



Safety for All

**Identifying and Closing the Gaps in San Francisco's Domestic
Violence Criminal Justice Response**

***San Francisco Domestic Violence
Safety and Accountability Audit Report
January 2007***

Department on the Status of Women
Justice and Courage Oversight Panel
City and County of San Francisco



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City and County of San Francisco

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Mayor Gavin Newsom

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Justice and Courage Oversight Panel
Department on the Status of Women
25 South Van Ness Avenue, Suite 130
San Francisco, CA 94102

Dear Justice and Courage Oversight Panel Members,

As you know, in October of 2000, a young woman named Claire Joyce Tempongko was viciously murdered, allegedly at the hands of her ex-boyfriend Tari Ramirez. The tragedy of Ms. Tempongko's death is that until the time of her murder, she had tried to do everything society says is "right" for a victim to do in order to try to separate herself from her abusive boyfriend – she called the police repeatedly, sought help from battered women's programs, and pushed to make people see that Ramirez was a dangerous individual.

In reaching out for assistance and protection from government and community agencies before her death, Ms. Tempongko subsequently set in motion years of reform efforts in the City and County of San Francisco that have radically changed the way that domestic violence cases are responded to and handled by the local criminal justice system. Although all such deaths are senseless, the legacy of Claire Joyce Tempongko is that battered women in San Francisco today have more options for protection because of her.

In 2001, the San Francisco Commission on the Status of Women issued the Justice and Courage Report systematically detailing the ways in which the criminal justice response had failed to successfully intervene in the Tempongko-Ramirez case. After years of work overseeing the implementation of recommendations related to the

criminal justice system and other agencies, the Justice and Courage Oversight Panel transitioned into the evaluation stage of its work in 2005-2006. The Panel, with the full support of the Mayor and each criminal justice agency – the Department of Emergency Management, the Police Department, the District Attorney's Office, the Sheriff's Department, and the Adult Probation Department – opted to undertake a domestic violence Safety and Accountability Audit in order to evaluate where San Francisco was in its response to domestic violence cases.

The Safety and Accountability Audit is a cutting edge, in-depth way to analyze how practitioners in a system are organized to think and act on safety when intervening in a domestic violence case. The Audit uses a team approach whereby members of criminal justice agencies and community-based programs come together to conduct interviews, observe processes, and analyze texts produced by agency workers, resulting in a process that is simultaneously research, planning, and community organizing. This report on the San Francisco Domestic Violence Safety and Accountability Audit is a direct descendent of the work that began with the murder of Ms. Tempongko.

All of the City departments that were audited gave the Audit Team unprecedented access to internal policies, protocols, case files, and staff. The departments and seven community-based organizations also dedicated one to two staff members apiece to be on the Audit Team, which in the end meant far more staff time than the original eight days estimated to complete the work of the Audit. That no agency ever balked at continuing to dedicate the resources needed to conduct the Audit is a testament to the high priority given to domestic violence cases.

The following report details five overarching gaps in safety and accountability that the Audit Team identified as bridging the entire criminal justice system response from 911 through probation. The ways in which these gaps occur are centered in how the institutions themselves are organized, and not in the way any one individual intervener responds to domestic violence. The examples that follow are sometimes disturbing, but they speak the truth of the lived reality of battered women and their families as they seek help and safety through the criminal justice system.

This report represents a blueprint for change for the San Francisco criminal justice system's response to domestic violence. It is the Audit Team's hope that just as all involved entered into the process of the Audit in a spirit of cooperation and with a goal to help make victims in San Francisco safer, these same principles will apply in the implementation of these recommendations.

"Safety for All," is dedicated to the memory of Claire Joyce Tempongko and all the other victims of battering who have sought help from the San Francisco criminal justice system.

Respectfully submitted,

Patricia E. Erwin, PhD
Audit Coordinator
Domestic Violence Safety and
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San Francisco Department on the Status
of Women

EXECUTIVE SUMMARY

History of San Francisco Domestic Violence Reform Efforts

The City and County of San Francisco has a long history of domestic violence reform efforts. In 1990 the City undertook one of the first fatality reviews in the country following the murder of Vena Charan by her estranged husband. The Charan Investigation prompted the District Attorney's Office and the police and probation departments to each institute specialized domestic violence units in order to streamline their departments' response to domestic violence cases. Ten years later, following the murder of Claire Joyce Tempongko, the Justice and Courage Report (convened by the San Francisco Commission on the Status of Women) found that while many of the Charan Investigation reforms had brought about needed changes, other recommendations were never implemented and there were previously unrecognized gaps in the system.

"In reaching out for assistance and protection from government and community agencies before her death, Ms. Tempongko subsequently set in motion years of reform efforts in the City and County of San Francisco that have radically changed the way that domestic violence cases are responded to and handled by the criminal justice system here."

Under the auspices of the Justice and Courage project, representatives from community-based organizations worked together with all of the City and County's criminal justice agencies

to implement the recommendations made in the Justice and Courage Report. This work has included reviewing all written protocols of the departments (Protocol Committee), assessing current and needed training for each department (Resources Committee), and working to establish a data collection system to track relevant domestic violence statistics within the City (Data Collection Committee).

By 2005, much of the work of these committees either was completed or was at the next stage of implementation. For example, the Protocol Committee had finished reviewing each department's written and unwritten protocols (the latter through oral presentations to the group) and written a report summarizing its findings.

The Resources Committee had identified the need for a cross-training collaborative to fill the need for additional training for criminal justice practitioners, as well as to provide a forum for workers to learn with and from one another. In 2006 the Department on the Status of Women successfully obtained a grant from the Blue Shield of California Foundation to establish the Cross-Training Institute, with trainings planned for 2007 and 2008 based on the findings of the Safety and Accountability Audit. The Data Collection Committee had completed its work with JUSTIS, a city-wide data collection and sharing system, by providing a domestic violence module to be used within the system.¹

The Justice and Courage Oversight Panel was mandated by the original report to evaluate the work of the committees, and thus the criminal justice system. As such, the San Francisco Domestic Violence Safety and Accountability Audit represents that evaluation.

“The Audit uncovers how accountability is built into the handling of cases at three levels—how practitioners are accountable to victims, how institutional workers are accountable to each other, and how the criminal justice institutions hold abusive partners accountable for their violence against victims.”

Domestic Violence Safety and Accountability Audit

The Domestic Violence Safety and Accountability Audit was developed in the 1990s by Ellen Pence, PhD, of Praxis International. The Audit methodology not only allows practitioners and domestic violence experts to look at whether protocols are in place that promote effective responses to domestic violence, but also to assess whether those protocols have re-organized workers in a way to think and act on safety in their everyday case processing.

Additionally, the Audit uncovers how accountability is built into the handling of cases at three levels – how practitioners are accountable to victims, how institutional workers are accountable to each other, and how the criminal justice institutions hold abusive partners accountable for their violence against victims.

Finally, the Audit methodology does not send a lone researcher in to assess a system, but rather relies upon a collaboration between those highly trained in the methodology working with interveners from the system and advocates from the community to form an Audit Team that reviews the system together.

The Audit focuses on eight ways in which all institutional workers are organized: 1) Linkages, such as who communicates or transmits information to whom; 2) Administrative Practices, such as internal protocols or procedures; 3) Rules and Regulations, such as state or federal law; 4) Concepts and Theories, such as the guiding beliefs of the institution, such as law and order; 5) Training and Education, for example, what specialized or even general training workers receive; 6) Accountability, including to the victim, the batterer to the victim, and each agency to another; 7)

In addition to these local benefits, the project should allow San Francisco to once again contribute to the national effort to re-think the role and capability of the criminal justice system in protecting victims of domestic abuse and deterring offenders from future violence and abuse.

Resources, includes technology, staffing, etc.; and 8) the Mission, Purpose, and Function of the agency.

San Francisco Domestic Violence Safety and Accountability Audit

The purpose of the San Francisco Domestic Violence Safety and Accountability Audit is to provide policy makers in the local criminal justice agencies with a comprehensive analysis of how the efforts they have made over the past four years have translated into practices that either do or do not centralize institutional attention to victim safety and offender accountability in the processing of domestic abuse cases.

This analysis will be the basis for policy makers to make decisions regarding: 1) how to more effectively embed intended reform efforts into the daily work routines of practitioners within their respective agencies; 2) how to enhance and standardize coordination of interventions across agencies; and 3) how to alter reform practices that result in unintended consequences or fail to centralize attention to the safety and accountability goals of the larger domestic violence collaborative. In addition to these local benefits, the project should allow San Francisco to once again contribute to the national effort to re-think the role and capability of the criminal justice system in

protecting victims of domestic abuse and deterring offenders from future violence and abuse.

Audit Question

In deciding to undertake an Audit, a community must first identify a question it wants to ask of the criminal justice system (or any other institutional system). For example, in one Audit of a child protection system's (CPS) handling of domestic violence cases, the community asked, "How does CPS's handling of domestic violence cases work to keep mothers and children together?"

In San Francisco, the Justice and Courage Oversight Panel drew from the mandate presented in the report examining the Tempongko homicide and decided to examine cases in which there is ostensibly a high risk to the victim of either future serious assault or death. As such, the San Francisco Audit Question was:

"If we believe that certain factors make a particular victim more vulnerable, how do we identify the presence of those factors and how then do we adapt our response?"

Audit Scope

It was not possible for the Audit Team to examine the audit question at every stage of criminal justice intervention both because an Audit is very labor intensive and because the San Francisco Audit was undertaken with limited resources. Instead, the Audit Team identified three key points of institutional action to review:

- **911 call through police patrol arrest decision;**
- **Felony investigation through prosecutor rebooking;**
- **Motion to revoke process by probation or prosecution.**

The Audit Team was made up of the following representatives:

- Department of Emergency Management (DEM)
 - Supervisor
 - Dispatcher

- Police Department (SFPD)
 - Station Sergeant
 - Captain, Juvenile and Family Services Division
- District Attorney's Office (DA)
 - Assistant District Attorney, Managing Attorney of the Domestic Violence Unit
 - Chief, Victim Services Division
- Adult Probation Department (APD)
 - Supervisor, Domestic Violence Unit
 - Probation Officer, Domestic Violence Unit
- Department on the Status of Women (DOSW)
- Sheriff's Department (SFSD)
- Asian Pacific Islander Legal Outreach (APILO)
- Asian Women's Shelter (AWS)
- Cooperative Restraining Order Clinic (CROC)
- Free Battered Women (FBW)
- Greenbook Project
- La Casa de las Madres
- Positive Directions Equals Change

Team members were split into three teams to cover the three points of institutional action (e.g., 911 to arrest; felony investigation to rebooking, and motions to revoke probation). In an Audit, one of the keys to an effective process is for practitioners on the team to look at a part of the system other than that in which

“ . . . practitioners began to see the ways in which their own work is linked to other parts of the system and how that work could be organized differently to ensure better communication and, ultimately, more safety for victims and accountability for abusers.”

they work.

For example, on the San Francisco Audit Team, one of the two representatives from DEM/911 was on the felony investigation team and the other was on the Motion to Revoke (MTR) team. These representatives also were interviewed as part of the Audit by the 911 team, but by asking them to investigate another part of the criminal justice process from the one in which they work, practitioners began to see the ways in which their own work is linked to other parts of the system and how that work could be organized differently to ensure better communication and, ultimately, more safety for victims and accountability for abusers.

All members of the Audit Team were bound by confidentiality agreements to not disclose information about victims, suspects, criminal justice system workers, or any internal policies or protocols reviewed by Team members. No names or other identifying information were used in Audit Team discussions or in the body of this report.

Audit Data Collection

The Audit uses multiple methods for collecting data, including interviews, observations, and text analysis. Some communities conduct Audits over several months, spacing out interviews, observations, and meetings over the course of six months to a year. Other communities conduct an Audit Week “blitz,” in which the team conducts the bulk of its interviews and observations in a one-week time span; San Francisco chose the latter.

For one week in September 2006, the 17 members of the Audit Team, the Audit Coordinator, and two nationally recognized domestic violence experts from Praxis International conducted close to 85 interviews and observations of personnel throughout the criminal justice system. Interviews were conducted with front line workers, supervisors, judges/commissioners, and those at the command staff level in order to obtain a big-picture view of the agency mission and goals. Observations were conducted in all of the participating departments, including observing 911 call-takers and dispatchers,

The Audit Team conducted approximately 85 interviews and observations, and reviewed 50 911 calls and CAD reports, 50 police reports and more than 60 probation supplemental reports.

going on ride-alongs with patrol officers (e.g. riding in the car with the patrol officer during his/her shift), shadowing workers while they conducted their work (such as inspectors, prosecutors, and probation officers), and observing in court.

The Team also conducted extensive text analysis, with each sub-team reviewing all of the relevant policies and procedures for the individual departments. In addition, 911/Emergency Management, the Police, and the Adult Probation Department all provided the Audit Team with randomly selected domestic violence cases for their review (all of which were redacted of identifying information). The Team, therefore, reviewed 50 calls to 911 and the accompanying computer-aided dispatch or CAD reports, 50 police reports (10 each from five different stations), and more than 60 probation supplemental reports².

Furthermore, the Team conducted three focus groups with domestic violence victims who have used the criminal justice system. One of these groups was with Limited English Proficient (LEP) Asian Pacific Islander (API) women, another with LEP Latinas, and the third with a group of mostly African-American women who had been arrested for domestic violence but who identified as victims of abuse³. A fourth focus group was held with representatives of the Public Defender's Office.

During the Audit Week, the individual sub-teams met frequently to discuss their observations, ask additional questions, and begin to outline their findings. On three additional days after the Audit week, the Team reconvened to finalize its findings and recommendations and to review draft reports. The Audit Team collectively agreed upon all findings and recommendations.

Audit Report – Findings and Recommendations

This report summarizes the Audit Team's work and identifies gaps to be addressed in the ongoing effort to improve domestic violence interventions in San Francisco. Throughout the full report we have used quotes and excerpts from focus groups, individual interviews, 911 calls, police reports, and probation supplemental reports, as well as Audit Team member observations to support our findings. Each gap explored in the body of this report is described in the following way:

- Statement of the gap.
- How is it a problem? For which victims of battering?

- What contributes to the gap?
- How do we close the gap?

Recognizing a Strong Foundation

Throughout the Audit, the Team saw ample evidence of the strong foundation that has been built through many years of coordination and cooperation in responding to domestic violence cases in the City and County of San Francisco. The Justice and Courage Oversight Panel has played a critical role in leading these reform efforts, and the Panel's vision and commitment to the Audit, supported the Team throughout the entire process.

In all, 18 individuals from 13 different community and criminal justice system

"The commitment and perseverance with which criminal justice practitioners approach their work is particularly noteworthy because . . . the technology and resources provided to the majority of criminal justice personnel in our City are woefully inadequate."

agencies dedicated countless hours to seeing this process through to the end. When the Audit Team met for a day-long session in October after the Audit Week, it became clear that an additional meeting (or more) would be needed; every member of the agreed on the spot to

reconvene, and committed themselves to whatever needed to be done to complete the Audit. This remarkable response from each Team member would not have been possible without a long history of interagency collaboration.

The unprecedented access given and openness of the departments that were audited speaks to years of cooperation not only amongst the departments, but also with the community. Any agency, be it governmental or non-profit, risks exposing itself in unforeseen ways when it agrees to participate in a Domestic Violence Safety and Accountability Audit. That the four government agencies that were asked to participate in the Audit did so incredibly willingly speaks volumes about their trust in the community and dedication to increasing safety for victims of domestic violence.

The Audit Team also noted the commitment and perseverance with which workers in the system approach their jobs. This commitment and perseverance is particularly noteworthy because, as the Audit Team documents, although San

Francisco abuts Silicon Valley – arguably one of the most technologically advanced communities in the world – the technology and resources provided to the majority of criminal justice personnel in our City are woefully inadequate. One of the Audit Team’s consultants from Minnesota was “shocked” by San Francisco’s limited criminal justice system resources, including the state of courtrooms, office equipment, staffing levels, and general working conditions within the Hall of Justice (HOJ).

“The focus of any Audit is on the institution and its processes, not on the

The Audit Team also noted many other strengths within the City’s criminal justice response to domestic violence. First, Audit Team interviews and observations indicated a general lack of victim blaming by workers in the system. While some interveners expressed confusion or a lack of understanding about why a victim stays or returns to an abusive partner, the Team did not observe overt hostility towards victims. Second, of the 50 police reports reviewed by the Team, only one included a dual arrest situation. Best practices strongly discourage dual arrests in domestic violence cases, as they may ongoing victims of abuse at risk. Many communities in the U.S. often struggle with very high dual arrest rates in these cases, and although not a quantitative study, the Audit Team’s rough review indicates this may not be the case in San Francisco.

Discovering Gaps

The Audit Team also discovered gaps in the fabric of safety that the City and County of San Francisco has tried to weave for domestic violence victims who utilize the criminal justice system. Our findings center on five aspects of safety that need additional attention in order to create the most safety-driven and victim-oriented criminal justice response possible. The findings and recommendations were all agreed upon collectively by the entire Audit Team and should be taken in the spirit of cooperation and desire for positive change in which they are made.

“The recommendations made herein serve as a roadmap for the City to better serve victims of domestic violence and to close the gaps between safety for all

A note of caution: The focus of any Audit is on the institution and its processes, not on the individual workers involved. Readers of this report may have an underlying desire to try to identify a source, or a tendency to dismiss a finding as “just an anecdote.” The Audit Team encourages readers to resist such responses. The Audit Team took great care in deciding what information to include in the report and removed any findings which it did not believe there was enough information to support. The specific examples cited throughout the report are representative of many more that the Team saw, heard, or read throughout its intensive week of data collection.

Conclusion

Any community that chooses to undertake a Domestic Violence Safety and Accountability Audit should be applauded for its desire to make positive social change on behalf of victims of abuse. San Francisco is one such community. The level of cooperation and outright enthusiasm exhibited by all participants in the Audit process has been unprecedented and should serve as a model for future endeavors in this arena.

The recommendations made herein serve as a roadmap for the City to better serve victims of domestic violence and to close the gaps between safety for all and safety for some. This road will not be easy or quick to build, but it will be worth it.

One framework in which almost all of the above recommendations could be encompassed is to consider a City-wide Memorandum of Understanding between criminal justice system departments and community-based organizations on how to identify, investigate, and respond to domestic violence and stalking-related calls. Such an inter-agency agreement would set a new standard for communities everywhere and propel San Francisco to the forefront as the model for a community-wide domestic violence response.

Endnotes:

¹ Unfortunately, the JUSTIS system remains unfinished, and as the Audit Team reports, data collection in some departments continues by hand.

² A probation supplemental report is requested by the court when a defendant has violated his/her terms of probation. The report summarizes the defendant's progress while on probation and makes recommendations

³ Throughout this report victims of domestic violence will be referred to by the female pronoun. The use of this gendered pronoun reflects the Audit Team's belief that the majority of victims of domestic violence are females in heterosexual relationships. The Team understands that domestic violence also occurs within same-sex relationships, however, and that in some cases the female partner is the abuser of her male partner.

GAP: THE CRIMINAL JUSTICE SYSTEM IS NOT ORGANIZED TO HELP PRACTITIONERS IDENTIFY KEY FACTORS OF SAFETY AND DANGER IN DOMESTIC VIOLENCE CASES ON A CONSISTENT BASIS, AND THEREFORE INFORMATION IS NOT AVAILABLE FOR PRACTITIONERS TO ASSESS DANGEROUSNESS IN CASES THROUGHOUT THE CRIMINAL JUSTICE SYSTEM.

The Audit question for San Francisco asked, “If we believe that certain factors make a particular victim more vulnerable, how do we identify the presence of those factors and how then do we adapt our response?”

The Audit Team found, in short, that as it exists today, San Francisco’s criminal justice system does not *systematically* identify those factors that may make a victim more vulnerable to future harm and, therefore, does not adequately adapt its response based on the risk to a victim. From 911 to police, investigation to prosecution and to probation, opportunities to collect information relating to risk and dangerousness that could help the system promote safety for victims routinely are missed by practitioners in all audited agencies.

Based on its findings, the Audit Team makes the following recommendations to close this gap:

I. Administrative Practices:

1. Develop a domestic violence script for 911 operators with input from community-based advocates and other criminal justice practitioners as needed.
2. Update patrol officers’ Domestic Violence Supplemental Report (in accordance with state law) to ensure more comprehensive assessment of risk at the scene of an incident; possibly identify three key questions to help responding officers assess risk/safety that would be incorporated into the report format; and ensure all changes are documented in a Departmental Bulletin.

3. Institute “vertical investigation” within the police department’s Domestic Violence Response Unit (DVRU) in order to track repeat cases, identify high risk offenders, and connect more effectively with vertical prosecution.
4. Cease using the “victim declination form” within the DVRU (i.e., a form that victims sign indicating that they do not intend to participate in or “cooperate with” prosecuting the suspect in the case).
5. Include a domestic violence risk/danger assessment tool in the Adult Probation Department’s Probation Supplemental Reports, and institute risk assessment protocol for all criminal justice agencies, including training to cover the usage of such assessments.
6. Develop a written protocol to include the Police Department and the Courts for the issuance of Emergency Protection Orders (EPOs).
7. Recommend mandatory training on domestic violence and related issues for all judges and commissioners who are assigned to issue EPOs.
8. More information is needed on the number and nature of Gone on Arrival (GOA) cases, (e.g., where the suspect is not present when the police officers respond to the scene), such as the number of such cases, dispatch priority level, and follow-up by subsequent interveners, such as DVRU inspectors or the prosecutor’s office.

II. Training

1. Identify and allocate more money for quality domestic violence training across all criminal justice system agencies, including dedicated funding for ongoing, regular domestic violence training.
2. Require DVRU Inspectors to receive updated and specialized domestic violence training on an annual basis.

3. Ensure that all criminal justice system agencies participate fully in the San Francisco Department on the Status of Women (DOSW) Cross-Training Institute, including providing trainers and sending workers to participate as trainees.
4. Create a permanent community-based Training Network between the criminal justice system and community-based organizations (CBOs) serving domestic violence survivors, with a training coordinator that includes cross-training between CBO personnel and criminal justice personnel.
5. Within the police department, prioritize the domestic violence portion of the bi-annual, 40-hour training for patrol officers; prioritizing includes moving the domestic violence segment from its Friday afternoon time-slot to a segment earlier in the week and expanding the allotted training time.
6. Document annually *all* domestic violence-related training within each criminal justice system department, including training topics, hours allocated, and whether they were roll-call, in-house, or individual trainings.
7. Identify two to three officers to serve as on-site domestic violence experts for each Police Station (or the four stations with the highest number of domestic violence calls), to attend the Institute of Criminal Investigation (ICI) trainings on domestic violence and other related topics, and to be available to do on-site, Station training. In addition, these on-site experts could, in coordination with DVRU, provide 24/7 on-scene to domestic violence cases, as needed.
8. Provide intra-net and web-based domestic violence training to criminal justice system agencies.
9. Within the District Attorney's Office, create domestic violence training DVDs to be distributed to each police station and the Department of Emergency Management with updates on domestic violence legislation, guidelines for taking photographs and collecting other forms of evidence, etc.

III. Resources

1. Provide confidential, secure interview rooms for DVRU Inspectors, DVRU advocates from La Casa de las Madres, and staff from the District Attorney's Victim Services Division.
2. Explore options to provide adequate space and staffing to the DVRU and La Casa VAs, to include administrative support, safe and ample waiting area, and a place for children while parents are waiting or being interviewed.
3. Ensure safe access and waiting areas for victims and their children at the Hall of Justice, particularly in regards to the DVRU and Department 13.

IV. Communication

1. Enhance communication between criminal justice system agencies by:
 - a. Developing written protocols on communication between criminal court and family court, including updated technological communication, such as access to all court-related computer networks.
 - b. Providing voice mail to patrol officers and email accounts to all criminal justice system personnel, with internet access *at work* to email.
 - c. Sharing rosters of email and direct phone lines among criminal justice system personnel for DVRU inspectors, prosecutors, probation officers, and others.
 - d. Implementing a feedback system to patrol officers from DVRU inspectors and prosecutors regarding the investigation of domestic violence cases.

2. Enhance communication between criminal justice system agencies and community-based organizations (CBOs) that serve domestic violence survivors by:
 - a. Regularly updating all CBO Resource/User Guides available to criminal justice system agencies; consider standardizing one resource guide across all criminal justice agencies. This could be enhanced by the use of a communications network or website to quickly update information as needed.
 - b. Developing a 24/7 Victim Advocacy response system to strengthen linkages between patrol officers and advocates from all community-based domestic violence organizations, with participation by all community-based organizations, police, 911, and other relevant agencies.
 - c. Expanding linkages between victim advocacy services within the criminal justice system (i.e., advocates from La Casa de las Madres and Victim Services within the District Attorney's office) and confidential community-based organizations serving domestic violence victim, especially in high-risk cases.
3. Enhance communication between criminal justice system agencies and victims by:
 - a. Producing a simplified flow chart for victims to be able to follow case, (e.g., where the case is in the system at each particular moment).
 - b. Developing a system for notifying victims when defendants are released from jail.
 - c. Creating written protocol and training for all departments on victim contact, said protocols should consider victim contact by multiple criminal justice agencies and strive to reduce repeat or contradictory phone contacts with victims.

GAP: INTERVENERS THROUGHOUT THE CRIMINAL JUSTICE SYSTEM RESPONSE DO NOT ADEQUATELY UNDERSTAND THE CRIME OF STALKING, AND THEREFORE DO NOT SUFFICIENTLY INVESTIGATE, DOCUMENT, OR RESPOND TO STALKING CASES.

The Audit Team found that cases of stalking or stalking-related behavior are systematically “disappeared” from the criminal justice system, beginning with 911 and proceeding throughout the rest of the system. This occurs due to a lack of codes to identify stalking cases, no training on stalking for criminal justice system interveners, administrative procedures that rotate which prosecutors and investigators review police reports, and an overall focus on individual criminal incidents, which often leads to interveners downplaying the potential dangerousness of behaviors that, viewed cumulatively, comprise stalking cases.

Based on its findings, the Audit Team makes the following recommendations to close this gap:

1. A Stalking Task Force currently exists as part of the District Attorney’s Stalking Grant. The Audit Team recommends expanding and/or reviving this Task Force to ensure key decision-makers from criminal justice system agencies and community representatives are part of this body, including representatives from 911/DEM (who are not currently on the Task Force), CBOs, and others.
2. Create a comprehensive, system-wide protocol on identifying, documenting, and charging stalking cases, including a specific stalking code for 911/DEM. This comprehensive protocol could be developed either as part of the Stalking Task Force or by a separate group.
3. Develop a script for 911 call-takers for stalking-related calls such as harassing phone calls, threats, etc., with input from community-based advocates and other criminal justice interveners.

4. Provide mandatory training and cross-training for all criminal justice system interveners on stalking as part of the Stalking Task Force or a separate group. All training should be in conjunction with criminal justice practitioners and community-based organizations.
5. Create a systematized way of ensuring that all identified stalking victims are identified as such despite the level of crime charged (e.g., misdemeanor or felony) and are connected with community-based advocacy services (e.g., La Casa de las Madres and/or other organizations).
6. Identify or develop, in conjunction with probation and community-based organizations, expanded treatment options for defendants convicted of stalking, including a specialized program to treat these defendants.
7. Provide training for La Casa *de las* Madres victim advocates in all aspects of the criminal justice system processes, including advocacy for victims of stalking, and develop comprehensive written protocols for reviewing cases and contacting victims.
8. Develop a way to identify misdemeanor stalking cases and refer them to the DVRU for vertical investigation by DVRU Investigators.

GAP: LIMITED ENGLISH PROFICIENT (LEP) SPEAKERS WHO ARE VICTIMS OF BATTERING FACE MULTIPLE BARRIERS AT EACH STAGE OF INTERVENTION, INCLUDING LIMITED ACCESS TO INTERPRETATION, TRANSLATED MATERIALS, PERTINENT INFORMATION ABOUT CRIMINAL JUSTICE SYSTEM PROCESSES, AND CULTURALLY COMPETENT WORKERS.

The Audit Team found that the gap between Limited English Proficient (LEP) victims of domestic violence and safety widens with each stage of criminal justice system intervention. The increased risks for victims who are Limited English Proficient are exacerbated by a lack of in-depth cultural competence by practitioners who are responding to victims and their needs, as well as insufficient interpretation/translation services.

Based on its findings, the Audit Team makes the following recommendations to close this gap:

1. Systematize the pathway for securing interpreters and translators across all criminal justice systems, from 911 through the courts. This could include making the AT&T language line the interpreter line for the entire criminal justice system (e.g., DEM, police, district attorneys), rather than having different resources for each department. In the meantime, the Audit Team recommends that if the District Attorney's Office or the Probation Department need interpreter services, they call the Department of Emergency Management which can help secure interpretation.
2. Review the certification and training requirements for the "City certified interpreter roster" to determine if domestic violence training is included, available, and/or required for City certified interpreters, and determine whether the roster is accessible to all Departments.

3. Improve linkages between community-based organizations and City departments/agencies to ensure culturally appropriate services and support, particularly regarding LEP domestic violence victims. This includes improving awareness of existing services through training and outreach to agency workers, ensuring materials are available in different languages, and linking advocates from community-based organizations with victims to provide safety planning, help dispel myths about the criminal justice system, and explain the legal process.
4. Develop a 'flag' to identify LEP victims in each of the criminal justice system's computer systems, starting with DEM, in order to facilitate timely interpretation services, awareness of additional time that may be needed, and linkages to community-based resources, etc.
5. Update all Victim Resource Cards to include the District Attorney's Victim Services Division and 311 (non-emergency City services). In addition, all translations of criminal justice system documents should include pictures where possible, since direct translations from English to another language may be confusing or inaccurate. (Pictures may also benefit illiterate victims.).
6. Establish a written protocol within all criminal justice system departments for working with LEP victims that takes into account their different needs, additional time required for interpretation and explanations of the criminal justice system, etc.; how staff access interpreter services, and other relevant issues. Such protocol should be developed in conjunction with community-based organizations that have a history of working with LEP domestic violence victims.

7. Establish ongoing and regularly updated cultural competency training in all criminal justice system departments in conjunction with community-based organizations that have a history of working with LEP domestic violence victims. Domestic violence training could be incorporated into existing cultural competency training provided by CBOs at the Police Academy and elsewhere within the criminal justice system.
8. Establish a Task Force made up of key agencies and community-based organizations to ensure Audit Team recommendations regarding LEP victims are implemented within San Francisco and its relevant criminal justice agencies.

GAP: CRIMINAL JUSTICE EFFORTS TO HOLD BATTERERS ACCOUNTABLE TO COMPLYING WITH COURT ORDERS ARE LACKING AND THEREFORE COMPROMISE VICTIM SAFETY.

The Audit Team found that systematically, batterers are not being held accountable to either the criminal justice system, or subsequently their victims, for their violence. Victim safety is compromised when defendants repeatedly re-enroll in batterer intervention programs (BIPs) despite various probation violations, as well as when there is a lack of clear communication and protocols between intervening agencies.

Based on its findings, the Audit Team makes the following recommendations to close this gap:

1. Create a San Francisco Domestic Violence Court benchbook that outlines courtroom procedures for domestic violence cases, including handling arraignments, probation reviews, and Motions to Revoke, as well as inter-court communications.
2. Recommend to the Judicial Council to update the existing statewide Domestic Violence Benchbook, and recommend inclusion of information regarding domestic violence probation and the monitoring of defendants.
3. Ensure courtroom access to the California Law Enforcement Telecommunication System (CLETS) and the Civil Court computer system by select court personnel, e.g. court clerk, court probation officer, and provide training to clerks on the standardization of court records.
4. Review and update defendants' batterer intervention program (BIP) progress reports, including information about program termination/completion and other reports to the courts, in conjunction with judges, probation, BIP personnel, and community-based advocates.

5. Review and update Adult Probation Department supplemental reports to include analysis of risk and dangerousness posed in individual domestic violence cases, and to include input by batterer intervention program personnel and community-based advocates;
6. Develop an inter-departmental protocol between the Adult Probation Department and the District Attorney's Office that establishes procedures for the handling of Motion to Revoke hearings in both misdemeanor and felony cases.
7. Recommend that judges assigned to domestic violence court receive domestic violence training prior to taking over in Department 13, to include training by the National Council of Juvenile and Family Court Judges (NCJFCJ) when possible.
8. Explore models to ensure higher compliance of defendants for enrolling in and completing batterer intervention programs, including the development of a domestic violence priority warrant system.
9. Explore models for the creation of a crisis line and drop in programs for batterer defendants.
10. Identify additional funding sources for the Adult Probation Department to ensure substance abuse testing.
11. Develop a program, in conjunction with the Adult Probation Department and community based advocacy programs, for rigorous batterer intervention program oversight, including re-certification and training.
12. Explore models whereby the Adult Probation Department provides all batterer intervention programs, similar to the model currently employed within the San Francisco Jail.

13. Create additional linkages, communications, and accountability between court, victims, batterer intervention programs, the community-based advocacy community, and children's services through standing meetings, a court-watch program, or other initiatives to be developed.
14. Refurbish Department 13 and devote adequate resources to the dedicated domestic violence court (including personnel, technological resources, and safe waiting places for victims).
15. Within the District Attorney's office, staff Department 13 with an in-court paralegal similar to the Public Defender's Office.
16. Explore models for alternative community-based programs to enhance batterer accountability; these programs could be in addition to the 52-session batterer intervention program.
17. Ensure that judges in domestic violence court have necessary information about batterer intervention programs (e.g., location, cost for defendants, specialized groups, language access, etc.).
18. Develop a field policy protocol for Adult Probation Department officers regarding responding to domestic violence cases.

GAP: CRIMINAL JUSTICE SYSTEM RESPONSES TO DOMESTIC VIOLENCE INCIDENTS DO NOT ACCOUNT FOR THE COMPLEXITY OF RISK ENCOUNTERED BY VICTIMS OF BATTERING FROM VARIOUS SOCIAL AND CULTURAL POSITIONS.

The Audit Team found that for victims of domestic violence who either face additional barriers in life (such as those that result from being an undocumented immigrant), or those whose lives are otherwise more complex (such as being lesbian, gay, bisexual, transgender, or queer/questioning – LGBTQ), criminal justice system responses do not adequately account for the increased risk of danger that often accompanies such complexities.

While the Audit question did not go in depth into any one particular area of vulnerability for domestic violence victims (for example, by examining how homelessness impacts safety for victims), during its data collection the Audit Team found many ways in which the complexities of an individual's life impacted the criminal justice response to their domestic violence situation. In most cases that the Team observed, these complexities typically served to widen the gaps between safety and services for the victim, rather than close them.

Based on its findings, the Audit Team makes the following recommendations to close this gap:

1. Provide education and training for all criminal justice practitioners on traditionally underserved and underrepresented communities, including the impact of domestic violence in these communities.
2. Ensure training and education on the identification of same-sex/LGBTQ victims for all criminal justice system agencies, to include the identification of resources and supportive services for victims.

3. Conduct additional research on criminal justice system responses to traditionally underserved and underrepresented communities in San Francisco, including how issues of victim safety and batterer accountability are or are not accounted for by city departments.
4. Convene a local dialogue group in collaboration with the California Partnership to End Domestic Violence – Bay Area Public Policy Research Committee, and the San Francisco Domestic Violence Consortium, to include batterer intervention programs, victim service programs, criminal justice system agencies, children's groups, elder abuse groups, and other groups as identified, to explore the following questions: What is accountability? What does safety mean in different communities?