Violence Prevention History and Background:

The MVP Program, founded in 1993 by Northeastern University's Center for the Study of Sport in Society (CSSS) and now a program of the NCAS, motivates student-athletes and student leaders to play a central role in solving problems that historically have been considered "women's issues: " rape, battering, and sexual harassment. Since its inception the MVP program has trained student-athletes and student leaders on more than 100 college campuses across the nation and has become nationally recognized for its effective approach. In light of this success, the MVP program was commissioned by the US Marine Corp to train its non-commissioned officers on seven of its worldwide bases. The MVP Boston program, targeted for young students in the Greater Boston area, has trained over 15,000 students and over 200 teachers.

Research and Evaluation:

There was an independent program evaluation of the MVP program in Boston, Massachusetts, which was established in 1993 by Northeastern University's Center for the Study of Sport in Society. Findings from this second year evaluation of MVP illustrate that the Program is effective in realizing its goals and reaching its students. Program participation increases levels of student knowledge and awareness about gender violence, improves student attitudes related to gender violence, and increases student self-confidence regarding their ability to intervene in and prevent men's violence against women. Analyses of the survey sections designed to measure these changes and improvements demonstrated statistically significant differences between treatment and comparison groups in every instance. The comparison group design, new to the year 2 evaluation, allows a greater level of confidence that these differences are the result of the MVP program and not some other factor.

NCAS/MVP Continued:

Data from the new survey section (Part IV) suggest that program participation may also change student perceptions about peer group attitudes and norms. While statistical confirmation of these changes may be necessary before conclusions can be drawn, these results have the potential to be important given that adolescents are known to be highly influenced by their peer groups. Understanding that fellow students are not as approving of sexism and inappropriate behavior toward women may make it easier for MVP participants to act as the empowered bystanders that MVP wants them to be. Qualitative survey data illustrate that students are highly satisfied with the MVP program. These data clearly show that students welcome the opportunity to talk with their peers about the subject of gender violence and appreciate the knowledge and skills they feel they gain through MVP training. Overall, students are happy with MVP's philosophical approach as well as its content and use of engaging, contemporary materials.

MVP Massachusetts Program Evaluation Highlights:

- After gaining valuable media literacy skills during the MVP training, 78% of girls and 75% of boys agreed that the media portrays disrespectful sexual stereotypes of women.
- After participating in MVP, over 91% of males and 96% of females agreed that making unwelcome sexual comments to a girl (sexual harassment) in the cafeteria or hallway is wrong.
- Prior to MVP training, 44% of males agreed that if a girl gets drunk at a party and is raped, it is partially her fault. MVP training reduced that number to only 16% of males.
- MVP training empowered 72% of females and 82% of males to have the confidence to say something to a guy who is acting inappropriately toward a woman.
- Almost 90% of male and female participants believed that MVP training provided them with the skills needed to help support a female friend who is in an abusive relationship.
- After participating in MVP training, over three quarters of males and females believed that they could help prevent violence against women at their schools.

MVP Goals and Objectives

- Raise Awareness
- Challenge Thinking
- Open Dialogue
- Inspire Leadership

Until recently, few campus or community-based programs have encouraged young men to work actively on these issues. The mixed gender, racially diverse MVP program staff motivate men and women to work together in preventing gender violence. Utilizing a unique bystander approach to prevention, the MVP program views student-athletes and student leaders not as potential perpetrators or victims, but as empowered bystanders who can confront abusive peers.

NCAS/MVP Continued:

This emphasis reduces the defensiveness men often feel and the helplessness women often feel when discussing issues of men's violence against women. Participants in MVP sessions learn to serve as role models working to prevent this violence. This grant will enable MVP to provide meaningful and effective programming for Orange County youth. One of the goals is to raise awareness of high school students on issues of gender violence. Another goal is to encourage youth to become effective leaders on their campuses and in their communities. MVP fosters active and effective bystander behavior to confront abusive peers. Furthermore, MVP aims to construct a new vision of a society that does not equate strength in men with dominance over women. A priority will be to establish a sound structure to execute the program's organizational and educational objectives. Program staff will work to develop strategies to increase the efficiency and effectiveness of the program.

How MVP in Orange County Will Work:

Just as sneaker manufacturer "Nike" has successfully used athletics to market its products, MVP uses the transcendent power of sport and the unique status that athletes enjoy in our society to promote positive social change. Consequently, the MVP program is composed of former male and female professional and collegiate student-athletes. Once assembled, the MVP Orange County staff will conduct gender violence prevention trainings for the high schools in Orange County. The *MVP Program Coordinator* (PC) will be responsible for communicating with and scheduling each school in Orange County. To that end, the PC will find an *MVP Contact* (MC) in each school with whom he/she will primarily communicate. The PC will ask each MC to assemble a group of 30 student leaders (15 female, 15 male) for MVP Orange County to work with. MVP singles out student leaders because in addition to being a gender violence prevention and education program it is also a leadership program. Participants are empowered with knowledge of the issues and inspired to be "change" agents in their respective communities. It's important to note that in identifying student leaders, MVP will encourage the MC to include "traditional" as well as "non-traditional" leaders. In other words, just as it is important to have the Class President in the trainings, it's equally as important to have the leader of the kids that skateboard after school. Each holds significant influence amongst their peers. In the first year of the program each school will receive a total of 10 hours of interactive, discussion oriented training designed to achieve the four main goals of the MVP program: raise awareness, challenge thinking, open dialogue and inspire leadership.

MVP's key teaching tool is the MVP Playbook, which consists of a series of real-life school and social scenarios ranging from sexual harassment to a potential rape involving alcohol. During the interactive sessions, the MVP staff uses the MVP playbook to initiate discussions that delve into the dynamics of abuse and convey concrete options for men and women to confront abusive peers. Scenario discussions are single gender to provide participants an open forum *to begin* discussion of sensitive topics.

NCAS/MVP Continued:

Once the scenario discussion is completed, MVP will then use media by showing video clips, which visually illustrate the themes talked about in the scenario discussion. The video clips are shown mixed gender to allow the young women and men to share their perspectives with one another on these issues. The ten hours of training will span five, two-hour sessions through the academic calendar year. Upon conclusion of the MVP training, each participant will receive a certificate of completion for gender violence prevention training. By focusing on bystander behavior, MVP reduces the defensiveness and hopelessness that many men and women often feel when discussing men's violence against women.

Needs of MVP in Orange County Program:

In order to effectively administer and deliver the MVP Orange County program, the staff will consist of a program director, program coordinator and three training consultants. The program director, Robert Weathers, is the Assistant Director for Outreach and Training Development for the National Consortium for Academics and Sports. He has facilitated and trained numerous personal development programs throughout the country (see attached bio). The program coordinator will have the daily responsible of scheduling, monitoring site progress, communication, program evaluation and program delivery. The three trainers will be available for all MVP presentations. The national office of the Consortium for Academics and Sports will provide office space.

Statement of the Problem:

A critical issue that Americans must face and conquer is men's violence against women. This issue affects women and girls of all economic classes, backgrounds, religions and educational levels. The problem of rape, battering and sexual harassment of women and girls reaches far beyond the victims themselves. Wherever and whenever it occurs, it is happening to someone's mother, daughter, wife, sister, aunt, cousin, colleague or friend. Thus violence against women deeply affects the basic social fabric of our society.

Gender Violence:

- One in five female high school students reports being physically or sexually abused by a dating partner (*Massachusetts Youth Risk Behavior Survey (YRBS) August 2001*).
- Domestic violence is the leading cause of injury to women between the ages of 15 and 44 in the United States - more than car accidents, muggings and rapes combined (*Uniform Crime Reports, Federal Bureau of Investigation, 1991*).
- Annually, an estimated 4.5 million physical assaults and over 300,000 sexual assaults are committed against U.S. women by intimate partners (*Extent, Nature, & Consequences of Intimate Partner Violence: Findings from the National Violence Against Women Survey, 2000*).

NCAS/MVP Continued:

On average, **more than three women are murdered every day** by their husbands or boyfriends in the United States (Bureau of Justice Statistics Crime Data Brief, *Intimate Partner Violence*, 1993-2001: February 2003). It is estimated that **more than 50% of men** who abuse their partners **also abuse their children** (Murray A. Straus & Richard J. Gelles, *Physical Violence in American Families*, 1990).

Recent Orange County Domestic Violence Crime Data:

- Since September 11, 2001 **38 people have been killed** in domestic violence related homicides in Orange County.
- The Orange County Sheriff's Office processed **2,833 Domestic Violence police reports** in 2002 In 2003 alone:
 - 216 women were **stalked**
 - 7,845 women were victims of some **form of assault**
 - 67 were **raped**
 - 18 were the **victims of homicide by an intimate partner**

MVP Orange County Proposed Budget 2005

Staff

* MVP Director	\$10,000
** Program Coordinator (FT)	\$27,000
Outreach Trainer	\$12,000
Outreach Trainer	\$12,000
Outreach Trainer	\$12,000
Total Staff	\$73,000
Benefits (33%)	<u>\$ 8,910</u>

TOTAL \$81,910

Operating

Training materials	\$ 500
Travel	\$ 700
Printing, copying, supplies	\$ 350
MVP staff attire	<u>\$ 250</u>

TOTAL \$ 1,800

TOTAL BUDGET REQUEST \$83,710

