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Victims Of Domestic Violence And Responding Law Enforcement Officers Need Better Support

Issue

Are victims of domestic violence in San Mateo County receiving prompt counseling when it is requested by law enforcement officers?

Background

The Federal Violence Against Women Act was enacted in 1994. California had recognized the significance of domestic violence 10 years prior in the passage of Senate Bill 1472. This legislation changed several sections of the Penal Code to require local law enforcement to provide training and procedures in handling domestic violence cases. It also required reporting of domestic violence calls along with other crimes in the monthly report to the California Department of Justice.

The California legislature has continued to pass additional laws on domestic violence. Of relevance to this investigation, the Penal Code was revised twice in 1995 to require local law enforcement to establish policies with respect to arresting perpetrators and to provide training every two years for officers who normally respond to domestic violence calls.

The law enforcement agencies in the county developed *The County of San Mateo Domestic Violence Protocol for Law Enforcement* (Protocol). The purpose of the Protocol is to ensure that the law enforcement agencies "...have uniform law enforcement response in the recording and handling of domestic violence incidents..." and that "...it is the intent of this protocol to stress the enforcement of laws to protect the victims of domestic violence and to communicate the attitude that domestic violence is criminal behavior and will not be tolerated."

The Protocol recognizes that the victim of violence is not the only person needing assistance. The law enforcement officer responding to the incident of domestic violence

must not only deal with the perpetrator but also aid the victim and witnesses. The responding officer often needs resources that can be accessed quickly to provide the victim with help of various kinds, including counseling and a safe place to stay.

Part of the Protocol includes the Emergency Response Program (Program). This Program is initiated by the responding officer by paging the on-duty counselor at Community Overcoming Relationship Abuse (CORA) except in the following situations: there is no phone in the residence, the parties refuse the offer to speak with CORA, or the parties are intoxicated. The Protocol requires the on-call CORA counselor to respond immediately by calling the phone number given by the officer.

San Mateo County (the County) has a contract with CORA, a non-profit organization to provide the emergency response support called for by the Protocol. CORA is funded by grants from the County, various cities in this county, and other agencies and organizations. The County's contract with CORA for the period July 1, 2007 through June 30, 2008 states:

“In partnership with all law enforcement agencies in San Mateo County, CORA will contact victims who have received a response by law enforcement for a domestic dispute utilizing the County of San Mateo Domestic Violence Protocol for Law Enforcement. CORA will provide a telephonic response to each victim referred. A telephonic response will at minimum consist of four attempts to contact the victim at the phone number provided by law enforcement if a staff member is not available at the time of the referral page by the law enforcement officer.

In partnership with all law enforcement agencies in San Mateo County, CORA will contact victims (referred by law enforcement) who have received a response by law enforcement for a domestic dispute utilizing the Family Advocate Protocol developed by CORA in collaboration with the Violence in Families Initiative Program (VIP).”

Besides the Program, the County contract with CORA specifies that CORA provide a 24 hour crisis hotline, counseling, emergency shelter, counseling to the children of victims, legal assistance to obtain temporary restraining orders, a teen outreach program and a community education program.¹ The focus of this Grand Jury report is only on emergency response and how well victims and responding officers are served.

Investigation

The 2007-2008 San Mateo County Civil Grand Jury (Grand Jury) surveyed 20 law enforcement agencies in the County about their use of the Protocol and their interactions with CORA (see Appendix A). The Grand Jury interviewed an officer experienced in handling domestic violence. CORA representatives were also interviewed.

¹ Agreement Between The County of San Mateo and Community Overcoming Relationship Abuse

Findings

San Mateo County, as well as the State, has recognized that domestic violence is a serious community problem. The San Mateo County Board of Supervisors has stated, "There is no excuse for domestic violence. If you know of someone who is currently in an abusive relationship, please share this information with him or her. You may save a life."²

Responses to the questionnaire and the interviews indicate that law enforcement has occasionally expressed concern to CORA about the lack of CORA's responsiveness. Discouraged by lack of responsiveness, some officers discontinued paging from the scene. The officers then relied on the law enforcement agencies' record departments to fax the official domestic violence report, DV-279, to CORA at a later time. CORA was reporting their statistics to each law enforcement agency monthly.

One law enforcement agency did an independent review of the domestic violence calls that they handled during the last six or seven weeks of 2007. The results indicated that officers were receiving responses from CORA to pages less than 60% of the time. When the agency informed CORA of the results, CORA then had enough specific information to initiate an investigation.

CORA's paging system relied upon the coordination of services from three vendors, and that probably was the cause of incoming pages being lost. In April 2008, CORA replaced the paging system with a totally integrated paging system. The new system is providing CORA with the ability to monitor when a page is received and when the counselor responds.

Conclusions

The Grand Jury concludes that prompt emergency assistance must be provided to victims of domestic violence. It is equally important to provide support services to responding officers in a timely fashion. The shortcomings of CORA's emergency response system for domestic violence persisted too long without being addressed. Only after one law enforcement agency took the initiative to document the problems was anything done. CORA finally acknowledged the problems and has begun to fix them.

Some of the law enforcement agencies in the county have lost confidence in the ability of CORA counselors to respond in a timely and helpful manner. This lost confidence must be restored. Furthermore, CORA's efforts to improve their communication system must be carefully monitored to ensure that improvement continues until acceptable service is consistently achieved.

² http://www.co.sanmateo.ca.us/smc/department/home/0,,15587572_18213332,00.html

Recommendations

The Grand Jury recommends that the San Mateo County Board of Supervisors:

1. Amend the County's contract with Community Overcoming Relationship Abuse to establish enforceable performance standards.
2. Request that all law enforcement agencies in the county provide quarterly assessments of Community Overcoming Relationship Abuse's response that can be used to determine if Community Overcoming Relationship Abuse is meeting its contractual obligations.

APPENDIX A

Questionnaire sent to law enforcement:

1. Does your Department operate under the guidelines of the County of San Mateo Domestic Violence Protocol?
2. How many domestic violence calls did your agency respond to in 2007?
3. Of those calls, how many times was CORA called or paged from the scene?
4. How many times was the page or call answered by a CORA counselor prior to the officer leaving the scene?
5. Has CORA provided your agency with feedback about mandated referrals made by your line officers?

Compilation of Responses

City	1 Operate under guidelines?	2 DV calls responded to	3 Of these, number of times CORA paged	4 CORA answered while officer on scene	5 Have received feedback from CORA	CORA's reported calls from these cities
Atherton	Y	4	3	2	Y	3
Belmont	Y	29	15*	2	Y	49
Broadmoor	Y	N/A	N/A	N/A	N	11
Brisbane	Y	5	5	5	N	4
Burlingame	Y	39	25	2 (8%)	N	43
Colma	Y	14	4	N/A	N/A	6
Daly City	Y	378 or 553	N/A	Unknown	N	536
E. Palo Alto	No response					
Foster City	No response					
Half Moon Bay	Y	59	2 [23 faxed]	2	N	24
Hillsborough	Y	8	8	8	+50%	7
Menlo Park	Y	105	273.5	50%	N	20
Millbrae	N	19	8	2	Y	15
Pacifica	Y	127			Y	179
Redwood City	Y	247	199	N/A	N	199
San Bruno	Y	297	0	N/A	Y	246
San Carlos	Y	33	N/A or 90%	90% est	Y	35
San Mateo	Y	259	N/A	N/A	Y	246
S. San Francisco	Y	597	All (est)	N/A	Y	300
Sheriff (County)	Y	223	200	50%	N	63

N/A – Not Available

* Reports did not specify if calls were placed from the scene or after leaving the victim's residence.



COUNTY OF SAN MATEO
Inter-Departmental Correspondence

County Manager's Office

DATE: September 25, 2008
BOARD MEETING DATE: October 7, 2008
SPECIAL NOTICE: None
VOTE REQUIRED: None

TO: Honorable Board of Supervisors
FROM: John L. Maltbie, County Manager
SUBJECT: 2007-08 Grand Jury Response

RECOMMENDATION

Approve this report containing the County's responses to the following 2007-08 Grand Jury report: Victims of Domestic Violence and Responding Law Enforcement Officers Need Better Support Reports.

VISION ALIGNMENT:

Commitment: Responsive, effective and collaborative government.

Goal 20: Government decisions are based on careful consideration of future impact, rather than temporary relief or immediate gain.

This activity contributes to the goal by ensuring that all Grand Jury findings and recommendations are thoroughly reviewed by the appropriate County departments and that, when appropriate, process improvements are made to improve the quality and efficiency of services provided to the public and other agencies.

DISCUSSION

The County is mandated to respond to the Grand Jury within 90 days from the date that reports are filed with the County Clerk and Elected Officials are mandated to respond within 60 days. To that end, attached is the County's response to the Grand Jury report on Victims of Domestic Violence and Responding Law Enforcement Officers Need Better Support Reports, issued on July 14, 2008.

Victims of Domestic Violence and Responding Law Enforcement Officers Need Better Support Reports

Findings:

Staff is in general agreement with the Grand Jury's findings.

Recommendations:

The Board of Supervisors should:

- 1. Amend the County's contract with Community Overcoming Relationship Abuse to establish enforceable performance standards.**

Response: Concur. The County has met with the Executive Director of Community Overcoming Relationship Abuse (CORA) and is developing a specific, enforceable performance measure regarding the response to cell phone pages by law enforcement that will be included in the contract with CORA. While the County's contract with CORA has enforceable performance standards regarding different aspects of the program, including response to 100% of the victims referred by law enforcement, it does not contain a performance measure specific to the cell phone pager response within 15 minutes. The County's target date is that any contracts beginning July 1, 2009 will contain meaningful and measurable performance measures.

CORA will conduct a quarterly survey of law enforcement to assess the responsiveness of the Emergency Response Program. The County will work with CORA and local law enforcement to create the survey. A report on the survey results will be forwarded to the County will occur within 6 months. In addition to the survey, CORA will continue to meet with law enforcement on a quarterly basis to address any issues and continue to build their relationship.

- 2. Request that all law enforcement agencies in the county provide quarterly assessments of Community Overcoming Relationship Abuse's response that can be used to determine if Community Overcoming Relationship Abuse is meeting its contractual obligations.**

Response: Concur. The Board of Supervisors will send letters to all law enforcement agencies in the county encouraging a cooperative effort with the Human Services Agency and CORA in identifying useful standards of performance measurement and data collection that will yield comparable statistics by which to evaluate CORA's contractual performance.