



Supplement to

**CIVIL  
PROTECTION  
ORDERS:**

**A Guide for Improving Practice**

**COMMUNITY SUPERVISION**

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## COMMUNITY SUPERVISION Introduction

In 2010, the National Council of Juvenile and Family Court Judges (NCJFCJ) published *Civil Protection Orders: A Guide for Improving Practice (CPO Guide)*, which contains strategies for various disciplines involved in the civil protection order process. This supplement addresses the role of Community Supervision professionals in improving civil protection order practice and provides concrete strategies for their involvement. A parallel supplement addresses the role of Court Staff and Court Administration.<sup>1</sup>

Community supervision officers<sup>2</sup> play many roles in the criminal justice system, each of which provides unique opportunities to enhance the safety of victims and to hold offenders<sup>3</sup> accountable for the domestic violence they perpetrate. Officers may provide pre-trial services to the court in criminal and/or civil domestic violence cases (including in civil protection order (CPO) cases), they may supervise domestic violence offenders as part of a more general population of offenders, or they may specialize in the supervision of domestic violence offenders.<sup>4</sup> Even if officers typically do not handle domestic violence cases, an offender under supervision may commit a domestic violence crime or

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1 Selected sources in these footnotes are reproduced at the NCJFCJ's web page on civil protection orders at <http://www.civilprotectionorders.org/#resources>.

2 This supplement is intended to provide guidance for community supervision professionals who may play one or more of several potential roles, including as pretrial supervision professionals, probation officers, and parole officers. We use the term "supervision officers" to include professionals in any of these roles.

3 Note that this document uses the term "offender" to refer to the person under investigation by or supervision of supervision officers. These individuals generally are defendants in criminal cases or respondents in civil protection order cases.

4 Research indicates that focused attention on supervision of domestic violence offenders can, with additional supports (including victim contact, monitoring of batterer's intervention program compliance, and strong judicial oversight), reduce re-abuse. This research is summarized in *Practical Implications of Current Domestic Violence Research for Probation Officers and Administrators* (Battered Women's Justice Project 2015), [http://www.bwjp.org/assets/documents/pdfs/practical\\_implications\\_of\\_current\\_domestic\\_violence\\_research\\_for\\_probation\\_officers\\_and\\_administrators.pdf](http://www.bwjp.org/assets/documents/pdfs/practical_implications_of_current_domestic_violence_research_for_probation_officers_and_administrators.pdf). See also *Evaluation of the Rhode Island Probation Specialized Domestic Violence Supervision Unit* (National Institute of Justice 2005), <http://www.ncjrs.gov/App/Publications/abstract.aspx?ID=244821>.

become subject to a CPO during the course of supervision, calling for an appropriate response by the officer. In fact, some offenses may not appear to be domestic-violence-related until deeper investigation reveals that they are, and all officers should conduct the investigation necessary to make that determination and respond appropriately. The practice strategies described below provide guidance for all of these critical activities.

This supplement to the *CPO Guide* was written *by community supervision officers* to provide useful guidance *for community supervision officers* on how to use their unique position within the justice system to provide enhanced safety for victims and children while taking appropriate steps to ensure that offenders who violate CPOs or commit other domestic violence offenses are held accountable. Ideally, to ensure widespread adoption and promote accountability, the practical strategies described in this supplement should be incorporated into protocols or standard operating procedures and adapted to jurisdictions' processes and needs. All supervision officers should receive ongoing training on domestic violence and the application of any protocols and practices adopted by the agency.

Please note that the practice strategies in this document are consistent with, and in some instances adapted from, the excellent guidance provided by the American Probation and Parole Association's publication *Community Corrections Response to Domestic Violence: Guidelines for Practice*, available at <https://www.appa-net.org/eweb/docs/APPA/pubs/CCRDV.pdf> (hereinafter cited as the "APPA Guidelines").

### **What specific roles do community supervision officers play in the effective issuance and enforcement of civil protection orders?**

#### ***Community supervision officers gather, analyze, and share with the court information regarding the domestic violence risk posed by offenders***

Although practice varies widely across the country, many officers support judicial decisions to set bail and impose conditions of release or parole, including in cases involving violations of CPOs. Some officers provide such services prior to issuance of CPOs even in the absence of a criminal case. When they provide information and make recommendations in these contexts, officers investigate the nature of the offense and examine, among other things, specific domestic violence risk factors to bring to the court's attention. This may obviate the need for the victim to appear and proffer evidence regarding the case, and results in greater information to support judicial decision-making than would be available without the pre-trial investigation.

***Community supervision officers monitor compliance with CPOs and respond swiftly to violations***

Officers who closely supervise domestic violence offenders are able to detect violations of court orders, including CPOs, and take appropriate, victim-protective steps, including initiating revocation proceedings and providing information to prosecutors to support prosecution for the violation. No other stakeholder charged with monitoring compliance can act as quickly and effectively in addressing violations to protect victims and hold offenders immediately accountable.

***Community supervision officers communicate with victims in the aftermath of a domestic violence offense and serve as a key conduit to information, support, and services***

Domestic violence cases call upon officers to engage in practices that they may not employ in other criminal contexts due to the unique nature of these cases. Perhaps the most important difference is the intimate relationship between the offender and victim, and the fact that the victim’s safety and other concerns related to the abuse usually are ongoing (and often elevated) upon the initial filing for a CPO or the offender’s arrest. Officers, as the APPA has noted, “play a crucial role in making it possible for victims to achieve safety, autonomy, and self-determination while also holding offenders accountable for their actions.”<sup>5</sup> Officers are able to provide victims with information about the case, available resources and services (including referrals to advocacy and other victim services), and how to report violations or other concerns. Research demonstrates that effective communication with victims by officers enhances safety and accountability by promoting greater likelihood of victim reports of no-contact violations.<sup>6</sup>

***Community supervision officers ensure offender understanding of responsibilities, potential criminal liability and other consequences of non-compliance with CPOs and other court orders***

By taking steps to carefully explain to offenders the requirements and prohibitions imposed by CPOs and other orders, as well as the consequences of non-compliance, and answering offenders’ specific questions about the orders, officers promote compliance and changes in offender behavior.

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5 APPA Guidelines, p. 157.

6 APPA Guidelines, pp. 157-8.



# PRACTICE STRATEGIES

## Strategy #1:

### **Integrate effective practices regarding CPOs during the investigation and assessment of all criminal cases**

- **Determine whether any civil protection orders (CPOs) have been or are currently in effect against the offender.**
  - Supervision officers should think creatively about where the information about past or current CPOs may exist: even if a CPO is not listed in a community's or in a state's registry, it may be found in another location, including the jurisdiction where the crime was committed, where the victim or offender lives or has lived in the past, where either party works, where a school attended by either party or their children is located, or in the national database for CPOs, the National Criminal Information Center's Protection Order File (the NCIC POF).
  - Officers should verify the validity of any CPO they discover.
    - For in-state orders, officers should consult the issuing court.
    - For out-of-state orders, officers should take steps to confirm that the orders are entitled to full faith and credit, and therefore should be enforced under the enforcement procedures in their jurisdiction, under both the federal Violence Against Women Act's Full Faith and Credit provisions (found at 18 U.S.C. §§ 2265 and 2266) and any state full faith and credit implementing legislation.<sup>7</sup>
  - Determine whether the offender's criminal history includes any CPO violations and determine the underlying conduct and its relevance to the supervision officer's investigation or recommendations to the court.

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7 For a matrix containing full faith and credit enabling legislation from jurisdictions around the country, see <http://www.bwjp.org/ncpoffc-ffc-state-and-territorial-matrix.pdf>. For guidance on determining whether a protection order is valid and entitled to full faith and credit, see <https://www.theiacp.org/sites/default/files/all/p-r/ProtectingVictimsOfDV.pdf> and [http://www.bwjp.org/assets/documents/pdfs/ffc\\_prosecutors\\_guide.pdf](http://www.bwjp.org/assets/documents/pdfs/ffc_prosecutors_guide.pdf).

- **Ensure that screening for CPOs includes orders for which the offender is the protected party, and take steps to create a case plan that promotes his or her safety and does not undermine the CPO.<sup>8</sup>**
- **If a valid CPO is identified, take appropriate action, including:**
  - Incorporate information about CPOs and CPO violations in conducting assessment of the case, including risk and lethality assessments.
  - Ensure that any recommendations made to the court regarding criminal orders (conditions of release, bail/bond orders, etc.) are consistent with any CPO conditions that currently are in place.
    - If it is determined that such provisions are inappropriate due to a change in circumstances (for instance, if a more recent offense indicates the need for new or increased protective provisions), recommend such protections.
  - Consider recommending that supervision orders in criminal cases incorporate all terms of CPOs.
    - Incorporation of terms into criminal orders enables enforcement by supervision officers even if law enforcement does not enforce the CPO
- **Supervision officers involved in criminal cases should work with courts to ensure pre-trial release, probation, and parole conditions require compliance with any CPO currently in effect and specify sanctions for violations.**
  - Conditions of supervision should include a requirement that an offender provides the officer with a copy of any new or modified CPOs issued during supervision.
- **Officers should use assessment tools that address DV risk, as well as more general criminogenic risks.**
  - Such tools should include questions about the existence of CPOs.
  - Some validated tools to consider for assessing risk of re-abuse include the Domestic Violence Screening Instrument (DVSI), the Ontario Domestic Assault Risk Assessment (ODARA), and the Spousal Assault Risk Assessment (SARA).<sup>9</sup>
  - For assessing danger of lethal violence, officers should consider implementing

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8 Note that Guideline 33 of the APPA Guidelines provides as follows: “Women offenders on community supervision are screened for a history of or current domestic violence, and if abuse is present, they are provided the same supportive services as are nonoffender victims.”

9 For a brief description of these risk assessment instruments, see <http://www.bwjp.org/our-work/topics/risk-assessment.html>.

- the Danger Assessment instrument.<sup>10</sup>
- Community supervision agencies should recognize that no perfect risk-assessment tool exists; guidance regarding adoption of instruments for assessing re-abuse and lethal violence risk is available from several sources.<sup>11</sup>
  - **In conducting investigations regarding interstate or intrastate transfers of offenders, include an assessment of whether there are any CPOs in place and whether the transfer could endanger the victim (e.g., offender moving closer to the victim).**

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<sup>10</sup> See <https://www.dangerassessment.org> (Johns Hopkins School of Nursing), developed by Jackie Campbell. The following report addresses the use of all of the instruments cited in this supplement: [https://www.cpoc.org/sites/main/files/file-attachments/dvfullreport\\_final.pdf](https://www.cpoc.org/sites/main/files/file-attachments/dvfullreport_final.pdf). See also [http://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/rr12\\_8/rr12\\_8.pdf](http://www.justice.gc.ca/eng/rp-pr/cj-jp/fv-vf/rr12_8/rr12_8.pdf).

<sup>11</sup> See, for example, APPA Guidelines Chapter 7 and *Evidence-Based Practices for Assessing, Supervising and Treating Domestic Violence Offenders* (Crime and Justice Institute at Community Resources for Justice 2012), <http://www.cpoc.org/assets/Data/dvfullreport.pdf>.





# PRACTICE STRATEGIES

## Strategy #2:

### **Integrate effective practices during the investigation and assessment of CPO cases<sup>12</sup>**

- **Investigate the offender’s criminal history of domestic violence (DV), including previous CPOs, violations, arrests, etc.**
  - Investigate cases involving previous victims, which may demonstrate a pattern of abusive behavior or indicate a serial abuser.
- **Conduct a related case search and coordinate efforts with any other law enforcement or community supervision agencies involved in any related cases.**
- **Community supervision agency management should encourage and help CPO court administration colleagues to develop protocols to ensure that courts hearing CPO cases determine whether a party is under community supervision, including a process to communicate with the supervising agency.**
- **Officers should use risk and lethality assessments in their investigation and assessment of offenders in CPO cases; see Practice Strategy #1, above, for more information.**
- **Assessments should be based upon an understanding of domestic violence, including characteristics of batterers and the effects of DV on victims, and officers should clearly describe the DV-based rationale for the assessment findings and conclusions.**
- **In making recommendations, ensure that suggested CPO terms and conditions are consistent with any existing orders.**
  - If it is determined that such provisions are inappropriate due to a change in

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<sup>12</sup> This practice strategy is directed to supervision officers who conduct investigations and assessments in connection with the entry of CPOs and/or with enforcement of violations of CPOs. We recognize that officers do not play such a role in many jurisdictions, but encourage communities, where possible, to devote community supervision resources to CPO cases.

- circumstances (for instance, if a more recent offense indicates the need for new or increased protective provisions), recommend such protections.
- **Consider recommending use of GPS monitoring where available; advocate for funding for use of GPS monitoring in CPO cases, where their use is appropriate in light of the potential for a high risk of lethality.**
    - Even absent GPS monitoring, be aware of how geography/community characteristics affect violations and the enforcement of CPO terms.



# PRACTICE STRATEGIES

## Strategy #3:

**Ensure that supervision and monitoring of all offenders includes strategies to detect and appropriately respond to CPO violations, issuance of new CPOs, and related issues**

- **Officers should monitor both direct and indirect (e.g., through use of intermediaries) violations of protection orders.**
  - Monitoring should include all provisions of CPOs, including stay-away/no-contact, no abuse, payment of restitution and other economic relief, firearms surrender, substance abuse treatment, batterers intervention programs, etc.
  - Officers should be aware of and understand all CPO provisions and terms, not just stay-away/no-contact provisions.
    - They should understand and be able to address violations of provisions that place limitations on the means of communication, that address children, that address economic effects, and that require participation in treatment programs.
  - Recognize that some offenses may be “disguised” DV offenses (e.g. disorderly conduct), which may also constitute violations of CPO terms and/or violations of criminal orders that incorporate the terms of CPOs.
  - As part of monitoring activities, officers should regularly investigate whether a CPO has been issued against an offender.
    - The frequency of the monitoring for CPOs could vary, depending on the offender (including his behavior and activities); supervision officers could conduct monitoring, for example, whenever a criminal justice information alert is released or prior to all scheduled meetings with the offender.
  - Supervision officers should monitor/screen for potential CPO violations by reviewing law enforcement stop/arrest reports.
    - Because reports may not explicitly indicate a potential CPO violation or DV incident, officers should make this determination independently by

inquiring into who was involved in the incident, what happened, when it occurred, and why the stop/arrest was made.

- For example, an arrest involving a vehicle may have occurred while the offender was using the victim's vehicle in violation of a CPO (or a criminal order).
- **Officers should recognize that CPO violations may be indicative of stalking behavior and should address them with an understanding of the potentially increased risk of lethality.**
- **Upon learning about issuance of a CPO against an offender under supervision, officers should:**
  - Serve the order unless prohibited by law (supervision agencies should adopt and implement a protocol for service of CPOs).
    - If officers are prohibited by law or policy from serving CPOs, they should facilitate service by law enforcement by providing relevant information.
  - Bring the offender in and ensure that he knows and understands all CPO terms.
    - If offender has not been served with the CPO, serve it or arrange for law enforcement to serve it at the supervision officer's office.
    - Explain all terms to the offender.
    - Explain how each term of the order will be enforced.
    - Describe concrete violation scenarios (for example, if offender encounters protected person in a grocery store, the offender must leave or risk arrest).
    - Ask offenders to describe situations about which they are concerned and explain the likely outcome.
  - Document service of orders and explanation of terms to support future enforcement efforts.
    - For example, complete the affidavit of personal service or similar form.
    - Send a copy of documentation to the issuing court, which enables the court to ask whether offender learned about the order from the supervision officer to establish notice.
- **Officers should strive for “wrap-around supervision” by communicating and coordinating with other officers who are supervising the offender as well as relevant outside agencies.**
  - For instance, child protection services personnel can be a source of

information regarding violations of CPOs.

- **Ensure compliance with firearms laws and firearms provisions in protection orders.**
  - Be aware of all applicable state, tribal, and federal laws, including prohibitions against possession or requirements to surrender firearms resulting from entry of a CPO, and ensure that all offenders comply with such laws.<sup>13</sup>
  - Supervision agencies should partner with law enforcement agencies in implementation of protocols developed to ensure offender compliance with orders to surrender firearms.
    - Officers should become familiar with protocols in place and identify challenges that community supervision can assist law enforcement agencies to overcome.
    - Protocols should require an inquiry as to the supervision status of individuals against whom CPOs with firearm surrender provisions have been issued, and the supervising officer should receive notice of the CPO and surrender requirement.
  - Officers should conduct periodic checks of firearms license/permit databases and firearms registries (where they exist) to detect firearms violations by offenders who are prohibited from possessing firearms.
  - Officers should ask offenders about their access to firearms and make them aware of any applicable prohibitions, and they should document these efforts to support future enforcement.
- **Community supervision agencies should ensure that all relevant forms and reports include information regarding violations of protection orders and related issues.**
- **Agencies should consider adoption or modification of the following Guidelines developed by the American Probation and Parole Association:<sup>14</sup>**
  - In the regular course of supervision, make periodic inquiries of available information sources (e.g., NCIC, state registries, and state, regional, and local

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<sup>13</sup> Under the federal Gun Control Act, persons subject to qualifying civil protection orders (18 U.S.C. § 922(g)(8)) and/or who have been convicted of a qualifying misdemeanor crime of domestic violence (18 U.S.C. § 922(g)(9)) are prohibited from possessing or receiving a firearm. In addition to these federal domestic violence-related firearm prohibitions, many states and tribes have enacted laws addressing abusers' possession and/or access to firearms; for a compilation of such laws, see <http://www.bwjp.org/ncpoffc-firearms-and-dv-state-and-territorial-statua.pdf>.

<sup>14</sup> APPA Guidelines, pp. 31 and 172.

databases) to identify offenders subject to protection orders and document reported violations.

- In discussions with victims, ask if an order exists, explain the limitations of the order, and advise them how they can report violations to the community supervision officer, a law enforcement officer, and/or the prosecutor.
- Facilitate enforcement by contacting law enforcement and/or the prosecutor to ensure they take appropriate action on reported violations.
- Facilitate enforcement by holding the offender accountable for behavior that violates a protection order.
- Consider initiating proceedings to revoke the offender's pretrial release privilege or probation when offenders are charged with violating a protection order.
- Initiate proceedings to revoke the offender's pretrial release privilege or probation when offenders are convicted of violating a protection order or a court finds the offender to be in contempt for violating a protection order.
- Screen women offenders on community supervision for a history of or current domestic violence, and if abuse is present, provided them with the same supportive services as those provided to non-offender victims.



# PRACTICE STRATEGIES

## Strategy #4:

### **Adopt practices for safe, effective, and confidential communication with victims<sup>15</sup>**

- **Recognize that safety-focused and trauma-informed communication with domestic violence victims is an essential component of a supervision officer's role.<sup>16</sup>**
  - Recognize that while supervision officers have a responsibility to enforce violations of court orders, they can take steps to reduce unintended adverse safety consequences for victims, including by asking victims about what they perceive to be the risks and consequences of enforcement efforts and by facilitating victims' access to effective advocacy services.
- **Supervision officers should provide all victims with referrals to victim advocacy services agencies, especially victims who have not yet conducted safety planning and have not learned about the option of obtaining a civil protection order.**
  - Officers should have ready access to up-to-date contact information for victim advocacy and other relevant community service providers.
  - Ideally, officers will have developed relationships with community-based organization and can make referrals directly through phone calls to individuals at the service organization.

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<sup>15</sup> This document specifically addresses the role of community supervision officers regarding civil protection orders and therefore provides specific guidance about victim communication focused on that topic. The APPA Guidelines provide excellent general guidance on working with domestic violence victims on pp. 156-181.

<sup>16</sup> As the APPA Guidelines note:

Community corrections professionals cannot guarantee the safety of women who are abused. However, these professionals play a crucial role in making it possible for victims to achieve safety, autonomy, and self-determination while also holding offenders accountable for their actions. Indeed, the work and dedication of community corrections professionals prevents the homicides of numerous women throughout the country each year. Community corrections professionals are in a key position to provide support for women who are abused and to respond in ways that can meet their needs more effectively. APPA Guidelines, p. 157

- **In addition to making appropriate referrals to advocacy service providers, community supervisions officers should discuss with victims the option of obtaining a civil protection order, including the relief available and the potential advantages and disadvantages of applying for an order.**
  - Ultimately, the decision to seek a CPO needs to be made in the context of careful safety planning, so the referral to advocacy services is critical.
  - If a victim informs the supervision officer that the victim wants to have the order dismissed, the officer should discuss alternatives with the victim (such as options for modifying, rather than dismissing the order), engage in a conversation with the victim about risk and dangerousness, and/or refer the victim to an advocate for further discussion before seeking the dismissal.
- **Supervision officers should ensure that victims receive notification of events that may increase their risk, including service of CPOs, failure of offenders to surrender firearms, upcoming expiration of a CPO and/or release from supervision, etc.**
  - Officers should provide victims with an opportunity to discuss their concerns and should provide assistance, including by offering referrals to other agencies where appropriate.
- **Refer to community services.**
  - Ensure that all supervision officers, including those who do not specialize in DV, have victim referral resources.
  - Ensure that officers are trained to ask victims whether they have resources for safety planning and know about hotlines and other services.
- **Ensure that community supervision efforts in the context of civil protection orders further the autonomy of victims (i.e., their ability to have their voices heard in the process and make their own choices about whether to pursue a particular course of action).<sup>17</sup>**
- **Supervision officers' interviews and further work with victims should be victim-centered, trauma-informed, and strengths-based.<sup>18</sup>**

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17 The APPA Guidelines recognize that victim autonomy is one of the “core goals” for community supervision and provide specific recommendations on steps supervision officers should take to promote autonomy. APPA Guidelines, pp. 52-53.

18 For guidance on how supervision officers can integrate victim-centered, trauma-informed, and strengths-based practices into their work with domestic violence victims, see *Probation Interviews with Victims of Battering: Building a Foundation for Current and Future Safety* (Battered Women’s Justice Project 2014), [http://www.bwjp.org/assets/documents/pdfs/probation\\_interviews\\_with\\_victims\\_of\\_battering\\_building\\_a\\_foundation\\_for\\_current\\_and\\_future\\_safety.pdf](http://www.bwjp.org/assets/documents/pdfs/probation_interviews_with_victims_of_battering_building_a_foundation_for_current_and_future_safety.pdf).



- In the context of CPOs, officers should recognize that a victim's decision not to obtain a civil protection order, even when the officer perceives that one may be in her and her children's best interests, may reflect a careful consideration of the advantages and risks in her particular circumstances.
- Officers should obtain training on trauma and trauma-informed practices in cases involving domestic violence.<sup>19</sup>
  - For example, training should address how to avoid questioning victims in a way that blames them or makes them feel responsible for an offender's behavior.

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<sup>19</sup> For additional examples of training topics for supervision officers, see Practice Strategy #7.



# PRACTICE STRATEGIES

## Strategy #5:

### **Collaborate with all relevant stakeholders to protect victims and hold offenders accountable in cases involving CPOs**

- **Community supervision agencies should collaborate with community-based domestic violence advocacy programs.**<sup>20</sup>
  - Effective collaboration, communication, and trust between domestic violence advocacy programs and supervision officers better enables officers to ensure safety for victims and accountability for offenders, including because advocates can inform supervision officers about violations.<sup>21</sup>
  - Ensure that all partners understand and abide by governing confidentiality requirements; obtain written releases based upon the victim's full informed consent before sharing information.<sup>22</sup>
- **Agencies should collaborate with law enforcement agencies, child protective**

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20 For example, the Domestic Violence Unit of the District of Columbia Court Services and Offender Supervision Agency collaborates with DC SAFE, a community-based victim services organization. As part of the collaboration, DC SAFE alerts the community supervision agency about all high-risk/lethality domestic violence cases, so that the agency may determine whether the offender is under supervision; if so, interventions are immediately put into effect, and quarterly case reviews are conducted to ensure that supervision is effective. In Deschutes County (Bend), OR, the domestic violence offender supervision program uses a collaborative approach that includes, among other aspects, specialized parole/probation officers, approved Batterer Intervention and domestic violence treatment providers, victim advocates from community-based and prosecutor's office victim advocates, and a child welfare caseworker. For further information, see <https://www.deschutes.org/justice/page/domestic-violence-offender-supervision>. For general information and suggested practices regarding community supervision agency collaboration with community-based organizations that serve victims of crime, see *Collaboration and Partnerships for Victim Services in Community Corrections* (American Probation and Parole Association), <https://www.appa-net.org/eWeb/docs/APPA/pubs/PVRPPP-FACTSHEET-2.pdf>.

21 With information from advocacy programs, supervision officers may be able to take action based upon a violation without requiring the victim's involvement (or the offender's perception that the victim was involved); for example, if an officer learns about a CPO violation that also involved the offender's use of a controlled substance, he or she can order a random drug screen and sanction the offender based upon that violation rather than the domestic violence offense.

22 Under the Violence Against Women Act's confidentiality requirements, releases must be written, informed, and reasonably time-limited. For further information, see <https://nnev.org/mdocs-posts/faqs-on-survivors-confidentiality-releases/>.

**services (CPS), and other key CPO system stakeholders.**

- Officers should become aware of case overlap with other agencies (for example, when supervised individuals also are involved in a child protection matter) and coordinate with the relevant agency.
- **Collaboration efforts should have as one focus the enforcement of CPOs.**
  - For example, collaboration between supervision officers and CPS can result in CPS identifying situations in which the offender is in violation of an existing CPO.
  - Supervision officers and law enforcement should collaborate on checks for violations of CPOs, including night visits.
- **Additional suggestions for enhancing collaboration:**
  - Officers supervising offenders in criminal domestic violence cases should coordinate with any officers monitoring CPO cases; both cases should be assigned to a single officer if possible.
  - Supervision officers should collaborate with the state hunting license/permit authority (e.g., Dept. of Natural Resources) to learn when prohibited persons apply for hunting licenses/permits.
  - Officers should collaborate with corrections agencies to ensure that reentry/parole release does not result in an offender being located in violation of an existing CPO.
  - Officers should collaborate with agencies responsible for ankle-bracelet monitoring/house arrest to ensure that the location or terms do not result in CPO violations.
  - Community supervision agencies should consider engaging in multiple partner agency meetings regarding offenders subject to supervision/monitoring by the different agencies.<sup>23</sup>
  - Join as a collaborative partner in any high-risk offender project taking place in the community.<sup>24</sup>

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23 For example, in Washington, D.C., the community supervision agency convenes “staffings” with the CPS agency to meet with the victim and children to safety plan, provide information and resources, etc. The agency also conducts quarterly staffings with D.C. SAFE, a community-based victim advocacy agency, regarding high-risk/lethality cases.

24 An example of a high-risk offender supervision program is found in Deschutes County (Bend), Oregon: <https://www.deschutes.org/justice/page/intensive-supervision-program-domestic-violence>. Communities across the country have been implementing a broader collaborative effort to address high-risk offenders known as the Domestic Violence High Risk Team (DVHRT) Model. For further information, see <http://www.dvhr.org/about>.



## PRACTICE STRATEGIES

### Strategy #6:

#### **Engage in practices to increase the effectiveness of batterer intervention programs (“BIPs”) in CPO cases<sup>25</sup>**

- **Supervision officers should become familiar with BIP programs to make appropriate recommendations to the court regarding orders to participate.**
  - Note that programs have different philosophies and approaches: some have a therapeutic focus, while others focus on cognitive restructuring; depending on the philosophy and approach of the program, some may be less likely to report admitted violations of CPOs to supervision officers.
  - Supervision officers should provide copies of CPOs to the provider and take a team approach regarding monitoring compliance.
  - Consider not making referrals to programs that will not report violations to supervision officers.
  - Be aware of any governing Certification/Program Standards in the jurisdiction.
- **Officers should establish close communication with BIPs regarding offenders’ attendance, compliance with program rules, and participation in programs; officers and programs should work together to ensure that participation is meaningful.**
- **Officers should help victims to understand the nature of BIP programs and to have realistic expectations concerning outcomes of participation by offenders.**
- **Officers should emphasize to offenders that participation is required and will be monitored; that they must obey all court orders, including mandatory participation in programs.**

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25 For guidance regarding the appropriate use and effective monitoring of BIPs, from a community supervision perspective, see *New York State Model Policy for Domestic Violence: Probation Response to Domestic Violence* (NYS Probation Domestic Violence Intervention Project 2010), <http://www.criminaljustice.ny.gov/opca/pdfs/Probation-Domestic-Violence-Integrated-Package-2010.pdf>; APPA Guidelines, pp. 182-205.

- **Officers should have a mechanism in place to communicate with the court regarding compliance and participation in programs; an effective mechanism to report violations should be implemented.**



# PRACTICE STRATEGIES

## Strategy #7:

### Ensure that all supervision officers receive ongoing, comprehensive training on domestic violence<sup>26</sup>

- **Supervision officers should receive comprehensive and ongoing DV training, including topics such as:**
  - Trauma and its effects on victims and children
  - The effects of domestic violence on children (including the Adverse Childhood Experiences (ACE) study)<sup>27</sup>
  - Characteristics of domestic violence offenders
  - Victim-centered approach and understanding counter-intuitive responses by victims<sup>28</sup>
    - E.g., recognizing that victims might choose to reconcile with the offender and that helping to safety plan is an appropriate response
  - How to interview victims and offenders
  - Risk and dangerousness assessment, specific to domestic violence (beyond other criminogenic factors)
  - How to identify domestic violence in cases not initially so identified
  - Cyber violence
  - Legal remedies available to victims, including CPOs
  - Questions to ask/signs to look for during home visits that indicate DV may be

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26 In Hennepin County (Minneapolis), MN, several successful trainings of supervision officers have been based on the article *Context is Everything*, by the Battered Women's Justice Project, [http://www.bwjp.org/assets/documents/pdfs/effective\\_interventions\\_context\\_is\\_everything.pdf](http://www.bwjp.org/assets/documents/pdfs/effective_interventions_context_is_everything.pdf).

27 For comprehensive information about the ACE study, see <https://www.cdc.gov/violenceprevention/acestudy/>.

28 Agencies should consider adapting for supervision officers "Comings and Goings," an experiential learning exercise in which participants "walk in the shoes" of a victim with children as she navigates the legal system and other processes. The exercise was developed by the National Judicial Institute on Domestic Violence, adapted from an exercise originally created by the National Clearinghouse on Abuse in Later Life addressing elder abuse. See <http://www.ncjfcj.org/sites/default/files/Comings%20and%20Goings%20Exercise%205.15.14.pdf>.

an issue

- Description of resources available if DV is identified, and appropriate next steps for the officer to take
- **All supervision officers, not just those specializing in DV offenders, should receive comprehensive, ongoing domestic violence training.**
- **Community supervision agencies should consider requiring that officers attend a comprehensive domestic violence training offered in the local community for advocates; in addition to substantive learning, officers develop relationships with colleagues in advocacy and other programs, available services, etc.**
- **Agencies should consider developing a reference tool for officers explaining the types of CPOs available in the jurisdiction, the relief available, who may seek dismissal of the order, and other issues that arise frequently in their work with DV victims and offenders.<sup>29</sup>**

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<sup>29</sup> One such tool has been developed by the Hennepin County Family Violence Coordinating Council, Criminal Committee. Copies can be obtained from the NCJFCJ.



# PRACTICE STRATEGIES

## Strategy #8:

### Take action to minimize bias and ensure cultural responsiveness in all facets of supervision officers' work

- **Community supervision agencies should prioritize cultural responsiveness, which may be defined as “the ability to learn from and relate respectfully with people of your own culture as well as those from other cultures.”<sup>30</sup>**
  - Cultural responsiveness should be demonstrated by the agency as a whole, through its policies and practices, as well as in how officers supervise individual offenders and communicate with victims and others.
- **Agencies should adopt a specific policy or protocol addressing cultural responsiveness, which may be used as a basis for assessing how the agency and its officers engage with individuals from diverse cultures within the community and as a basis for ongoing training of officers and other staff.<sup>31</sup>**
- **Agencies should develop partnerships with community-based organizations serving individuals from underserved populations and take other steps to enhance their ability to supervise offenders from those populations and provide them with referrals and information about culturally appropriate services.<sup>32</sup>**

<sup>30</sup> See *Cultural Responsiveness and the Courts* (Center for Court Innovation), [http://www.courtinnovation.org/sites/default/files/documents/Cultural\\_Responsiveness\\_0.pdf](http://www.courtinnovation.org/sites/default/files/documents/Cultural_Responsiveness_0.pdf). The definition comes from the National Center for Culturally Responsive Educational Systems, in *Culturally Responsive Pedagogy and Practice*, [http://www.niusileadscape.org/docs/pl/culturally\\_responsive\\_pedagogy\\_and\\_practice/activity2/Culturally%20Responsive%20Pedagogy%20and%20Practice%20Module%20academy%202%20%20Slides%20Ver%201.0%20FINAL%20kak.pdf](http://www.niusileadscape.org/docs/pl/culturally_responsive_pedagogy_and_practice/activity2/Culturally%20Responsive%20Pedagogy%20and%20Practice%20Module%20academy%202%20%20Slides%20Ver%201.0%20FINAL%20kak.pdf).

<sup>31</sup> The *New York State Model Policy for Domestic Violence: Probation Response to Domestic Violence* (NYS Probation Domestic Violence Intervention Project (2010)) includes specific guidance regarding inclusion of cultural responsiveness in agency policies: <http://www.criminaljustice.ny.gov/opca/pdfs/Probation-Domestic-Violence-Integrated-Package-2010.pdf>.

<sup>32</sup> For example, in Washington, D.C., the community supervision agency implements Community Justice Advisory Networks (CJANs) in each of the city's seven police districts, whose mission is to “resolve key public safety issues/concerns resulting in an improved quality of life throughout the District of Columbia.” Each CJAN is made up of community members, faith-based organizations, business leaders, schools, civic organizations, businesses, nonprofit organizations, government agencies, local law enforcement entities and other



- **Agencies should consider how their practices may disproportionately impact individuals from communities of color and adopt mitigation strategies.**<sup>33</sup>
  - Officers should be trained on this topic.
- **Agencies should take steps to help officers identify and minimize any of their implicit biases regarding domestic violence, women, or individuals based upon their race, ethnicity, age, etc.**<sup>34</sup>
- **Agencies should recognize the special considerations when supervising veterans and ensure that officers take them into account (e.g., effective interaction with the Veteran’s Administration and other government entities, ensuring that veteran-focused treatment and other programs appropriately address domestic violence).**

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stakeholders. For further information, see <https://www.csosa.gov/author/admin/>.

33 A study by the Urban Institute on racial and ethnic disparity in revocations illuminates this issue and provides ways to address it: <https://www.urban.org/sites/default/files/publication/22746/413174-Examining-Racial-and-Ethnic-Disparities-in-Probation-Revocation.PDF> and <https://www.urban.org/sites/default/files/publication/33836/413175-Responding-to-Racial-Disparities-in-the-Multnomah-Countys-Probation-Revocation-Outcomes.PDF>.

34 The APPA Guidelines recommend adoption of policies that “convey that all agency employees are expected to be respectful of other people. Language and practices that convey sexism, racism or other bias against groups of people will not be tolerated. Supervisors, managers, and administrators of the agency will set a tone that communicates intolerance for domestic violence or other discriminatory behavior and will address any incidents of staff’s inadvertent complicity with domestic violence perpetrators.” APPA Guidelines. Although focused on the law enforcement response, many of the guidelines and recommendations in *Identifying and Preventing Gender Bias in Law Enforcement Response to Sexual Assault and Domestic Violence: A Roundtable Discussion* (Police Executive Research Forum and Office of Community Oriented Policing, U.S. Department of Justice 2016) may readily be adapted to the work of community supervision agencies. The report is available at <https://ric-zai-inc.com/Publications/cops-w0796-pub.pdf>.

