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# **Brockton, Massachusetts, Arrest Policies Project**

## **A Process Evaluation**

**September 22, 2000**

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*Prepared for*  
**Brockton Police Department**  
**National Institute of Justice**  
**Violence Against Women Office**

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## **Introduction**

The Grants to Encourage Arrest Policies Program encourages jurisdictions to implement mandatory or pro-arrest policies as an effective domestic violence intervention that is part of a coordinated community response. Congress appropriated funds for the Arrest Program under the Violence Against Women Act (1994). The Program assumes that the arrest of a batterer will leverage the coercive and persuasive power of the criminal justice system to ensure victim safety and manage the behavior of abusive, violent offenders. Ensuring victim safety and offender accountability are the guiding principles underlying the Grants to Encourage Arrest Policies. The Violence Against Women Act directs that the Arrest Program funds be used to

- Implement mandatory arrest or pro-arrest programs and policies in police departments, including mandatory arrest programs or pro-arrest program and polices for protection order violations
- Develop policies and training programs in police departments and other criminal justice and tribal agencies to improve tracking of cases involving domestic violence
- Centralize and coordinate police enforcement, prosecution, probation, parole or judicial responsibility for domestic violence cases in groups or units of police officers, prosecutors, probation and parole officers or judges
- Coordinate computer tracking systems to ensure communication between police, prosecutors, and both criminal and family courts
- Strengthen legal advocacy service programs for victims of domestic violence by providing complete information and support for a victim of domestic violence as the case against her abuser moves through the criminal justice system
- Educate judges, and others responsible for judicial handling of domestic violence cases, in criminal, tribal, and other courts about domestic violence to improve judicial handling of such cases.

The Institute for Law and Justice, Inc. (ILJ) is conducting a national assessment of the Grants to Encourage Arrest Policies Program, which is funded by The National Institute of Justice. ILJ is using a three-stage methodology for this evaluation. First is an annual national assessment of all sites that will document the type and scope of projects funded. Second, a process evaluation of 20 sites will examine the process and problems associated with implementation of the project. Third, an impact evaluation of six sites will assess the impact of

the project on the agencies involved, victim well-being, offender accountability, and community coordination.

This report is a process evaluation of the Arrest Program in the city of Brockton, Massachusetts. The project received \$178,250 for an 18-month period beginning March 31, 1997. The continuation grant was for \$425,000 and covered another 18 months of operations. Funds were used to develop training for officers, enforce federal requirements for officer-related domestic violence, initiate a task force, and to institute a “coordinated community response.” The basis of the evaluation was a five-day site visit that concentrated on interviews and document review. Follow-up interviews and inquiries were conducted by telephone. This report is divided into three sections: 1) Project Environment, 2) Grant Development and Implementation, and 3) Conclusions and Recommendations.

## **Project Environment**

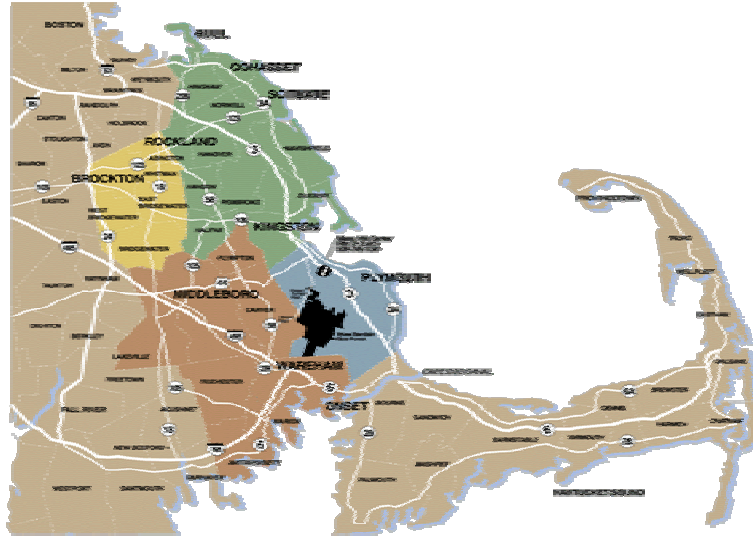
This section provides an overview of the city of Brockton, including demographics, the criminal justice system, the non-profit community, and Massachusetts laws concerning domestic violence.

### **Brockton Demographics**

Brockton is a major urban community located 20 miles southeast of Boston. It is part of Plymouth County, which is divided into four districts (see Exhibit 1).

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## Exhibit 1: Plymouth County Map



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The city of Brockton, the most densely populated area in the Brockton District, has a population of 93,173 residents (1998 population estimate). According to the 1990 Census, the population of the city of Brockton is 80 percent white, 13 percent black, and less than 10 percent other races. However, the community leaders in Brockton report that within the last ten years, the city has become increasingly multi-cultural. Most importantly, the Cape Verdian, Haitian, and Pan-Asian populations now account for a greater percentage of the overall population than the 1990 Census asserts.

According to the Commonwealth of Massachusetts Division of Employment and Training, the unemployment rate in Brockton in 1999 was 4.2 percent, which is slightly above the state average. The per capita income for the city is approximately \$14,000.

### **Criminal Justice System**

The four major criminal justice entities pertinent to this project are the Brockton Police Department, the Plymouth County District Attorney's Office, the courts, and probation.

## **Brockton Police Department**

The lead agency in this project is the Brockton Police Department. The department, one of six law enforcement agencies in Plymouth County, has a staff of approximately 200 officers. The specialized Domestic Violence Unit (DVU), formed in October 1996, consists of one sergeant, who serves as Project Director, and a multi-lingual civilian advocate. Additionally, a detective works with the Unit as part of his duties as Grant Manager for a number of departmental grants.

The sergeant and civilian advocate are referred to as a “team;” they are primarily responsible for training and monitoring all officer responses to domestic violence, as well as participating in a variety of community outreach initiatives and programs. The sergeant is also responsible for overseeing officer-involved domestic violence cases. In November 1998, a detective was added to the Unit on a half-time basis. The detective is primarily responsible for case follow-up and conducts five to six investigations per month. Follow-up investigations include interviewing and gathering evidence such as weapons, 911 tapes, and photographs.

## **District Attorney’s Office**

The Plymouth County District Attorney’s Office has a Family Protection Unit, which is comprised of the Child Abuse Division, the Domestic Violence Division, and the Elder Abuse Division. The Domestic Violence Division is comprised of a supervising Assistant District Attorney (ADA), four Assistant District Attorneys, and one Victim/Witness Advocate.<sup>1</sup> The Division has a policy of vertical prosecution, and generally prosecutes cases regardless of victim participation. The County District Attorney’s Office prosecutes both misdemeanors and felonies.

Each ADA in the Domestic Violence Division is assigned to one of the four districts that comprise Plymouth County. Under this grant, the Domestic Violence Division will have its own advocate who will be responsible for referring victims to ancillary services and encouraging victim participation in cases in all four districts. While the Family Protection Unit has victim witness advocates, they focus on victim participation in prosecution and do not provide service referrals.

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<sup>1</sup> The Victims/Witness advocate had not been hired at the time of this site visit.

The Assistant District Attorney assigned to the Brockton District is responsible for prosecuting all misdemeanor and felony domestic violence cases in the District Court and Plymouth County Superior Court. The Brockton ADA is also responsible for domestic violence-related probation surrender hearings in Superior Court, probation revocation hearings in the District Court, and assisting with Show-Cause hearings with the Court Clerk. Although not officially part of the job, the ADA also refers victims to community services.

## **Courts**

All misdemeanor and felony crimes committed in the Brockton District are arraigned in the Brockton District Court. Cases brought through the District Court are first screened by the County District Attorney's Office for the potential for indictment to be tried in the Plymouth County Superior Court. This is frequently done with more heinous crimes, so as to sentence offenders under state sentencing guidelines of 10 years or more. Probation revocation hearings are also heard in the Brockton District Court. The Plymouth County Superior Court hears both misdemeanor and felony cases, and handles probation surrenders.

Two other courts are sometimes involved in domestic violence cases. The Brockton Probate and Family Court has jurisdiction throughout Plymouth County. As this court presides over marital and familial matters, domestic violence cases and restraining orders may be referred here if children are involved. The Brockton Juvenile Court presides over all juvenile crimes in the Brockton District; it is typically involved in adolescent domestic violence cases.

In January 1998, the District Court made provisions for an annex that would house a victim services center. Called the Family Advocacy Center, it was initiated by the DVU Team, the Brockton Family & Community Resources, Inc. (BF&CR), and the District Court Administrative Justice. The Center is managed by BF&CR, the non-profit partner in the current project.

The Center provides victims of domestic violence and their families with a variety of services, as well as a safe haven while waiting to testify in court proceedings. The Center's staff is drawn from, and funded by, a number of different agencies. Specifically, there is a SafePlan Regional Coordinator for Plymouth County, as well as two full-time SafePlan advocates who are funded through a grant for BF&CR. There are two advocates from the Women's Place Crisis

Center, who collaborate with BF&CR. In addition, there is a Civilian Police Advocate who is funded through BF&CR, as well as the Civilian Advocate funded through the DVU.

These on-site advocates take walk-in clients as well as referral clients from agencies in the system, such as police, probation, court personnel, and the County District Attorney's Office. The advocates provide safety planning, crisis intervention, court advocacy, and referral services. Also, advocates assist victims with the civil court process and aid them in applying for restraining orders, and visitation or custody papers. Typically, victims are referred by the court for help in obtaining restraining orders, by the police for referral services, and by the County District Attorney's Office for household, roommate, and current/former intimate disputes. Although the Center is designed to assist both male and female victims, they may not assist both parties in a case.

## **Probation Department**

The Brockton District Court has its own Adult Probation Department, which monitors offenders of sexual assault, DUI/DWI, and domestic/family violence (both family and intimates). Probation officers are assigned generalized caseloads, and therefore monitor a variety of probationers. Two of these probation officers are assigned all domestic violence probationers in addition to their generalized caseload. For these two probation officers, approximately 60 percent of their caseload are general cases and 40 percent are domestic/family violence cases.

Domestic violence offenders are monitored through the standard contact guidelines, as well as through weekly Ride-Alongs with the Brockton Police Department. The Ride-Along component is discussed below in the section entitled “Project Implementation.”

## **Brockton Family and Community Resources, Inc. (BF&CR)**

Brockton Family and Community Resources, Inc., is the non-profit, non-governmental partner on this project. This organization is a community-based provider of mental health, substance abuse, and domestic violence services for children, adolescents, and adults. BF&CR is managed by an Executive Director, who oversees the Director of Outpatient Services and the Director of Community Services. The Director of Community Services is the partnering individual for this project.



BF&CR is based on the premise that domestic violence issues are often coupled with mental health or substance abuse issues. They address their clients holistically and attempt to treat individuals and families in a case management format. In addition to individual mental health services, BF&CS offers a variety of program:

- Services for battered women (individual or group settings);
- District and probate court legal advocacy (English and Crioulo<sup>2</sup>);
- Shelter referrals for battered women;
- Program for abusive men (English, Spanish, Crioulo, and Portuguese);
- Groups for children who have witnessed violence in the home, school and community.
- Adolescent male batterer's group;
- Adolescent male victim/witness to violence.

Since the coordination between the Project Director and the non-profit is quite good, members of the non-profit are viewed by outside agencies as part of the police department's Domestic Violence Unit. The Director of Community Services helped initiate the DVU, and she has historically worked with the Project Director in conducting training and community outreach. Moreover, the new coordinator for the coordinated community response has initiated a similar role in her position and is also now considered a Unit member by outside agencies.

## **Massachusetts Domestic Violence Law**

Massachusetts law defines domestic "abuse" as the occurrence of one or more of the following acts between family or household members: (1) attempting to cause or causing physical harm; (2) placing another in fear of imminent serious physical harm; or (3) causing another to engage involuntarily in sexual relations by force, threat or duress (MA § C.209A 11).

Family or household members refer to persons who:

- (a) are or were married to one another;
- (b) are or were residing together in the same household;
- (c) are or were related by blood or marriage;
- (d) have a child in common regardless of whether they have ever married or lived together; or
- (e) are or have been in a substantive dating or engagement relationship, which shall be adjudged by district, probate or Boston municipal courts under the consideration of the following factors:
  - (1) the length of time of the relationship
  - (2) the type of relationship

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<sup>2</sup> "Crioulo" is one of the oldest of the Portuguese Creole languages. While Portuguese is the official language of Cape Verde, Crioulo is the mother-tongue of the majority of the population.

- (3) the frequency of interaction between the parties; and
- (4) if the relationship has been terminated by either person, the length of time elapsed since the termination of the relationship.

Massachusetts has a preferred arrest law. According to statute MA § C. 209A-C, when there is a no vacate, restraining, or no-contact order or judgment in effect, arrest shall be the preferred response whenever an officer witnesses or has probable cause to believe that a person has committed a felony, a misdemeanor involving abuse, or has committed an assault and battery violation. Whenever a law officer investigates an incident of domestic violence, the officer must immediately file a written incident report. The law also discourages dual arrests by requiring officers who arrest both parties to submit a detailed, written report in addition to an incident report.

## **Development and Implementation**

This grant is based on a partnership between the Brockton Police Department and the non-profit service provider, Brockton Family and Community Resources, Inc. This section describes the planning process, proposal goals, and implementation.

### **Grant Planning**

In 1991, BF&CR initiated the Domestic Violence Action Program (DVAP).<sup>3</sup> In 1994, the Director of DVAP met with the Chief of the Brockton Police Department to discuss problems with police response to domestic violence calls. The Director was primarily concerned about the high incidence of female arrests and dual arrests, as well as the fact that restraining orders were frequently not served. The Director was also frustrated with the number of victims who were not provided transportation from the scene to safety.

The DVAP Director was referred to a Brockton police lieutenant with experience in domestic violence, community policing, training, and grant writing. The lieutenant and Director teamed to create some changes within the department, including the implementation of law enforcement training. These initiatives sparked a collaboration between the police department and the service provider. The Grants to Encourage Arrest Policies Program created the opportunity for the police department to work with the non-profit agency in a formal partnership.

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<sup>3</sup> DVAP functioned as a separate entity until 1998, when DVAP was integrated into the Brockton Family and Community Resources.

The police department took the lead in writing the proposal for the Arrest Program grant. The planning team consisted of the lieutenant, a sergeant, and a detective representing the police department, in addition to the Director of the non-profit agency. Planning for the continuation grant was an activity carried out by the Project Director (the sergeant), the Grant Manager, and the non-profit. The original proposal was revised following conditions placed by the federal Violence Against Women Grants Office. The project received \$178,250 in the first funding cycle, with continuation funds of \$425,000 to carry the project through March 2000.

## **Proposals**

The proposal requested funding for several positions, including one full-time sergeant, and one full-time, multi-lingual civilian advocate. The grant also proposed 200 hours of overtime be allotted for officer training. The continuation grant added one full-time junior clerk to project staff, and increased overtime hours to 500. The added hours were to be used for court appearances and investigations, instead of training. Additionally, 1,040 officer hours were budgeted for probation Ride Alongs, and 520 officer hours were budgeted for the “K-12 educational training.”

The goal of this project was to monitor and improve the law enforcement response to domestic violence and ensure that domestic incidents, in general, are responded to through “proper action,” or a “coordinated community response.” The Team, comprised of the police sergeant and civilian advocate, was given responsibility for achieving seven project goals, outlined in Exhibit 2.

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## Exhibit 2: Proposed Project Goals

<u>Goal</u>	<u>Description</u>
1. Monitor and Train Officers	The Team will monitor daily officer response, so as to detect and correct performance problems proactively through in-field training. The training will address arrest policies, investigation, report writing, and victim safety on the scene.
2. Provide Victim Advocacy Services	The Team will review all domestic violence response calls and contact victims at a safe time. In turn, they will further investigate, and provide service referrals to victims, adults, adolescents, and children.
3. Train Local Neighborhood Watch Program	The Team will train the local Neighborhood Watch on the effects of domestic abuse on victims, as well as in ethnic/cultural differences. They will also provide workshops on battering and “appropriate intervention by the criminal justice system.”
4. Implement a City-Wide Domestic Violence Task Force	The Team will coordinate a Domestic Violence Task Force comprised of community service leaders to assess the needs of the community, and evaluate services already in place. In turn, a systems approach to domestic violence would be developed, including domestic violence prevention.
5. Train “Educational Trainers”	The Team will train “educational trainers,” including officers and teachers, to implement domestic violence awareness and education in K-3, 5th-8th, and high school classrooms.
6. Implement Batterer Accountability Programs	A Batterer Accountability Program, modeled after an existing juvenile program, will pair up police and probation officers on Ride Alongs to monitor probationers, 20-24 hours per week, at random, on nights and weekends. Probation may be expanded to include electronic monitoring, monitoring of alcohol/drug consumption, and participation in court-ordered batterer intervention or Alcohol and Narcotics Anonymous meetings.
7. Implement Accountability Protocol for Officer-Related Domestic Violence	The sergeant under the Chief of Operations will investigate all incidents and complaints, and family interviews with the Team to determine the appropriate course of action. “Course of action” begins with relieving the suspected officer of his/her weapon and reassigning them to patrol or in-house duty. The victim's needs are addressed, and an offender evaluation is conducted by a certified program. A determination of prosecution is made and follow-up is conducted to insure compliance with intervention. Officers are required to report any known officer-related domestic violence.

## **Implementation**

The DVAP Director and the Lieutenant initiated the project's implementation with advice from the current Program Manager and the Grant Manager. Since the original Lieutenant retired, he has remained with the police department in a consulting capacity and has continued to work as an advisor on the project.

## **Staffing**

One of the first steps in the implementation process involved hiring for the positions funded through the grant. The positions that were filled were the full-time sergeant's position and the full-time, multi-lingual, civilian advocate. The sergeant's position was filled by the sergeant involved in planning the project, who is now the Project Director. The Civilian Advocate position was filled by a multi-lingual candidate, and as a Cape Verdian, it was hoped she would be able to provide a link to that community. Beginning in December 1998, a part-time detective, who conducts more extensive case follow-up, was added to the Unit.

The intended full-time Clerk position was omitted due to a funding reallocation. Moreover, the planners' request for a vehicle, the Ride Along component with police and probation, and the goal to "Train Educational Trainers" were all cut by the VAWGO Office. Instead, a coordinator of the coordinated community response position was funded. This person was hired to implement a local task force and to increase participation from a variety of agencies. This Coordinator began in May 1999, and works under the supervision of the non-profit partner, although the position is funded through the grant.

## **Project Goals**

As shown in Exhibit 2, there were seven project goals. Each of these goals and actions taken to meet them at the time of the site visit are discussed below.

### **Monitor and Train Officers**

A goal of the project is a department-wide, appropriate response to domestic violence. The monitoring of officers, after training, is a tool for both educational follow-up and accountability. The Project Director monitors on-going officer response to domestic violence calls through both formal and informal measures.

The Project Director relies primarily upon the adopted *Manual on Domestic Violence* (discussed further in “Training”) as a formal monitor of officer response. The manual is a set of updated policies, procedures, and protocols for officers and the department. The manual is provided to all officers, and serves as a reference tool for both officers and supervisory staff when a response comes under question. The Project Director also instituted the use of a Family Incidence Report form, which is to be completed when a family disturbance call is deemed unfounded by the responding officer. These reports are turned into the Project Director who periodically reviews them and provides feedback to the officer or supervisory staff.

The Project Director is recognized as the point person for domestic violence cases and is to be contacted whenever such cases occur. Often, officers will call him from the scene of an incident or shortly thereafter. His involvement serves as an informal monitoring system. The Project Director has also assigned various, mid-level officers as point people on domestic violence for their shift.

Officer training was conducted jointly by the Project Director, the Civilian Advocate, and the non-profit partner in order to provide the police and advocacy perspectives, as well as gender representation. In late 1997, the Project Director trained the Civilian Advocate and the non-profit partner in the current police response to domestic violence, methods of training police on domestic violence, and protocol for the new District Court. The non-profit partner also trained the Civilian Advocate in domestic violence issues.

They collaboratively developed lesson plans for officer training, as well the *Manual on Domestic Violence* for the Brockton Police Department. This was done not only to provide structure and materials for training, but more importantly, to institute written department policies that could not be subjectively disputed.

The original *Manual on Domestic Violence* was a written set of protocols, policies, and procedures on dual arrest and child witnesses. The partners reviewed state materials and collaboratively produced more concise and simplified protocols for officer use. The manual has been continually updated through additional protocols, as well as through copies of “Training Updates,” “Roll Call Training,” and materials for use on the scene.

As officer response has been more finely tuned through use of the manual, officers are now provided with informational packets for the victim on the scene. These currently include a

Domestic Violence Safety Plan, a copy of the Abuse Law, and a guide for parents when child witnesses are present and reported to the Massachusetts Department of Social Services.

Between March 5, 1997 and December 14, 1997, a total of 13 training sessions were conducted regarding domestic violence, laws, policies, arrest powers, and patrol procedures. Recruits from the Police Academy were trained on five separate dates. Recruits from the Sheriff's Station were trained on three separate dates. Between April 7, 1998 and May 28, 1998, the entire Detective Division, the Narcotic and Gang Unit, and all E-911 Telecommunication Division and Dispatch Personnel were trained on domestic violence issues and laws. Park Police were also included in this training. School police were trained on August 25th and 26th, 1998, on police and laws dealing with domestic violence.

In the spring of 1998, all E-911 Telecommunication and Dispatch Personnel were trained on the CAD<sup>4</sup> system, as well as the initiation of specific protocols for domestic violence calls. This included flagging any addresses with previous domestic violence incidents. In this way, when calls are received, the dispatcher can now notify the officer that this is potentially a chronic domestic violence location.

By June 1998, the entire police department had received domestic violence training. At the time of this site visit, the Project Director asserted that the department is now going to focus on roll-call training, as it is a more effective follow-up to the manual.

### **Provide Victim Advocacy Services**

The Unit provided victim advocacy services from October 1996 through December 1998, by referring victims directly to the non-profit organization while still at the scene of the incident. In December 1998, advocacy services began through the Family Advocacy Center. The Civilian Advocate, who had worked with the partners and the District Court Administrative Justice to establish the Family Advocacy Center, was placed there to assist victims on a full-time basis.

At the Center, she assisted victims with filing *ex parte* Restraining Orders and permanent Restraining Orders. She faxed them to the courthouse, so victims could remain in the safety of the Center. She also assessed victim needs and offered referrals to community services, including local child protection agencies, legal advocates, local housing authority staff, and local

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<sup>4</sup> Computer-Aided Dispatch.

hospital patient advocacy staff. Occasionally, she facilitated or provided transportation for victims. She also followed-up with victims regarding the expiration of restraining orders. As a multi-lingual advocate, she regularly provided translation services for both the Family Advocacy Center and the District Court.

Through other agency advocates at the Center, victims receive a variety of services. These include safety planning, crisis intervention, and court advocacy. Advocates also assist victims with the civil court process and aid them in applying for orders and visitation or custody papers.

Through the Domestic Violence Unit, a Cell Phone Project was initiated. Programmed to dial E-911 at the Brockton Police Department, nine cell phones are available to victims for a 30-day period. If they choose to apply for a phone, victims are required to complete a comprehensive safety plan as part of the holistic approach to safety practiced by this project.

In response to the cultural barriers to open community discussion of domestic violence in the city, the Unit began airing two and one-half hour cable television programs. In these programs the Project Director and/or the advocate discuss domestic violence with a member of a minority community, allowing the Unit to present its position and the various cultural groups the opportunity to see one of their own engaged in the discussion. As of this site visit, targeted programs on the dynamics of domestic violence and child witnesses have aired with discussions aimed at the African-American community, the Cape Verdian community, and the Latino community.

### **Train Local Neighborhood Watch Program (Crime Watch)**

In response to a reduction in law enforcement personnel in the 1980s, the Crime Prevention Officer from the Brockton Police Department was assigned to recruit local citizens for the Neighborhood Watch/Crime Watch program. Since that time, the volunteer population has grown to approximately 23,000 residents. As community volunteers, they cannot be made aware of respondents in restraining orders and are unable to report a violation of contact in their neighborhood. However, they are asked to use the “phone chain” if they witness any incidents of domestic abuse. Moreover, the Project Director has introduced himself and the project to many of these volunteers, and his name now appears on their “phone-chain” list.



## **Implement a City-Wide Domestic Violence Task Force**

In May 1999, the Coordinator of the coordinated community response was hired to implement a city-wide domestic violence task force and manage the task force effort for the entire, 18-month grant period. A major expectation was that the Coordinator would get buy-in from agencies that have historically been somewhat resistant to addressing domestic violence issues.

The task force was called an Advisory Board. It included various agency heads. The agencies represented included victim service providers, police, prosecution, court clerks, judiciary, and probation. This Advisory Board was created to “enhance and coordinate the multi-disciplinary response of criminal justice personnel from arrest to sentencing of domestic violence cases, while reinforcing as the primary concern, the safety of victims and their children.”

From May 1999 to August 1999, the Coordinator developed five goals and objectives for a coordinated community response. In August 1999, the Advisory Board members were brought together to address some of the objectives. These included the interfacing of various agency representatives and the sharing of policies, procedures and other domestic violence related materials. In addition, the agency leaders agreed on follow-up tasks and subcommittee development. The Coordinator also developed a systematic agreement with court officers to escort victims from the Brockton Family Center to the courthouse, to ensure victim safety.

## **Train Educational Trainers**

At the time of the site visit, the Project Director reported that officers from various programs were trained as educational trainers. However, in the continuation grant, the VAWGO office requested that funds for this goal be reallocated, as this type of initiative is developed under a separate grant.

Consequently, the Project Director halted the majority of domestic violence components present in these programs. However, some of the officers report that domestic violence is often discussed by a number of students on their own initiative. Also, the Project Director has linked up with a program entitled Remote Control, which is an assembly, organized through BF&CR,

for junior high school students on domestic violence. At the time of this site visit, one Remote Control assembly had been conducted.

### **Implementing Batterer Accountability Programs**

The Ride Along program is the primary means instituted by the Brockton Police Domestic Violence Unit for holding batterers accountable. Through a formal collaboration between the police and the probation office, the Project Director and the probation officers monitor a hard-core group of offenders, approximately 20 percent of the domestic violence offenders on probation.

Batter intervention programs are mandated as part of court-ordered probation, and participation in court-ordered batterer intervention programs is monitored through the Ride Along program. Ride Alongs have been conducted on two specific nights each week since June 1999. The Project Director rides with one probation officer each night; equipped with the offender's history and photo, they visit probationers. There has been discussion of switching Ride Along's to some other evenings, to avoid always visiting in a predictable time frame.

Additionally, the Project Director will often show up at batterer intervention meetings to check that probationers are attending and participating. This is just one more way of impressing upon the offenders that the community will no longer tolerate domestic violence.

### **Implement Accountability Protocol for Officer-Related Domestic Violence**

Some protocols for officer-related domestic violence were in place prior to this grant. A written "Procedure for Departmental Personnel Involved in Domestic Violence" was distributed in June 1996. Updates to this protocol were made by the Project Director in the *Domestic Violence Training Manual*.

The Project Director for this grant is responsible for ensuring that all protocols for officer-related domestic violence are followed. At the time of this site visit, the Project Director had files on 18 cases of officer-related domestic violence since June 1996. Of these 18 cases, 9 were prosecuted and 5 of whom were sent to batterer intervention.

## **Local Evaluation**

The planners of the project proposed that the project be evaluated by the Team, through the review of data from the Computer Assisted Dispatch system (CAD), the LEAPS computer system, and the computerized booking process. Some of the statistics to tentatively be collected include rates of arrest, numbers of restraining orders, and calls for service. This data was to be supplemented by surveys of victims.

## **Project Performance**

### **Agency Activity**

Improvements in law enforcement response as a result of this project were readily noted by the other agencies associated with the project. The general consensus is that officers prepare more complete affidavits than they did before training and they follow the domestic violence protocols. It was noted that officers have improved their skills in the areas of evidence collection, witness interviews, documentation of the physical state of the victim, and the inclusion of “excited utterances” in their reports. The addition of a detective to the Domestic Violence Unit has also had a positive effect on evidence collection. All of these things combine to make prosecuting a case easier for the County District Attorney.

Police officers are following the protocols for responding to victims, and it appears that there is now a higher level of “buy-in” into domestic violence prevention than before the project began. Officers are better able to identify the victim, which should reduce the number of dual arrests. They now consistently provide victims with informative handouts and referrals to community services, as their training has raised their awareness of the available services. They also are quicker to assist victims with emergency *ex parte* orders. The community advocates report that from their viewpoint, officers have improved greatly in their on-scene handling of victims.

Brockton Family and Community Resources, Inc. has been successful in its work to bridge the philosophical gaps between law enforcement and community advocates, focusing instead on the common goal of protecting women. This was accomplished primarily by the Director of Community Services for BF&CR who set an example to her staff of understanding and accepting of the job law enforcement officers have to do. The respect she has shown for the

officers has in turn raised the level of respect and cooperation the officers afford to her and her staff.

## **Collaboration**

Since development of a “coordinated community response” was a key element of the project in Brockton, the efforts to improve collaboration among the wider criminal justice community should not be overlooked. The effectiveness of the wider community response is primarily due to the working partnership between the police and BF&CR. The example the partners have set has encouraged a variety of collaborations and initiatives by other agencies who work with domestic violence victims and offenders.

Many agencies have responded by dedicating staff to domestic violence issues or implementing new policies and initiatives concerning domestic violence. For example, the Chief and Assistant Chief of Probation are now very involved in the domestic violence project. In addition to designating two probation officers to monitor domestic violence probationers, the Assistant Chief has also approached the Project Director about launching an initiative to follow up on the large number of outstanding warrants, with top priority paid to the high-risk domestic violence offenders. At present, the probation office holds a list of approximately 1,400 outstanding warrants.

The District Attorney’s Office initiated a “round table” group of agencies involved in domestic violence. This group, which includes the Plymouth County Domestic Violence Unit, Women’s Place, the Department of Social Services, a hospital advocate, Safe House, and the project partners, developed into the community Advisory Board.

The Domestic Violence Unit’s collaboration with the Massachusetts Department of Social Services (DSS) has greatly improved with this project. DSS is now more responsive when officers file 51As<sup>5</sup> on behalf of minors. Officers responding to domestic incidents where children are present provide victims with a guide to DSS involvement with children. In addition, the Project Director and the Director of Community Services now sit on the DSS Area Board.

Further emphasizing the importance they have placed on helping children, and their recognition of a link between domestic violence and juvenile delinquency, the two project

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<sup>5</sup> Report of Children Alleged to be Suffering from Serious Physical or Emotional Injury by Abuse or Neglect.

partners sit on the Child In Need of Services (CHINS) Board. In addition, they work with a juvenile probation officer in developing early intervention batterer prevention programs.

The project partners have collaborated with other law enforcement agencies in the area to provide them with training. They have also assisted other agencies in developing new policies and protocols for domestic violence.

## **Challenges**

There are a few systemic challenges to the performance of this project. These are issues that could hinder the achievement of the project goals if they are not taken into consideration. For one, the original planners designed the Unit with one officer in charge, believing that one effective sergeant could serve as a “facilitator of domestic violence for the whole force.” However, this arrangement might also result in the success of the Unit being dependent upon a personality rather than institutional policies. The Project Director has attempted to meet this challenge head-on, creating a formal infrastructure for the Unit and the project. The hope is that with explicit policies and procedures, another person could step into the job at a later date. The same challenge holds true for the non-profit agency, and it appears that the Director of Community Services at BF&CR has met the challenge in the same manner. These measures might be enough, but the true test will come when one of them leaves.

A similar challenge to long-term performance exists in the District Attorney’s Office. At the time of this site visit, the ADA assigned to domestic violence cases in the Brockton District Court was not only a highly dedicated and experienced prosecutor, she was also multi-lingual, a great asset with the growing minority populations in Brockton. The ADA also chose to be involved in domestic violence education and community outreach efforts. As with the Project Director, it might prove difficult to replace this individual at some point in the future without the project suffering from the loss of an important personality. On the whole, the District Attorney’s Office has limited their collaboration on the project. Presumably, if the Office is not directly involved in the funding or management of an initiative, their commitment level is lower. This raises the risk of project performance suffering as a result of this particular ADA’s departure.

Challenges to project success also exist at the Brockton District Court. It is not unusual for victims to require translation services during court proceedings. However, there have been occasions where errant translations of both questions to and responses from victims have resulted

in the misrepresentation of victim testimony. Since the translators are also a part of the minority community, it is believed that they shade the questions and responses because of the community's cultural beliefs. Additionally, it is sometimes difficult to find a translator, leaving victims less than fully aware of what is happening during court proceedings.

Another challenge exists when warrants need to be issued for arrests. In Massachusetts, when police officers arrive at a domestic scene and find that the offender has fled, they have 4 hours to find and arrest the offender without a warrant. A warrant is necessary following the 4-hour time lag. The District Court Clerk's Office is responsible for deciding if a warrant should be issued, a process that can take up to 72 hours. If the clerk does not feel the threat of harm is clear enough for an immediate warrant, a summons for a "show-cause" hearing is issued instead. The result of this is that the victim is asked to report to court, face her abuser, and convince the clerk that a criminal complaint should be issued. A number of the agencies involved in the domestic violence project are concerned that this places the victim in an inappropriate and intimidating situation. They also fear that in the time before the "show-cause" hearing is held, the victim could be convinced to refuse to testify against her abuser.

## **Conclusions and Recommendations**

The Brockton Arrest Project is a thoughtfully planned attempt to bring a coordinated community response to domestic violence. The modest goals outlined at the outset were achieved, and the scope of the project has expanded over time. The potential for further growth and achievement is well within reach, although there are a few recommendations that, if implemented, would improve the long-term prospects for the project.

### **Recommendations**

The following recommendations would improve project performance.

1. Create formal partnerships with the other criminal justice agencies
2. Increase the number of project staff
3. Conduct periodic assessments

### **Create Formal Partnerships With Other Agencies**

The original project centered on the police response to domestic violence and, with the help of the non-profit partner, improvement in the response to victims, with specific attention to

the provision of victim services. The additional goal of a coordinated community response has led to the project partners working extensively with other agencies and individuals in the criminal justice system. For the most part, this has been a positive experience, and the participants feel that the project has inspired other agencies to develop and implement activities aimed at combating domestic violence.

Given the amount of coordination in which all of these agencies are now involved, serious consideration should be given to expanding the partnership to said agencies. It is currently felt by some of those involved that some agencies vary in their commitment level to city-wide initiatives, with that level dependant on the role they play in funding or managing an initiative. The creation of a formal partnership among all of the involved agencies would help regularize commitment levels.

### **Increase Number of Project Staff**

At present, the sergeant, who is the project manager, and the non-profit director of community resources are the only primary staff on this project. In addition to their duties of coordinating the project within their respective agencies, they have both taken on extensive responsibilities in the wider community. For example, they serve on the task force initiated by the District Attorney's Office, provide training to other jurisdictions, are President and Vice-President of the Department of Social Services Area Board, sit on the Child In Need of Services Board, and have worked on the cable TV shows. Their outreach work is commendable, but the worry arises that it will lead to burnout on the part of one or the other, or both of them. A good way to alleviate the risk of this would be to spread the responsibilities among a few more people.

### **Conduct Periodic Assessments**

Regular assessments of project performance should be conducted. The original project plan called for assessments using data from a number of internal police databases, combined with surveys of victims. Preliminary data was collected and the survey tool was developed, but as of this site visit, there is no evidence that the surveys are being used by the advocate, or that data is being regularly compiled and compared. Changes in the way officers handle domestic violence incidents and victims in Brockton seem to be universally acknowledged by the various people connected to this project. It would therefore be beneficial to all to have regular,

documented evidence that their work has been effective in improving response to calls for service, as well as meeting the needs of victims. It would appear that the project partners have access to data that could provide this evidence—time and personnel need to be dedicated to retrieve and compile it.

## **Conclusions**

The city of Brockton Arrest Project appears to have had a significant impact on the Brockton Police Department. Policies and protocols have been instituted within the department. These protocols appear to have brought about a uniform police response to domestic violence throughout the city. In choosing not to create a special first responder unit to handle all domestic violence calls, this project has instead aspired to change the culture and practices of an entire department, as well as inspired action in other agencies.

The partnership between the police and Brockton Family and Community Resources has sparked a number of community outreach and education initiatives. The example of collaboration set by the project partners has influenced a variety of other collaborations, making a “coordinated community response” more than just a buzzword. There is definite evidence that a coordinated effort is being made to improve victim access to services, to truly hold offenders accountable, to raise public awareness of an important issue, and to streamline the overall process. What remains to be seen is whether these efforts are having the desired effect.



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