

# The Violence Against Women Act of 1994

Evaluation of the STOP  
Block Grants to Combat  
Violence Against Women

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Conclusions are those of the authors and do not necessarily reflect the views of the staff members, officers, trustees, advisory groups, or funders of the Urban Institute.

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# Highlights from the Report

**T**he Violence Against Women Act (VAWA), Title IV of the Violent Crime Control and Law Enforcement Act of 1994 (P.L. 103-322), provides for Law Enforcement and Prosecution Grants to states under Chapter 2 of the Safe Streets Act. The grants are “to assist States, Indian tribal governments, and units of local government to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women, and to develop and strengthen victim services in cases involving violent crimes against women.” This report documents the federal and state activities and accomplishments in the initial year of implementing the resulting “STOP Violence Against Women” grants program. It was developed under a competitively awarded grant from the National Institute of Justice to provide a basis for reporting on the progress and impact of the program.

At the federal level, the Justice Department moved quickly to translate the legislative concept to a functional reality. The Violence Against Women Grants Office (VAWGO) was established in the Office of Justice Programs (OJP) and program rules and application procedures were promptly assembled. Grants were awarded within weeks of application to VAWGO; implementation plans were approved in a timely manner.

One key to timely implementation was the technical assistance that OJP provided to grantees to help them prepare state plans which would qualify for funding. A conference, “Collaborating to STOP Violence Against Women,” was held in July 1995; teams from all 56 states and territories attended. Most state teams included six representatives such as state administrators, police officers, prosecutors, domestic violence advocates and service providers, sexual assault advocates and

service providers, and court managers or judges. Representatives from approximately 25 national groups attended, including the National District Attorneys Association, the American Prosecutors Research Institute, the National Resource Center on Domestic Violence, the National Coalition Against Sexual Assault, and the International Association of Chiefs of Police. Approximately 450 people participated in the conference. Following the conference, opportunities were provided for grantees to visit promising programs and to interact frequently with OJP staff and personnel from the STOP Violence Against Women Technical Assistance Project.

In fiscal year 1995, STOP grant awards totaled \$23.5 million to states through formula grants and approximately \$1 million to Indian tribal governments. Other program expenditures included approximately \$1 million for evaluation activities, \$250,000 for technical assistance to states and territories, and \$260,000 for federal management and administration of the STOP program. The second-year evaluation activities will begin to address the impact of the VAWA programs. In addition, other evaluation activities are addressing prosecution strategies, stalking, community coordination in response to partner violence, sexual victimization of college women, and coordinated response to domestic violence.

### ***Progress Towards Compliance with the Legislative Requirement That States and Territories Minimize the Financial Burden on Victims***

A review of the approved plans submitted by grantees indicates the following progress and accomplishments. Grant recipients were required to ensure that victims bear no personal expense for forensic medical examinations related to filing a charge of sexual assault. Thirty-seven states already were in compliance with this requirement. Eight states or territories moved rapidly to make the necessary changes in their legislation during 1995 to come into compliance with the VAWA mandates, and four additional states made necessary regulatory changes. Although specific actions taken by the remaining seven states and territories were not described in the plans, all states and territories certified in writing that they were in compliance with this requirement when they applied for their STOP grant.

A second requirement for minimizing victim financial burden is that states and territories must ensure that victims incur no out-of-pocket expenses for court costs for filing either civil or criminal complaints of domestic violence, by either waiving these fees or paying for them. OJP has not canvassed states to learn their status on the filing fees mandate, since states have until September 1996 to comply. However, it is known that three states (Arkansas, Tennessee, and Utah) passed legislation in 1995 that brought them into compliance with this VAWA requirement.

### ***Most States and Territories Plan To Distribute STOP Funds to Law Enforcement, Prosecution, and Victim Services, as Mandated***

The legislation requires that grantees distribute at least 25 percent of their STOP funds to each of the following areas: law enforcement, prosecution, and victim services. Grantees have two years to comply with this requirement and have not completed the distribution of the funds received this year. However, our review of the plans indicates that most grantees are aware of, and moving toward, this objective. Fifty states and

territories provided information on plans for allocating funds across these service areas. The planned allocations in each area were distributed as follows:

- ❑ *Law enforcement.* Approximately half the plans (27) planned to distribute exactly 25 percent of their funds to law enforcement, and 13 plans, over 25 percent. Ten plans indicated that less than 25 percent of the funds received this year were allocated for law enforcement.
- ❑ *Prosecution.* Twenty-seven plans also indicated an intention to distribute exactly 25 percent of their funds to prosecution and 14 planned to spend over 25 percent in this area. Nine grantees planned to spend less than 25 percent on prosecution this year.
- ❑ *Victim services.* The large majority of the plans with information on fund allocation indicated an intention to spend 25 percent or more of the STOP funds for victim services: 21 grantees planned to spend exactly 25 percent in this area, while 25 grantees plan to spend over 25 percent. Only four grantees planned to spend less than 25 percent of their funds this year on victim services.

### ***Review of the Specific Activities Listed in the Approved Plans Indicates a Wide Range of Activities, but Close Adherence to the Legislative Intent***

The legislation permits grants to be used for training of law enforcement personnel and prosecutors. Specific training activities described in the plans include: 1) expanding training requirements to be effective statewide; 2) creating special seminars, in-service courses, and “roll-call” training packages; 3) developing multi-disciplinary training for law enforcement, prosecution, judges, and victim services; 4) developing training for prosecutors for date rape cases; 5) developing or updating training curricula; and 6) training process-servers on issues related to domestic violence cases.

Specific plans to develop innovative policies and procedures include: 1) developing model law enforcement protocols; 2) developing a domestic violence manual for police and/or prosecutors; 3) supporting attendance at conferences where innovative policies, procedures, and protocols might be shared; 4) establishing an oversight committee to identify criminal justice system problems and supervise efforts to alleviate them; 5) expanding the availability of free legal services for the preparation of protection orders; 6) creating procedures to honor the protection orders issued by other jurisdictions (full faith and credit); 7) developing bench books for judges and court personnel; 8) developing protocols for inter-jurisdictional issues among city, county, state, tribal, and federal jurisdictions; 9) promoting collaboration among the criminal, civil, and juvenile courts; and 10) establishing statewide councils and coalitions.

Most plans stated that victim services will be expanded, often through hiring new staff. Some plans also detailed their intent to recruit and train more volunteers. Other activities related to victim services include: 1) creating a statewide emergency response 800 telephone number; 2) developing a network of translators for various languages; 3) exploring the feasibility of developing safe homes in counties without shelters; 4) expanding sexual assault services in rural areas; 5) creating

multi-disciplinary teams to respond to domestic violence and sexual assault; 6) exploring the feasibility of mobile teams to serve remote areas of the state; 7) creating a videotape describing the procedures for filing a domestic violence complaint; 8) developing questionnaires to collect service evaluation data from domestic violence and sexual assault service users; 8) providing a variety of specific technical assistance; and 8) training medical personnel and victim service professionals.

Planned improvements to establish statewide data systems for tracking sexual assault and/or domestic violence cases were mentioned in many plans. Other specific activities include: 1) developing a jail release notification system; 2) conducting a statewide victimization survey; 3) providing investigative and communications equipment for domestic violence and sexual assault units within law enforcement; 4) providing fax machines to victim service agencies to improve communications; 5) developing a computerized system linking law enforcement, prosecution, and the courts to track domestic violence arrests, protection orders, violations, and convictions; 6) developing a computer-indexed repository for statewide domestic violence and sexual assault data, statistics, and reports; 7) developing standardized data collection instruments for both sexual assault and domestic violence services; and 8) data collection and evaluation activities, such as statewide needs assessments or victim impact surveys.

### ***The Information in the Plans Often Did Not Include a Description of When and to Whom STOP Funds Would Be Distributed Within the State or Territory***

Seven states expected to distribute STOP funds to subgrantees before the end of 1995, 8 states intended to have their subgrants awarded by January 1996, another 7 expected to make awards by March 1996, and 8 more expected to award subgrants by July 1996. The remaining state plans to make its award by October 1996. The remaining 25 states did not specify a timetable. Thirty-nine states and territories did not specify how many subgrants they planned to make; 11 states planned to make 10 or fewer subgrants; and 6 states planned to make between 11 and 33 subgrants.



## CHAPTER 1

# Introduction, Background, Legislative Intent

## OVERVIEW

In 1994, Congress passed the Violence Against Women Act (VAWA) as Title IV of the Violent Crime Control and Law Enforcement Act (P.L. 103-322). This event marked a turning point in federal recognition of the extent and seriousness of violence against women, and a commitment to address the problem from the federal vantage point. One part of the Violence Against Women Act, the Law Enforcement and Prosecution Grants (Chapter 2 of the Safe Streets Act, a subpart of VAWA), provides grants “to assist States, Indian tribal governments, and units of local government to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women, and to develop and strengthen victim services in cases involving violent crimes against women.” The Office of Justice Programs (OJP) within the Department of Justice administers these grants as the “STOP Violence Against Women” grants program (the acronym stands for “Services, Training, Officers, Prosecutors”).

This report has been prepared to assess the progress and accomplishments of the STOP program as of the end of December 1995, covering the first year of STOP program authorization. It is an annual requirement under VAWA. The remainder of this first chapter addresses the background of VAWA and factors that led to passage of the legislation. It briefly describes current statistics on violence against women, the legislative and policy precursors to VAWA in the areas of domestic violence and sexual assault, the legislative mandate for the STOP grants program, the detailed purposes of this report, the important place given to accountability and evaluation in the VAWA and by the Department of Justice, and the role of the Urban Institute as independent STOP grant evaluator.

The report's second chapter describes the accomplishments of the program during its first year at the federal level, and the anticipated timing of federal actions during the second year. The third chapter describes how states have implemented the STOP program, focusing on state-level planning and application processes. The fourth chapter examines the development of state implementation plans, and looks at the planned distribution of resources across the seven legislatively mandated purposes; the three priority areas (law enforcement, prosecution, and victim services); and the three major types of violence against women specified in the Act (domestic violence, sexual assault, and stalking). The final chapter describes the more extensive and detailed information that is likely to be available for the 1997 report after states have had more than a full year to implement their programs and conduct an initial assessment of their effects.

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## **Facts about Sexual Assault and Domestic Violence**

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**T**here is a tremendous need for comprehensive, high-quality information about women's experiences of sexual assault and domestic violence. Every data source available suffers from some major deficiencies with respect to who is included, what actions are included, the time periods covered, and how questions are asked. Here we present some of the best available statistics indicating the need for action to prevent violence against women, while noting that we must do a better job in the future of gathering this critical information:

- ☐ In 1992 and 1993, about 75 percent of all lone-offender violence against women and 45 percent of violence involving multiple offenders was perpetrated by offenders whom the victim knew (Bureau of Justice Statistics, 1995).
- ☐ Among all female murder victims in 1994, 28 percent were slain by husbands or boyfriends (Federal Bureau of Investigation, 1995).
- ☐ Each year, approximately 2 million women are severely assaulted by male partners (Council on Scientific Affairs, AMA, 1992).

- ☐ More than 25 percent of American married couples experience one or more incidents of domestic violence. Repeated severe violence occurs in 1 of every 14 marriages (Feld and Strauss, 1989).
- ☐ During 1992 and again in 1993, women reported about 500,000 rapes and sexual assaults through the National Crime Victimization Survey. Friends or acquaintances of the victims committed over half of these rapes or sexual assaults. Strangers were responsible for only one in five (Bureau of Justice Statistics, 1995).
- ☐ Approximately 1 in 5 adult women has experienced a completed rape (Koss and Harvey, 1991).

Further, violent victimization has important negative consequences for women, often extending over years, as the following statistics demonstrate:

- ☐ Battering accounts for one-fifth of all medical visits by women and one-third of all emergency room visits by women in the U.S. each year (Stark and Flitcraft, 1985a; Randal, 1990).
- ☐ Seriously assaulted women are four times as likely to report a suicide attempt and spend 68 percent more days in bed than other women (Gelles and Strauss, 1990).
- ☐ Among women reporting rape in a large community sample, who were, on average, 17 years post-rape, 17 percent currently met the criteria of post-traumatic stress disorder (Koss and Harvey, 1991).
- ☐ Rape victims, regardless of the length of time since the rape, report poorer health and greater use of physician services. Intensive use extended for several years post-rape. Health problems are elevated for every bodily system, but are highest for gynecologic complaints and sexual dysfunction (Koss and Harvey, 1991).

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## Legislative, Policy, and Practice Changes During the 1970s and 1980s

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As violent crimes against women, both sexual assault and domestic violence share some similar history in the past two decades. Despite the legal treatment of one as a felony and the other largely as a misdemeanor or as a civil matter, both have been subject to failures of the criminal justice system (law enforcement, prosecution, and the courts) to treat these offenses as serious crimes. In part, these failures have stemmed from public attitudes that did not demand a strong response. Within the justice system, tolerance for these crimes was compounded by lack of knowledge about effective strategies for establishing the probable cause or proof required for official intervention and the difficulties in realizing behavioral and attitudinal changes despite significant gains in legislative action. Grassroots advocacy played a pivotal role in bringing these crimes to public attention, creating demand for expanded legal protections, and offering services to victims. We look first at the history for sexual assault, then at the history for domestic violence.

## *Sexual Assault—Recent History*

Rape has long been legally defined as a heinous crime, but victims often find that seeking help from the justice system increases the pain and trauma they experience and fails to punish offenders or provide protection. Analysis of the experience of victims shows failures attributable to shortcomings in the law, failures of the criminal justice system to respond aggressively in the spirit of the law, and deeply ingrained attitudes that view rape victims as less deserving than other crime victims.

Analyses of rape myths by Burt (1980; 1991) and Burt and Albin (1981) grouped common myths into four main types, each of which contributes to a failure to respond (similar myths prevail about women victims of domestic violence). Despite more than two decades of public education, these myths persist:

1. *It did not happen the way she said it did.* These myths undermine the victim's credibility by suggesting that accounts are completely fabricated or are self-serving accounts of consensual sexual contact.
2. *No harm was done.* These myths maintain that the victim suffered minimal demonstrable physical injuries, exaggerated the extent of her trauma, that what happened was "just sex" and therefore "no big deal," or that the victim was someone whose reputation was so disreputable already that no further harm could be done to her.
3. *Her behavior caused the attack.* Victims are often accused of behaving in a provocative way or failing to take adequate safety precautions.
4. *She deserved it.* These myths support attacker assertions that the attack was justified by victim responsibility for some transgression (real or imagined, large or small).

Legal barriers include: 1) statutory requirements that victims present evidence to corroborate their accounts and evidence of earnest resistance to attack; 2) rules of evidence that allow consideration of a victim's entire sexual history; and 3) exemptions of husbands from charges of raping their wives. These legal barriers are often accompanied by institutional policies that compound the obstacles, such as failure to compensate victims for the costs of collecting medical evidence, lack of privacy during police interviews, and investigations into the victim's private affairs.

Major changes began in the 1970s, stimulated by a growing advocacy movement. The first rape crisis centers opened their doors in 1972; many others soon followed. In addition to offering victims services, these centers used community education campaigns and victim advocacy as vehicles to change the criminal justice system's response to sexual assault. Their efforts resulted in changes in the rape and criminal sexual conduct laws in many states, including:

1. Redefining the crime into one of degrees (e.g., criminal sexual conduct in the first/second/third/fourth degree), that could be *perpetrated by* a person of either sex, *on* a person of either sex, involving *any bodily orifice* (not just the vagina), by any part of the assailant or any object used by the assailant (not just a penis). The mere existence of an exacerbating factor (e.g., two

assailants, a weapon, an unconscious victim, a mentally incompetent victim) automatically made the crime “aggravated.”

2. Eliminating evidentiary corroboration requirements.
3. Shifting the burden of proof, especially about lack of consent, away from the victim having to prove that she resisted.
4. Excluding prior sexual history and other victim character traits, which were almost always nongermane but had a prejudicial effect on jurors, from the courtroom unless proven relevant before the judge in chambers (rape shield laws).
5. Compensating victims for the costs of evidentiary exams.
6. Amending sexual assault laws to define spousal rape as a felony.

In addition to lobbying state legislatures to change relevant state laws, members of the anti-rape movement worked to influence the behavior of police and prosecutors in rape cases. Many activists have worked with police departments to conduct police training and education to affect attitudes about and responses to rape and other types of sexual assault. Activists also mounted, and still maintain, accompaniment programs (i.e., going with victims to hospitals, police departments and prosecutors’ offices, offering comfort and the assurance that proper procedures will be followed).

In an assessment of the first 10 years of rape crisis center development, Burt and colleagues (Gornick, Burt, and Pittman, 1985) concluded that services had become quite widespread, and in many instances had become part of established public (e.g., community mental health centers) and private (e.g., YWCAs, Family Services) agencies. In this transition, many service providers and advocates had decreased their initial isolation and developed integrated networks and alliances with police, prosecutors, and medical personnel, working in a balance of everyday cooperation and continued advocacy where necessary. The many rape crisis services available throughout the country now are organized into coalitions nationally and in many states.

### ***Domestic Violence—Recent History***

Like rape victims, domestic violence victims often are blamed for provoking or deserving the abuse, and face disbelief that the battering occurred. Repeatedly they are asked why they don’t just leave—a question that denies the reality of continuing physical violence or threats of violence from the abuser and further isolates victims. Barriers to getting legal help have been daunting—including reluctance on the part of police officers, prosecutors, and judges to intervene in “family matters,” fees for filing charges, requirements for legal representation in some cases, and threats of loss of child custody should a battering victim’s case be unconvincing. There is often little understanding of the trauma induced by violent acts by intimates and the dearth of legal, economic, and social resources available for escaping domestic violence.

Although some shelters for battered women opened in the mid-1970s, public attention to the plight of domestic violence victims did not increase dramatically until the 1980s. Reforms in many states:

1. Codified domestic violence as criminal conduct.
2. Authorized or mandated arrest of the offender in domestic violence incidents, given probable cause.
3. Created new offense categories to cover domestic violence incidents and increased penalties under existing statutes.
4. Expanded coverage of domestic violence statutes to include couples living together or having a child in common, and, in some jurisdictions, couples of the same sex.
5. Created civil protection orders specifically for domestic violence, expanded the allowable remedies, and, in some jurisdictions, criminalized behavior violating these orders.
6. Mandated training about domestic violence for police and highway patrol officers and sheriffs.

In 1992, model state codes on domestic violence were published by the National Council of Juvenile and Family Court Judges (National Council, 1994).

More comprehensive and aggressive law enforcement responses to domestic violence accompanied these statutory changes. Research findings supporting the efficacy of arrest in domestic violence cases (Sherman and Berk, 1984), although currently under challenge, led to pro-arrest or mandatory arrest policies in many jurisdictions. Police departments stepped up training and revised policies following lawsuits holding law enforcement agencies liable for failure to enforce in domestic violence cases (e.g., *Bruno v. Codd*, 1978; *Sorichetti v. City of New York*, 1985; *Thurman v. City of Torrington*, 1984). Police departments also began to adopt affirmative intervention policies to help victims and their families, such as assisting women to reach a place of safety, removing weapons from the home, establishing victim assistance units, and providing crisis intervention services in collaboration with victim advocates.

At the Federal level, the 1984 report of the Attorney General's Task Force on Family Violence recommended coordinated community responses to domestic violence and specific reforms in laws and operations of the justice system (Department of Justice, 1984), and the Bureau of Justice Assistance funded Family Violence Demonstration programs in 11 jurisdictions to establish interagency coordinating committees (Harrell, Roehl, and Kapsak, 1988; Bureau of Justice Assistance, 1993). The Family Violence Prevention and Services Act of 1984 supported grants for domestic violence prevention programs, shelters, and victim assistance services as well as training and technical assistance for law enforcement officers and others in twenty states (Newmark, Harrell, and Adams, 1995). The State Justice Institute supported training for judges on the phenomenon of domestic violence, a national conference that encouraged a coordinated criminal justice and community response to domestic violence at the state and local levels, and a clearinghouse to disseminate the growing body of information on domestic violence (National Council of Juvenile and Family Court Judges, 1992).

Advocates for battered women, service providers, and formerly battered women played a central role in advancing domestic violence reforms, as was also the case with rape reforms. Grassroots coalitions devoted to serving battered women and often at odds with the justice system response have led training efforts, worked on coordinating committees, and developed solid working relationships with the police and courts in many areas. They monitor the treatment of victims by criminal justice agencies and at the same time help those agencies by providing services to support victims through the criminal justice process. State coalitions of domestic violence advocates have been established to continue monitoring the system and advocating for victims.

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## **The VAWA Legislation**

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Passage of the Violence Against Women Act in 1994 as part (Title IV) of the Violent Crime Control and Law Enforcement Act brought to fruition years of untiring efforts by advocates for women's rights and concerned members of Congress, supported by growing public awareness of strong evidence of the harm done to women through the violence directed at them. The move towards federal legislation gained momentum in the late 1980s following a meeting in Washington of representatives from state coalitions against domestic violence, sexual assault advocates, and others from the growing grassroots efforts to aid women victims of violence. The meeting focused on the need for federal action in the areas of ensuring full faith and credit for the interstate enforcement of protection orders, the dearth of funding for shelters, crisis centers, and other services needed by victims, the need for the development of model programs in special areas such dating violence, and recognition that federal action would provide moral leadership on behalf of women. A survey of shelters and victim service providers in 28 states, conducted by the National Network to End Domestic Violence in the late 1980s, documented the enormity of the unmet needs. Aided by support from the National Organization of Women's Legal Defense Fund, the advocates received strong bipartisan support from Congress and the process of drafting legislation began.

The resulting Violence Against Women Act for the first time recognizes the common barriers to legal protection faced by women victims of violent crimes. The four subtitles within the Act—the Safe Streets Act, Safe Homes for Women, Civil Rights for Women and Equal Justice for Women in the Courts, and Protections for Battered Immigrant Women and Children—target domestic violence, sexual assault, stalking, and protection against gender-motivated violence. The Act undertakes reform in legislation, rules of evidence, and the policies and procedures of law enforcement agencies and the courts. It creates new offenses and tougher penalties, mandates victim restitution, and begins system reforms that will, for example, shield victims during prosecution and increase consistency in sentencing. Recognizing that attitudinal change and knowledge are essential to practical implementation of legal reforms, VAWA authorizes support for prevention, education, and training and the development of systems for maintaining records on violent incidents and perpetrators and improving communication within the justice system.

VAWA's broad understanding of the range of strategies needed for change in the response to violence against women is clearly reflected in the objectives of the Law Enforcement and Prosecution Grants, Chapter 2 of the Safe Streets Act, which OJP has designated as the STOP grants program. This program provides for grants "to assist States, Indian tribal governments, and units of local government to develop and strengthen effective law enforcement and prosecution strategies to combat violent crimes against women, and to develop and strengthen victim services in cases involving violent crimes against women...to provide personnel, training, technical assistance, data collection and other equipment for the more widespread apprehension, prosecution, and adjudication of persons committing violent crimes against women."

Activities for which grant funds may be used include: training law enforcement officers and prosecutors; developing, training, or expanding specialized units of law enforcement officers and prosecutors; developing and implementing more effective police and prosecution policies, protocols, orders, and services; developing, installing, or expanding data collection and communication systems; developing, enlarging, or strengthening victim services programs; developing, enlarging, or strengthening programs to address stalking; and developing, enlarging, or strengthening programs to help Indian tribes. Domestic violence and sexual assault are the primary types of violence targeted by the legislation, with support for the underserved victim populations specified by the Act. For example, grants may be used for "addressing the needs and circumstances of American Indian and Alaska Native tribal governments in dealing with violent crimes against women, including the crimes of sexual assault and domestic violence" and "victim services to racial, cultural, ethnic, and language minorities," (Violent Crime Control and Law Enforcement Act of 1994, Title IV, Subtitle A, Chapter 2), as well as for rural and non-urban populations. This report begins the process of assessing the impact of the STOP grants program and documenting what the STOP grants have accomplished.

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## **Purpose of This Report**

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This report responds to the VAWA mandate for the Attorney General to provide Congress with information about the first-year accomplishments of the STOP grants program. It covers the time period from passage of the VAWA through December 31, 1995. In addition, it begins to fulfill the Attorney General's commitment to evaluate programs within the Department of Justice so that the best programs can be retained and programs can be brought closer to their intended purpose. This evaluation will provide feedback on the programs funded through the STOP grants. This feedback will, in turn, help OJP and state and local jurisdictions receiving the STOP dollars to improve the programs and increase their potential to make meaningful changes in the way the justice system handles crimes involving violence against women so that these crimes are treated as serious violations of criminal law, perpetrators are held accountable for their actions, and victims of sexual assault and domestic violence are not revictimized by the system.



The foregoing review of the past two decades of reform in the areas of sexual assault and domestic violence, and the focus of the VAWA legislation, provide guidance for the Department of Justice and STOP grantees in designing the activities that will occur under STOP and measuring their success. Research and experience in improving responses to women victims of violence have taught us that:

1. *Legal reform alone is not enough.* Even when the laws change, if attitudes at every point do not change, little will have been accomplished for victims. The most comprehensive analysis to date concludes that “removing legal barriers alone will be ineffective unless the discretion that allows informal norms to guide decisionmaking is constrained or meaningful incentives to change norms are created” (Horney and Spohn, 1991). This is certainly consistent with the observed dual arrest backlash that followed introduction of mandatory domestic violence arrest policies without sufficient prior training of officers. Even when legal reform succeeds in making a small difference, as was found when arrests and convictions increased following rape law reform in Michigan (Marsh, Geist, and Caplan, 1982), the law would have had even greater effect if attitudes of police, prosecutors, judges, and juries had also changed.
2. *Coordination is essential.* Good intentions and sound policies of any one agency will come to naught unless all elements of the system work together. Recognized as key to success since the Attorney General’s Task Force report in 1984, a guide for coordination in domestic violence cases appeared as early as 1986 (Goolkasian, 1986). Yet difficulties in coordination abound for cases of both sexual assault and domestic violence. For example, police do not want to arrest if prosecutors do not aggressively seek convictions. Prosecutors are hamstrung if police do not file complete reports and gather supporting evidence. Judges can undermine prosecutors by failing to impose meaningful sentences. Studies of civil protection orders repeatedly report that failure to enforce the orders undermines their effectiveness (Finn, 1989; Finn and Colson, 1990; Hart, 1992; Lerman, Livingston, and Jackson, 1983; Harrell, Smith, and Newmark, 1993). The criminal justice system response alone is inadequate without shelters and services to assist victims in their efforts to end the violence.
3. *Changes in attitudes and public opinion are critical.* Recognition of the harm of violence and the need of victims for protection and redress is necessary to effective reform. Studies of justice system responses to domestic violence and rape have repeatedly found that efforts to extend legal protections to women have been hampered by the reluctance of judges, police, and prosecutors to recognize the magnitude of the harm inflicted on female victims and the legitimacy of legal intervention (Report on the New York Task Force on Women in the Courts, 1986-87; Estrich, 1987; Adler 1987; Newmark, Harrell, and Adams, 1995). Because the resistance of the justice system is directly linked to public opinion, public education is now a topic priority of foundations and the Family Violence Prevention Fund, among others.
4. *The system must take into account that women victims of violence differ from other crime victims in important ways.* The most important difference is the degree to which safety from further victimization is a continuing issue. To adequately address the injury done to victims of violent crimes against women, the system must redefine its mission to include protection and prevention of future harm, not just accountability in the form of arresting a perpetrator.
5. *Victims must have a voice in system planning and monitoring.* Justice systems must take a fresh look at how their policies and practices affect the victim, even when such an examination is difficult, and actively seek victim input as part of their policy assessments. Domestic violence, sexual assault, and stalking cases are extremely complicated. These crimes are motivated by

dynamics of power and control, which standard criminal justice operating procedures are incapable of addressing. Victims can greatly assist the justice system in understanding and developing protocols to respond to these crimes.

The statutorily required allocation of STOP funds to law enforcement, prosecution, and victim services reflects these lessons, as does the range of program efforts for which the STOP grant funds can be used. As part of this and subsequent reports to the National Institute of Justice, it is and will remain important to assess the extent to which grantees apply the lessons by implementing changes in policies and practices within the justice system, increasing coordination among agencies, including victim service providers; involving victims in planning and monitoring, and contributing to reductions in the informal resistance and reluctance of justice system practitioners to respond to victims of sexual assault, domestic violence, and stalking.

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## **Role of the Urban Institute**

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**T**he Urban Institute, a private, nonprofit policy and research organization in Washington, D.C., received a grant from the National Institute of Justice to evaluate the law enforcement and prosecution grants authorized through the Violence Against Women Act (VAWA). The VAWA explicitly requires evaluation of the effectiveness of activities funded under the STOP grants; OJP has repeatedly stressed with grantees the importance of accountability and assessment of program impact throughout the life of the STOP grants. The high priority accorded evaluation is evidenced by the NIJ grant to the Urban Institute for continuing evaluation of the STOP grant program. The evaluation design calls for a number of specific activities, including:

- ☐ A review of federal actions throughout the first year of VAWA funding, in developing the program rule and grant announcement, and reviewing and approving state implementation plans.
- ☐ A review of grantee implementation plans for the purpose of: 1) assessing existing conditions in states as they begin the STOP grant process; 2) examining the process through which states developed their implementation plans; 3) assessing plan compliance with legislative intent with respect to the three priority areas (law enforcement, prosecution, and victim services), seven legislatively allowable purposes, and attention to underserved populations.
- ☐ Site visits to selected states to explore in depth the process and implementation issues arising as grantees attempt to meet the legislative purposes and serve the relevant populations.
- ☐ A review of grantee reports to OJP on their first year STOP activities and the grantees' second-year implementation plans, including an assessment of numbers and characteristics of victims served during the first year as required by the VAWA.
- ☐ Development of three to five designs for evaluations of specific activities under the STOP grants, such as law enforcement training, development of new prosecution protocols, or the impact of

service development for underserved populations such as rural women, women with disabilities, or women from minority ethnic, cultural, or racial communities.

The Urban Institute and staff from NIJ, OJP, and the Bureau of Justice Assistance have worked collaboratively to ensure that the evaluation design is followed and that the evaluation effort is devoted to activities that will produce the greatest benefit for the STOP programs and for women who may be affected by the changes these programs can make in the justice system. This report was prepared by the Urban Institute project staff, and covers the first two activities under the Institute's evaluation grant. It has benefitted from feedback received from our project advisory committee and NIJ and OJP staff.<sup>1</sup>

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**Note, chapter 1**

1. A list of advisory group members is included in the Appendix.



# Accomplishments— Implementation of the Program at the Federal Level

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The administration of the STOP grants marks a shift in Department of Justice policy toward greater flexibility in grants administration and a more collaborative, interactive, and “user-friendly” style of working with grant administrators in states and territories. The first practical evidence of this new approach was the speed with which OJP succeeded in getting the STOP funding on the streets while still complying with all administrative and time constraints attendant on issuing a program rule and approving grants and implementation plans.

The Office of Justice Programs (OJP) was determined to make awards of STOP grant monies to states and territories as quickly as possible. Doing so involved a series of steps, including preparing and issuing a program rule, developing and distributing application packages to eligible jurisdictions, processing and approving grant applications, offering technical assistance, and approving grantee implementation plans. Many of these steps have associated requirements that slow the process down. For instance, once a program rule is drafted, it must be published in the *Federal Register* and 60 days allowed for receipt of comments. Comments must then be incorporated, the final rule published, and an application kit designed and issued. Then applicants must be given sufficient

time to respond (six weeks for the STOP grants). Once grants were awarded, applicants needed time to complete and submit their implementation plans (they were given about four months). In the face of these time constraints, OJP's ability to have most implementation plans approved within 13-14 months of the passage of the VAWA is a considerable achievement.

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## Federal Actions Related to the STOP Grants, 1994-1995

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As just noted, the Office of Justice Programs acted quickly to put the STOP grants program into action once the VAWA legislation became law on September 13, 1994. To administer programs related to violence against women, OJP created the Violence Against Women Grants Office (VAWGO) in the office of the OJP Assistant Attorney General.

OJP used the 1995 STOP funding in the following manner: \$23.5 million was distributed to states through formula grants; approximately \$1 million was distributed to Indian tribal governments in compliance with legislative requirements; approximately \$1 million has been devoted to evaluation activities; \$250,000 has been used to provide states and territories with technical assistance in developing their implementation plans and carrying out the activities they included in their plans; and \$260,000 has been used to support federal management and administration of the STOP program. Below we describe the intensive process that culminated in grant awards within nine months of legislative action and approval of all state and territorial implementation plans within another six months.

### *Preparing and Issuing the Program Rule*

A proposed rule governing the program was published in the *Federal Register* on December 28, 1994, for a 60-day comment period. Within six weeks of the close of the required comment period, OJP published the final rule and STOP grants program announcement in the *Federal Register* on April 18, 1995. An application kit was sent to 56 states and territories on the same day. State applications for the STOP grants were due on May 31, 1995. Fifty-five applications were received by that date, and 53 states and territories received a grant of \$426,364 within two weeks (by June 12). Applications for two of the three remaining states/territories were approved by June 30. Alabama was the only state that did not apply by May 31, because changes to its laws governing payment of medical evidentiary exams in sexual assault cases were needed to bring it into compliance with the requirements of the VAWA. Alabama has subsequently applied for and received a grant.

As the program was being conceptualized, OJP continually sought input from law enforcement officials, prosecutors, and victim advocates and service providers. Because of its long grant-making history, the Bureau of Justice Assistance was tapped to provide the day-to-day monitoring and

management of the grant awards and establishing a unit for this purpose within its Crime Act Support Division.

### ***The Grantee Conference***

To help states develop their implementation plans and capitalize on the most promising approaches to address violence against women, OJP held a conference, “Collaborating to STOP Violence Against Women,” on July 27-29, 1995. The conference goals were based on the results of a survey asking potential participants what they needed most from such a conference. The resulting goals included: 1) sharing promising collaborative approaches to preventing, reducing, or eliminating violence against women; 2) building state teams into collaborative working units; 3) exposing participants to many different promising approaches and ideas for programs appropriate for STOP grant funding, and providing a framework for developing their implementation plans; and 4) becoming familiar with the administrative and financial requirements of the STOP grants. The conference was instrumental in making clear that OJP strongly supported a norm of collaboration in the interest of producing serious system change focused on reducing violence against women and its consequences.

Planning for this conference began shortly after the final program rule was published. The overall theme for the conference was collaborating to stop violence against women, and the conference planning proceeded in the spirit of the conference topic. On May 19, 1995, OJP convened a meeting of criminal justice practitioners, victim service providers, and advocates recognized nationally for their expertise on domestic violence and sexual assault in Washington, D.C., to assist in planning the grantees’ conference. Participants discussed the proposed goals, agenda, faculty and format of the conference. The discussion stressed the importance of interactive learning. Prospective conference participants also were surveyed to identify the issues of paramount importance in their respective states. The survey results were used to establish the framework for the plenary sessions and workshops.

States were encouraged to send teams that included representatives from law enforcement, prosecution, sexual assault and domestic violence service and advocacy programs, the courts, the state agency administering the STOP program, and other representatives of the criminal justice system. Teams from all 56 states and territories attended; most included six representatives. In addition to state teams, representatives from approximately 25 national groups attended, including the National District Attorneys Association, the American Prosecutors Research Institute, the National Resource Center on Domestic Violence, the National Coalition Against Sexual Assault, the International Association of Chiefs of Police, and other groups whose members were and continue to be intimately involved in STOP grant activities at the state and local level. In all, participants numbered over 450 people. Senator Joseph Biden, Attorney General Janet Reno, Bonnie Campbell, and Assistant Attorney General for OJP Laurie Robinson addressed the participants at the opening plenary session.

*Conference Topics.* Teambuilding was a major focus and goal of the conference. Two workshop sessions were devoted entirely to team meetings for the group of participants from each state and territory to help them begin the process of collaboration and planning for system change. The conference also covered a broad array of topics important to states as they plan and implement their STOP grant activities. Workshops and plenary sessions addressed issues of relevance to all parts of the system, including law enforcement, prosecution, courts, and victim services, and brought considerable focus to bear on how to create coordinated and collaborative arrangements across these sectors. Also covered were issues of how to evaluate success, how to make programs work, how to reach and address the needs of underserved populations (including American Indian women, rural, immigrant, and minority communities), effective police and prosecution strategies to prevent or reduce violence against women, how to apply state-of-the-art technology and tracking systems, and how to create public/private partnerships at the state and local level. Attendees also received practical information about STOP grant administration and the expectations of OJP.

*Overall Assessment by Attendees.* Feedback from the conference participants was very enthusiastic. On more than one occasion during the conference, and for several months thereafter, participants told OJP staff that the conference was one of the most beneficial gatherings they had ever attended. Many felt that the conference provided a unique opportunity to discuss approaches to addressing violence against women that they had not previously considered.

Conference attendees were asked to complete a two-page evaluation form, rating each conference session and assessing different aspects of the conference proceedings and planning. About 125 people returned the forms, out of about 450 conference participants. The Urban Institute examined these evaluation forms to gain a fuller understanding of the participants' conference experience.

Feedback from participants strongly suggests that the major accomplishment of the conference was directly in line with the most important conference goal—to lay the groundwork for true teamwork and collaboration across the disparate fields of law enforcement, prosecution, victim services, courts, and corrections. The two teambuilding sessions received outstanding evaluations; in addition, observers attending the conference noted that after the first teambuilding session, teams spontaneously continued to meet and discuss their plans with great enthusiasm. For many participants, it was their first experience of how much could potentially be accomplished when the various sectors of the criminal justice system and victim services really tried to identify what they needed and to work together to achieve it.

*Specific Feedback.* In addition to finding the conference very useful as well as inspirational, participants did have some feedback about elements that were missing (often these comments came from the same people who felt the conference was a tremendous success). The most consistent comment was that the conference was very heavily weighted toward domestic violence; participants felt the absence of information about policies and practices relevant to sexual assault, and wanted to see a better balance between the two. Although OJP staff realized this deficiency existed as they were planning the conference, time constraints in planning the conference and the lack of an



advocacy organization which could serve as a central contact point to support program development resulted in less emphasis on this topic at the conference.

A second gap mentioned by some participants was the underrepresentation of people of color among the presenters and attendees, and a limited number of workshops on racial, cultural, and ethnic issues and services to underserved populations. It is also interesting to note that the plenary session on research findings (“what we know and what we don’t know”) was not rated highly, although presentation of research findings was also among the topics particularly requested by prospective participants. This reflects the need to develop alternative formats for distributing knowledge gained from research.

In their evaluations, many conference participants mentioned the level of sophistication assumed by the conference planners, and the amount of concrete, practical suggestions offered throughout the conference. Unfortunately for conference organizers, these comments were split, reflecting the different starting points of different participants. Advocates and service providers who have worked on these topics for years were inclined to find the presentations too elementary, whereas some of the state agency personnel were just beginning to learn about the issues and possible ways to address them, and needed a more step-by-step approach. About half the people who commented on these points mentioned that the conference was too elementary, too general, and offered too little by way of concrete policy alternatives, while the other half felt the speakers made too many assumptions about what people knew and that the conference needed to start with basics. Several people suggested that the conference operate on dual tracks, one for beginners and one for people who had been working on these issues for many years. The differing levels of familiarity with issues pertaining to violence against women among practitioners who must deal with various aspects of it underscores the need for collaboration so everyone has a common understanding of the complexities of such cases and the appropriate criminal justice system responses to them. Quite a number of participants also commented that they had hoped for more in the way of models, sharing the experience of exemplary programs, protocols or policies, and other hands-on practical technical assistance. This need was addressed subsequently through technical assistance following the conference.

### ***Technical Assistance Prior to Submitting Implementation Plans***

Before grantees had to submit their 1995 STOP implementation plans, OJP sponsored site consultations in two jurisdictions that take a coordinated and integrated approach to addressing violence against women—Seattle, Washington, and Quincy, Massachusetts. This was done to give grantees a better idea of models for coordination and collaboration before they had to commit themselves to their own plans. Thirty representatives from 15 state agencies administering STOP grants heard from leaders and frontline workers in the police department, the city and county attorneys’ offices, the courts, the probation departments, victim service agencies and batterer treatment programs. Participants visited these agencies and had an opportunity to witness professional mentors at work. They were able to interview police officers, prosecutors, judges and victim advocates, and they observed training sessions, victim interviews, court hearings for orders of

protection, and batterer treatment groups. OJP anticipates sponsoring three additional site consultations in relation to the 1996 STOP grants.

### ***Processing State Implementation Plans***

Each state was required to file an implementation plan for the use of its STOP grant monies within 120 days of the date of award (approximately the period of October 10 through October 30). Two state plans came in as early as June 12; several others were submitted during the summer. By November 15, 1995, all but two state implementation plans had been received. Alabama's plan was delayed until December due to the need to pass some enabling legislation, and the Virgin Islands requested and received an extension of its deadline because of the extensive damage caused by hurricanes in late summer.

On average, implementation plans were approved within 30 days of their receipt. All but four plans were approved by December 18, 1995; the remaining four were approved by January 25, 1996. OJP and BJA staff wrote synopses of all state implementation plans. The plans tend to be general and aspirational in presenting the state's goals and objectives. Although several of the smaller states identified specific projects and subgrantees, most plans did not present this level of detail. OJP and BJA staff put considerable time and effort into personally contacting state representatives to discuss their plans and clarify the information in them. Now, as individual subgrants are being awarded, the intent of the drafters and legislators is being realized at the state and local levels. Late information provided for this report indicates that 21 states had begun to award subgrants by February 27, 1996.

### ***Soliciting and Awarding Indian Tribal Grants***

In addition to the state STOP grants, OJP allocated 4 percent of its legislative appropriation, as required by the authorizing legislation, to create the STOP Violence Against Indian Women discretionary grant program. The announcement of grant availability was released and sent to all federally registered tribal governments in late May, with an application deadline of July 15. With the ability to fund 13-15 tribal grants at \$75,000 each, this is the largest grant program to federally recognized American Indian and Alaska Native tribal governments that the Department of Justice has sponsored.

Many inquiries came in from tribal governments during the pre-deadline period. OJP staff responded promptly to all inquiries, providing detailed assistance whenever possible. Ultimately, 77 applications were received, 70 from individual tribal governments and 7 representing consortia of tribes covering an additional 109 pueblos, Alaskan villages, and tribal governments. During the six weeks following the application deadline (July 15), applications were reviewed by OJP staff. Following initial review, the most promising applications were forwarded to other agencies within the Department of Justice, including the Office of Tribal Justice, the Office of Policy Development, the Criminal Division in Washington, and the U.S. Attorney's Offices in the relevant jurisdictions around the country. These agencies were asked for any information about the applicants that should be factored into the award decision process. Final decisions regarding the award of 14 grants to tribal governments and consortia were announced during the first week of September.

While the application review process proceeded, OJP staff identified exemplary programs among Indian tribes and sought out agencies that could offer technical assistance to tribal governments. In addition, OJP staff organized a meeting of tribal grantees. The meeting, held on November 6-8 in Albuquerque, New Mexico, provided an opportunity for the tribal grantees to share experiences, supplied some technical assistance and guidance as tribes began to implement their grants, and gave the OJP staff the opportunity to meet the grantees and discuss their projects with them. On-going technical assistance is available to tribal grantees via a toll-free telephone number and through specialized technical assistance information packets on critical issues confronting tribal governments in addressing violence against Indian women.

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## **Anticipated Second-Year Federal Actions**

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**D**uring the STOP program's first year, OJP developed the program rules, solicited applications from eligible jurisdictions, offered technical assistance to applicants, and worked with states and territories in developing their implementation plans. It is relatively easy to articulate the federal actions relating to the STOP grants program that OJP must complete during the second year of program funding, and we do so below. However, it is impossible at this time to predict the likely timing of some of these actions, since some have been delayed by the two federal furlough periods in November and December-January, and others are contingent on the timing and amount of program funding. Until Congress appropriates a new budget for the Department of Justice or accepts a continuing resolution for the remainder of the year, OJP cannot be specific about when these necessary actions will occur.

OJP must develop and distribute reporting forms to reflect first-year activities, including forms for grantees to report: 1) the number and types of subgrants issued and their purposes; and 2) grantee and subgrantee accomplishments during the first year of STOP funding, in relation to the goals set forth in their implementation plans. The development of these forms was delayed by the federal furloughs and is now proceeding through development, pretesting, publication in the *Federal Register* for a comment period, and final distribution. Once the forms are finalized, grantees will immediately be required to report on the number, type, and purpose of the subgrants they have awarded. The timetable for grantee reporting of accomplishments has not yet been established.

After forms development, OJP must establish the timetable for 1996 grant applications, awards, and implementation plan submission. The overall process is likely to be very similar to the one followed for the 1995 STOP grants, but the actual timing will remain undetermined until Congress settles the OJP budget.

## ***On-going Technical Assistance***

In addition to the federal activities just mentioned, which are a necessary part of administering any program, OJP also acts as a clearinghouse through which states and territories can access promising approaches used elsewhere. OJP has entered into a cooperative agreement with the Pennsylvania Coalition Against Domestic Violence, Inc. (PCADV) to provide technical assistance that will help grantees develop and implement their activities under the STOP grants. PCADV has established the STOP Violence Against Women Technical Assistance Project for this purpose. Through this project, grantees may receive technical assistance on many issues, including: 1) options for new policies, protocols, and procedures; 2) suggestions for training curricula and practices; 3) options for collaborative multi-agency development of innovations; 4) options for evaluation; 5) help in anticipating and overcoming barriers; and 6) visits to promising programs. Both OJP and the Technical Assistance Project also distribute copies of training curricula, protocols, policies, measurement techniques and other documents to grantees and other interested parties upon request. The Technical Assistance Project has compiled a directory of domestic violence materials on advocacy, civil and criminal court strategies, and ways to develop collaborative approaches; in the coming year it will do the same for sexual assault materials. The Project also has available protocols and other materials used in Seattle, Washington, and Quincy, Massachusetts, which were the communities visited as part of the technical assistance provided. The combination of clearinghouse, information exchange, and technical assistance has already greatly assisted grantees in their efforts to transform nebulous legislative goals into concrete programs and practices that can be implemented successfully.

OJP staff also provide technical assistance directly through ongoing contacts with states. OJP conducts regular reviews of projects funded through the STOP grants to learn about promising approaches, which are then shared with other state and local agencies and relevant constituency groups responsible for STOP activities. In addition, OJP staff communicate with national organizations and constituency groups representing law enforcement, prosecution, victim services and advocacy, the courts, and other related fields to learn what elements of various programs are most effective, and pass this information on to the state STOP program coordinators.

In 1996 OJP plans to support regional meetings addressing issues of particular interest to STOP grantees and subgrantees. The meetings will provide a forum for colleagues to learn from each other and build relationships that can continue, and will draw on regional and national expertise. They will bring together peers who are implementing similar programs with STOP grant monies.

During 1996, OJP will continue to provide direct assistance to agencies administering STOP grants and subgrants. This assistance will include telephone and on-site consultations, peer-to-peer conference calls, and the development of special materials on specific subject matters identified as priorities by grantees and subgrantees.

OJP also plans to work in 1996 with the Community Oriented Policing Services (COPS) Office, law enforcement agencies and organizations, and non-profit, non-governmental victim service agencies to enhance curricula for police academies, in-service training programs, roll-call training, and training for police executives. Similarly, OJP will work with prosecutor organizations to sponsor problem-solving workshops and other educational opportunities for prosecutors. Additionally, OJP

plans to help states replicate state-of-the-art judicial education programs focusing on domestic violence and sexual assault.

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## Summary

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**O**JP acted unusually quickly to move the STOP grants program from a legislative concept to a functional reality. Program rules and application procedures were promptly assembled. Grants were awarded within weeks of receipt, some within one week, which was a record for OJP. OJP staff provided important technical assistance to grantees through several mechanisms: 1) its conferences for states, territories, and Indian tribes receiving STOP funding; 2) opportunities for grantees to visit promising programs and learn how they operate; and 3) regular interactions with OJP staff and technical assistance personnel to help states shape their implementation plans and ultimately their programs. Finally, implementation plans were approved in a timely manner, even when grantees needed to supply additional information to complete the picture of how they planned to use the 1995 STOP funding. Congress should be pleased with how quickly OJP was able to develop the STOP program from passage of the enabling legislation to putting the money on the streets.



## Chapter 3

# Accomplishments— Implementation of the Program at the State Level

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**A**s the federal government moved to accomplish series of steps to turn the VAWA legislation into a functioning grants program, as detailed in Chapter 2, states and territories needed to match these federal actions with appropriate steps of their own. Some states needed to change existing laws or regulations to comply with certain mandates in VAWA before they could receive STOP funds. States had to apply for STOP monies and develop an implementation plan. Throughout their activities, states and territories were called upon to involve many service sectors in collaborative action. In the first part of this chapter we analyze the 56 state and territorial implementation plans to learn about laws, policies, and capacities affecting responses to violence against women. We then describe state and territorial actions taken to implement the VAWA during the Act's first year. In Chapter 4 we describe the actual contents of their implementation plans.

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## How To Interpret the Data That Follow

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Unless otherwise specified, the following pages summarize information *found in the grantee implementation plans*. The plans vary widely in their level of detail and in the specific types of information that grantees thought were important to include. We have not conducted any systematic verification of the information contained in the plans, although in a number of instances we tried to obtain clarification of some information by telephone. Therefore, the following pages should be understood as reporting what is in the implementation plans rather than the final word about each grantee's status in each area.

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## Existing State Laws, Policies, and Capacities

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Prevailing local conditions varied greatly as states and territories began planning and implementing activities through their STOP grant funding. Many implementation plans describe the legal and policy environment of their jurisdictions as background to understanding the specific ways the state or territory intends to use STOP funding. We have summarized this information about existing state laws and policies and report it here, supplemented in some cases by analyses published in the professional literature. Because the implementation plans vary greatly in the level of detail they give about these laws and policies, ranging from fairly extensive descriptions to no mention of any laws and policies, the following summary is compiled at the broadest level of interpretation and one or two illustrative examples are included. The analysis is grouped into four topics:

- ☐ State laws affecting law enforcement, prosecution, and victim services, or supporting victim services or compensation.
- ☐ Statewide law enforcement and prosecutorial training and response policies.
- ☐ The presence of special units in law enforcement or prosecutors' offices to handle sexual assault or domestic violence cases.
- ☐ The existence of statewide coalitions of victim advocacy or service organizations for sexual assault or domestic violence, and/or of organizations with responsibility for coordinating across law enforcement, prosecution and victim services with respect to either domestic violence or sexual assault.

### *State Laws*

We examined the implementation plans for evidence of state laws establishing programs and practices relevant to violence against women. Where possible, we also supplemented the implementation plan information with summaries of state practices from published materials (Call, Nice and Talarico, 1991; Davis,



1984; Hart, 1992). However, because laws related to violence against women have changed annually in many states in recent years, the summary that follows may be outdated by the time this report is printed. This review is thus intended to provide a general view of the legal context in which STOP grantees are operating and to identify areas of the law which will affect their activities.

A number of state laws protect or provide services for all victims, including women who are the victims of violence. Fifty (50) states and territories appropriate state funds to support services for crime victims. Thirty-one (31) states and territories maintain a state-funded Victim Compensation Board or similar mechanism, through which victims of crime can receive monetary compensation in the aftermath of a crime. Twenty-four (24) implementation plans report that their state or territory provides a “victim’s bill of rights” written into the state constitution or as a separate statute. And 31 implementation plans mention state legislation providing at least some protection of confidentiality. This protection may be limited to constraints on disclosing the identity of clients who receive state-funded services, may be subsumed under general provisions about the confidentiality of service records, or may be specific to women victims of violence, such as statutes protecting from subpoena the records of rape crisis centers or battered women’s shelters, or explicitly including such agencies under the confidentiality protection extended to mental health service practitioners.

Many states have also enacted legislation stipulating policies or practices relevant to sexual assault and/or domestic violence. Forty-nine (49) states have rape shield laws that establish conditions under which a rape victim’s past sexual history is excluded from courtroom testimony, but their provisions vary widely. Thirty-four (34) states have strong shield laws, meaning that state policy explicitly presumes against the use of victim sexual history evidence; 16 states have weak laws, which do not contain an explicit presumption against the admissibility of such evidence. Twenty-one (21) implementation plans mentioned that their states or territories have streamlined the laws under which they charge crimes involving sexual assault. The revised statutes usually revoke separate laws against rape, aggravated rape, sodomy, statutory rape, child molesting, and other sexual offenses and create a law stipulating degrees or levels of sexual assault, graduated penalties depending on the severity of the offense, gender-neutrality for both victim and offender, and other changes.

Virtually all states and territories have enacted statutes criminalizing the violation of protection or restraining orders, although the penalties, population coverage, and enforcement of these statutes vary widely. Most states have some legislation pertaining to a law enforcement officer’s authority to arrest for a misdemeanor in domestic violence cases without first obtaining an arrest warrant. Sixteen (16) states mandate such arrests, 34 make it the preferred approach but do not mandate it, and 2 states do not allow it unless the offense is committed in the officer’s presence. No information is available in four plans.

With respect to stalking, the third focus of the VAWA legislation, 36 implementation plans indicate that their state or territory has state legislation pertaining specifically to stalking. Often, this legislation defines and criminalizes stalking behavior when it cannot be charged under other existing statutes.

## ***Statewide Training and Response Policies***

States may have many different policies pertaining to how law enforcement and prosecutors handle sexual assault or domestic violence cases. We have already discussed statutes covering mandatory arrest policies. Other policies range from statutes requiring uniform licensing for domestic violence shelters and for batterer treatment programs; promulgation of updated and uniform sex crimes investigations manuals or protocols; establishment of domestic violence prosecution manuals and bench books; an automated statewide registry of civil protection orders; a statewide newsletter covering law enforcement, prosecution and victim services; and combined training for police and prosecutors with respect to domestic violence. Other statewide policies apply to training requirements for law enforcement and prosecution officials, and sometimes even for judges. We examined the implementation plans for *statewide* policies of these types; it is of course likely that specific local jurisdictions within a state will have one or more similar policies of their own.

Thirty-nine (39) implementation plans mentioned at least one statewide policy pertaining to law enforcement response or training. Seven (7) said they did not have such statewide policies, and we have no information on the remaining 10 states and territories. Fewer states and territories (29) mentioned statewide policies or training requirements for prosecuting domestic violence or sexual assault cases; 9 plans stated explicitly that they did not have such policies, and information is missing on this issue from the remaining 18 implementation plans.

More than half (21) of the 39 implementation plans that describe any law enforcement policy mention either initial or in-service training requirements as a statewide policy. For 17 of these 21 plans, such training was the only statewide policy mentioned. Most of the training was for law enforcement officials, although some also pertained to prosecutors, and two states mentioned training judges and/or developing bench books. About half of the 21 plans mentioned statewide training requirements *only for* domestic violence; the remainder mentioned both domestic violence and sexual assault. It is unclear whether these states and territories do not require training on sexual assault issues, or whether the writers of the plans focused largely on domestic violence and neglected issues and policies related to sexual assault. Some of the training requirements are as little as two hours each on domestic violence and sexual assault issues as part of training for new recruits, with no requirements for in-service training. Others were higher, with one state requiring law enforcement officers to receive 8 hours of training related to domestic violence and 40 hours of training for sexual assault investigations.

## ***Special Units***

Establishing or expanding special units for sexual assault and domestic violence within law enforcement and prosecution is one of the purposes for which the VAWA authorizes states and territories to use STOP funding. These special units are of necessity local, not statewide. That is, they function within local police departments or prosecutors' offices. Thus there can be many special units in any state, as there can be more than one even within one city or county government. Twenty-seven (27) implementation plans mentioned the existence of one or more special units for domestic violence response within law enforcement, and 22 did so for special units within prosecution. Twenty-one (21) implementation plans mentioned the existence of one or more special units focused on sexual assault within law enforcement, with 20 states or territories describing such

units within prosecutors' offices. In contrast, about the same number of states or territories said that *no* such special units existed anywhere in their jurisdictions within law enforcement for sexual assault (22 states or territories) or domestic violence (19 states or territories), and within prosecution for sexual assault (22 states or territories) or domestic violence (22 states or territories). (Information is missing for the remaining states and territories.) Clearly, a good deal of service development is possible in many states and territories to create special units to enhance the capacity of their law enforcement and prosecutorial efforts to handle cases involving violence against women. In addition, innovative solutions are necessary to address the needs of smaller communities which will never be able to support separate units focused on either domestic violence or sexual assault within law enforcement or prosecution, but still need to incorporate the specialized knowledge and approaches appropriate for handling sexual assault and domestic violence cases into their operating procedures.

### ***Statewide Coalitions***

Most states have well-developed coalitions designed to coordinate services for women victims of violence and to advocate on their behalf. We used state implementation plans and independent lists of statewide domestic violence and sexual assault coalitions to identify states having such organizations. Fifty (50) states and the District of Columbia have statewide coalitions of domestic violence services; 4 territories do not, and we have no information on the remaining territory. Forty-five (45) states or territories have statewide coalitions of sexual assault services, 10 do not, and we have no information for the remaining state. Many of these statewide coalitions of victim services are staffed, but a good number are not. Whether staffed or not, statewide coalitions are voluntary associations of victim service agencies and victim advocates who try to promote the interests of victims and the availability of victim services throughout their state. Coalitions with paid staff are likely to be able to mobilize, and especially to maintain a consistent presence over time with respect to relevant policy issues, more effectively than those without paid staff and thus potentially offer more continuity in the involvement of advocates in the ongoing activities of STOP grantees.

### ***Statewide Coordinating Bodies***

In addition to statewide coalitions of victim service organizations and victim advocates, some states have legislatively mandated or administratively established coordinating bodies intended to streamline and expand the capacity of the justice system to handle cases of violence against women expeditiously and fairly. One might expect that states with such resources will be able to capitalize on them to promote the aims of the VAWA and the STOP grants, and that states without them might find it more difficult to develop a comprehensive implementation plan for their STOP monies. This might be especially true if the coordinating body worked in conjunction with the statewide coalitions of victim-serving agencies. Alternatively, existing organizations may have “turf” to protect, and states starting the coordination effort from the ground up may benefit from having an open field in which to design the best programs. This report presents the conditions existing in states at the beginning of the STOP grants process; the next report will use this information to examine how the presence or absence of coordinating bodies affects the development of services and procedures under the STOP program.

We examined implementation plans to identify the existence of relevant statewide coordinating bodies. These plans revealed that, in contrast to the extensive network of coalitions among victim-serving agencies, most of which are outside the criminal justice system, only 16 states or

territories reported having legislative mandates for state-level bodies to set policy for and coordinate the handling of sexual assault and/or domestic violence cases across law enforcement, prosecution, and/or victim services. Thirty (30) state or territorial plans indicated their jurisdiction does not have such legislation; no information on the status of legislation was included in the plans of the remaining 10 states or territories. Furthermore, none of the state plans included information about the actual existence or functioning of any coordinating councils or organizations established in response to these legislative mandates, so that their expected role in implementing the grants is unclear.

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## **State Actions on STOP through December 1995**

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**N**otice of a STOP grant award began the process of planning and implementation in most states and territories. Some states took action prior to applying for STOP funds to comply with mandates in the VAWA to alleviate the financial burden of reporting violence faced by women victims. In this section we review state activities through December 1995 related to the planning and distribution of STOP grant funds.

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### **Eliminating Costs to Victims**

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**T**he VAWA requires states and territories to comply with two specific mandates related to alleviating the financial burden on victims before they can receive STOP funding. First, states were required to ensure that victims bear no personal expense for forensic medical examinations related to filing a charge of sexual assault. Second, states were required to assure that victims bear no personal expense related to court costs for filing either civil or criminal complaints of domestic violence, by either waiving these fees or paying for them. The VAWA specifies September 13, 1996, as the deadline for compliance with this requirement.

Prior to enactment of the VAWA, 37 states or territories already had either legislative or regulatory arrangements to waive or cover the expenses of forensic medical examinations in sexual assault cases. Some of these states changed their laws to cover these expenses within the past five years, as the result of pressure from advocates using the probable passage of VAWA as the impetus to action. Eight states or territories made the necessary changes in their legislation during 1995 to come into compliance with the VAWA mandates, and four additional states made necessary regulatory changes. Specific actions taken by the remaining seven states and territories<sup>1</sup> are not known; however, all states and territories certified in writing that they were in compliance with this requirement when they applied for their STOP grant.

OJP has not canvassed states to learn their status on the filing fees mandate, since states have until September 1996 to comply. However, it is known that three states (Arkansas, Tennessee, and Utah) passed legislation in 1995 that brought them into compliance with this VAWA requirement. It is likely that more states will do the same during 1996. The next report to Congress will summarize state actions and the current status of eliminating the costs to victims of filing domestic violence charges.

The experience of OJP staff on issues relating to victims has helped states to comply with these mandates. Staff have suggested amendments to existing legislation or changes to procedures relating to reimbursement for sexual assault examinations and for filing fees.

### ***Planning and Implementation—Collaboration among Sectors***

The VAWA contains language urging states and territories to make the planning and implementation of the STOP grants a collaborative process. OJP translated this legislative language into guidelines for the participation of many relevant agencies and organizations in the STOP grant process. States and territories were expected to incorporate the ideas of state administrators, police officers, prosecutors, domestic violence service providers and advocates, sexual assault service providers and advocates, and court managers or judges into their plans, and to include these same groups in technical assistance activities such as attendance at the July 27-29 grantee conference. Further, plans were expected to cover the three priority areas (law enforcement, prosecution, and victim services), to target the three types of violence against women specified in the Act (domestic violence, sexual assault, and stalking), and to demonstrate collaboration (or plans for future collaboration) between and among the priority areas and the types of violence.

By the very nature of implementation plans, the amount of detail we have about state planning processes and future plans varies tremendously. Some plans provide very detailed commentary, but other plans contain almost no specific information. In this report we summarize the information in these plans at a very broad level of generality; even so, the amount of missing information is fairly high. We look at which agency took the lead in planning the activities under the STOP grants, what types of agencies or organizations participated in the planning process, and what types of activities (such as hearings, surveys and other needs assessments, and/or meetings) preceded specification of the final implementation plans.

*Lead Agency.* Twenty-two (22) states and territories (about 2 in 5) lodged the primary responsibility for administering the STOP grants and developing the implementation plan in a criminal justice planning, policy, or administrative agency such as a Governor's Crime Commission, criminal justice division of the governor's office, or Office of Justice Planning. Twelve (12) states and territories (about 1 in 5) placed this responsibility in a state-level law enforcement agency such as a Department of Public Safety, while 6 states and territories placed it in the Attorney General's office or another state-level prosecution agency. Eight (8) states and territories gave the STOP grant planning and implementation responsibility to agencies whose primary focus was on victims, women, or domestic violence, such as a Crime Victims Compensation Board or a state-level victim assistance agency. In half of these jurisdictions (4 states), the agency involved was specifically

focused on domestic violence, and it was difficult to see how a balance would be struck among domestic violence, sexual assault, and stalking. Three (3) jurisdictions gave the lead to a general planning office such as State Planning or the Office of Policy and Management. Finally, 5 grantees designated some other type of agency to take the lead, including departments of health, human services, and substance abuse.

Some lead agencies have long histories of work in developing strategies to combat violence against women. However, some units designated as lead agencies for the STOP grants have little or no experience with either domestic violence or sexual assault, and few connections to the primary agencies and organizations that do this work. Several states have already moved the lead responsibility for the STOP grants from one agency to another. During the evaluation it will be important to assess how the identity and historical connections of the lead agency affect its capacity to carry out the planning and collaboration needed to administer the STOP grants successfully.

*Planning Partners.* Most states included representatives of all three priority areas (law enforcement, prosecution, victim services) in their planning process, usually through a committee, task force, or commission. Four states omitted law enforcement, two omitted prosecution, and four omitted victim services. For the most part, these omissions occurred when one state or territorial agency wrote the STOP grant implementation plan with little input from anyone else. When looking at the numbers given below, it is important to keep in mind that many plans simply state that “a coordinating group of [number of agencies] has planning responsibility,” and the evaluators could not determine which specific types of agencies were included or excluded from the group.

With respect to participation from victim services representatives, 27 implementation plans explicitly stated that sexual assault services or victims were represented; 32 plans did the same for domestic violence services or victims. In seven implementation plans it appears fairly clear that sexual assault representatives did not participate in the planning process; the same is true for four plans with respect to domestic violence representatives. The remaining plans indicate that representatives of victims and victim services took part, but they do not indicate which types of violence against women were represented.

The implementation plans indicate that other agencies also took part in the planning process. In 21 states, judges and court systems participated; 11 states included representation from corrections; 2 included one or more legislators; 8 included social or human services departments; and 9 included health departments. In addition, 7 implementation plans explicitly mentioned the inclusion of persons representing underserved populations such as rural areas, or representing specific ethnic, racial, or cultural groups such as African-American, Asian, Hispanic, or Native American women, or women in Appalachia.

In sum, it appears that most states and territories did include representatives from the three priority areas in their planning activities, and some spread the net very far indeed to cover every type of service or activity that might be involved in helping women victims of violence. However,

several states and territories dealt with their STOP applications and implementation plans with little collaboration among sectors.

*Planning Process.* The implementation plans contain some indication of the process that states and territories followed to develop their STOP programs. Twenty-two (22) states or territories conducted some type of needs assessment specifically for the STOP program. Mostly, those doing needs assessments either surveyed relevant agencies for their perception of need, held public hearings at which they gathered testimony from similar types of witnesses, or did both. Thirty-three (33) implementation plans (58 percent) explicitly note that their STOP planning committee held meetings prior to finalizing the plan; 3 states held one meeting, and 30 states met two or more times (some state planning committees met as many as six or eight times). We do not know about the planning activities of the remaining states and territories.

### ***Anticipated Timing of State Actions during 1996***

Given the timing of implementation plan approvals (October 1995) and the end date for our review of 1995 implementation plans (December 1995), we have relatively little information on state activities subsequent to receiving their grants. More will be available in the next report. However, we do know that the first state and territorial activity following approval of their implementation plan was distributing the STOP grant funds through subgrants for specific purposes and activities. Thereafter, the subgrantees could be expected to begin the activities for which they had been funded. Most states went through some type of procedure requesting proposals from potential subgrantees, reviewing proposals, and making subgrant awards. A few states distributed their STOP funding on something closer to a formula basis (e.g., some for every county), and left it to the subgrantees to develop their plans *after* receiving the money.

According to the implementation plans, 7 states expected to distribute STOP funds to subgrantees before the end of 1995, 8 states intended to have their subgrants awarded by January 1996, another 7 expected to make awards by March 1996, and 8 more expected to award subgrants by July 1996. The remaining state plans to make its awards by October 1996. The remaining 25 states (45 percent) did not specify a timetable. Thirty-nine (39) states and territories (70 percent) did not specify how many subgrants they planned to make; 11 states planned to make 10 or fewer subgrants; and 6 states planned to make between 11 and 33 subgrants (including the states that planned to give some STOP money to every county).

Some states that have already announced their subgrantees experienced difficulty in accessing STOP funds during the federal furloughs occurring in 1995. Presumably subgrantees can now draw down their funds and have begun to do so. Once subgrantees are functioning, state STOP program administrators must regularly send OJP information on who received subgrants, monitor their progress, and report on their accomplishments.

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## Summary

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**M**any states and territories have laws, policies and capacities which will enhance their ability to make good use of STOP funds. This chapter has reviewed the existence of state laws affecting law enforcement, prosecution and victim services; statewide law enforcement and prosecutorial training and response policies; the availability of special domestic violence or sexual assault units in police departments and prosecutors' offices; and the availability of statewide domestic violence, sexual assault, or multi-disciplinary coalitions or coordinating bodies.

A significant number of states changed their laws or regulations to comply with VAWA requirements that they eliminate all costs to victims associated with forensic medical examinations in sexual assault cases. More legal and regulatory changes will probably occur during 1996 as jurisdictions strive to meet the VAWA requirement for victim relief from court filing fees.

Most states met the expectations of the VAWA and OJP for significant levels of collaboration during the STOP planning and implementation process. Very few states omitted one or more of the three priority services (law enforcement, prosecution, victim services) from their planning process, and many states spread the net considerably wider to include a variety of other agencies and actors. Grantees and subgrantees have just gained access to their 1995 funding and should be proceeding to carry out the activities stipulated in their implementation plans.

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### Note, chapter 3

1. Guam, Michigan, Mississippi, Nevada, New Mexico, Northern Marianas, and Wyoming.



## Chapter 4

# State Achievements

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**D**uring the summer of 1995, states and territories developed their implementation plans. Once these plans were submitted, OJP worked with states and territories to approve the plans. The Urban Institute analyzed these implementation plans to understand how the STOP grantees planned to meet VAWA requirements for investment in the three priority areas and the seven legislative purposes. In this chapter we review the results of this analysis, and indicate some of the evaluation issues that may arise with respect to the programs and activities undertaken by the STOP grantees and subgrantees.

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## State Matching Contributions

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**T**he VAWA requires states to provide matching funds for the STOP grants, which may be either cash or in-kind goods or services. Most implementation plans do not give specific information about the amount or nature of the state match, often because it is in-kind. The 19 states and territories that do include this information in their plans provided an average match of 22.9 percent of federal funds. Matching fund levels among these 19 states and territories ranged from a low of 12.3 percent to a high of 51.8 percent. Prior to the end of each state grant period, a 25 percent match to all government grantees will have to be met.

In the remainder of this chapter we describe how the 56 implementation plans deal with particular criteria in the VAWA. Specifically, we look at the distribution of funding across the three priority areas (law enforcement, prosecution and victim services). We also examine the frequency with which states and territories chose to invest in each of the seven legislative purposes, and describe some of the specific activities relevant to each purpose that are mentioned in the implementation plans. We also try to assess the relative balance among domestic violence, sexual assault and stalking that the plans achieve.

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## **The Three Priority Areas: Law Enforcement, Prosecution, Victim Services**

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The VAWA mandates that STOP grantees spend at least 25 percent of their STOP funds for each of law enforcement, prosecution, and victim services, and allows grantees considerable latitude in how the remaining 25 percent may be spent within the parameters and intent of VAWA. The states have 24 months (the duration of the grant period) to meet these allocation requirements. The actual distributions shown in the implementation plans are as follows:

Priority Area	Proportion of STOP Funding Allocated		Number of States Supplying Information
	Average	Range	
Law Enforcement	26.9	18.3–51.9	50
Prosecution	26.0	8.1–50.3	50
Victim Services	30.2	18.2–50.6	50
Other Activities	16.9	0–34.4	40
Planning	3.3	0–11.0	34
Administration	4.6	0–11.0	36

As these figures indicate, most states and territories adhered very closely to the legislative guidelines on STOP funding allocations. Six states or territories did not include enough detail in their implementation plans to let us make even this gross assessment of compliance. Of the 50 states that did provide sufficient detail, the allocations were as follows:

- ☐ Law enforcement—10 fell under 25 percent, 27 were at exactly 25 percent, 13 were over 25 percent, and 6 were unknown.

- ☐ Prosecution—9 fell under 25 percent, 27 were at exactly 25 percent, 14 were over 25 percent, and 6 were unknown.
- ☐ Victim services—4 fell under 25 percent, 21 were at 25 percent exactly, 25 were over 25 percent, and 6 were unknown.

With respect to grantee use of STOP funds within the three legislative priority areas, the next stage of this evaluation will examine in more detail the activities actually undertaken in each area, who actually performed the activity, and how the discretionary component of STOP funding was used. Since it will be quite common that a victim service agency will receive a STOP subgrant to train law enforcement or prosecution personnel, we will want to see how the STOP state administrators report the allocation of these funds, and whether there is consistency across states in how these allocations are made.

## The Seven Legislative Purposes

Implementation plans were not detailed enough to give the actual distribution of STOP dollars across the seven legislative purposes, but for most states we were able to determine their intent to invest STOP funding for a particular purpose. The table below shows the number of implementation plans that specified at least one activity for each purpose.

Legislative Purpose	Number of States Indicating Intent To Fund through STOP Grant
Training Law Enforcement and/or Prosecutors	52
Special Law Enforcement or Prosecution Units	33
Policies, Protocols, Procedures	43
Data Collection and Communications	40
Victim Services	55
Stalking	8
Programs Addressing the Needs of Indian Tribes	12

Approximately one-third of the implementation plans were extremely general in describing their intent. They usually just restated the legislative intent for each purpose and said they would pursue it, without being specific as to means or mechanisms. For example, they said they would use STOP funds to “improve victim services,” without saying how. A number of states simply said they would address all of the purposes but that at the time of plan submission they could not say how they would do so. It is clear that states differ dramatically in their experience in these areas and their ability to make explicit plans at this time. These different starting points will most likely influence the time it takes states to “get up to speed” with their STOP grants, and may also influence their ultimate

ability to use this federal assistance effectively. However, many states put significant effort into their implementation plans and were quite specific about their expected uses of STOP funding. Through its final rule for the STOP program (§90.11 (b)), OJP has encouraged grantees to include the courts and corrections agencies (probation and parole) in their comprehensive planning to combat violence against women. Many states have chosen to fund activities in these areas as part of a collaborative, holistic approach. In the paragraphs that follow, we give a flavor of the range of activities included in the implementation plans, and the evaluation issues we will be looking at during the coming year as we assess the activities performed during the grantees' first year of STOP funding.

## ***Training***

The VAWA restricts this purpose to training for law enforcement personnel and prosecutors. In addition to generally asserting that they would “do training for law enforcement and/or prosecution,” states and territories described a number of specific training activities, including:

- ☐ Expanding training requirements to be effective statewide.
- ☐ Creating special seminars, in-service courses, and “roll-call” training packages.
- ☐ Developing multi-disciplinary training for law enforcement, prosecution, judges, and victim services.
- ☐ Developing training for prosecutors for date rape cases.
- ☐ Developing or updating training curricula.
- ☐ Training process-servers on issues related to domestic violence cases.

Evaluation issues with respect to training will include: 1) who was involved in deciding who should be trained and what training they should get? 2) who was involved in designing and delivering the training? 3) what are the goals of the training; what differences in attitudes, behavior, and procedures were expected or desired as a consequence of receiving the training? 4) who received the training; what proportion of the state's law enforcement or prosecution personnel is this? 5) what evidence is available to indicate whether the training had the desired effects? 6) what does that evidence show?

## ***Special Units***

Most plans that made commitments in this area simply stated their intent to establish or expand one or more special units for domestic violence and/or sexual assault within law enforcement, prosecution, or both. Such plans occasionally included hiring new staff.

Evaluation issues with respect to special units will include: 1) who was involved in deciding which special units should be formed? 2) how has the issue of specialized knowledge or specialized personnel (as opposed to entire specialized units) been handled for smaller communities and rural areas? 3) who was involved in designing and implementing the special units; what was the timetable; what were the steps involved; who was consulted in the process? 4) what goals are these special units expected to meet; what differences in attitudes, behavior, and procedures were expected or desired as a consequence of creating the unit or developing specialized knowledge in one or more personnel in smaller communities? 5) what evidence is available to indicate whether the specialized units are having the desired effects? 6) what does that evidence show?

### ***Policies, Procedures, Protocols***

In addition to the plans that limited their remarks to asserting that the state would “develop innovative policies and procedures,” a number of plans mentioned specific activities, including:

- ☐ Developing model law enforcement protocols.
- ☐ Developing a domestic violence manual for police and/or prosecutors.
- ☐ Supporting attendance at conferences where innovative policies, procedures, and protocols might be shared.
- ☐ Establishing an oversight committee to identify criminal justice system problems and supervise efforts to alleviate them.
- ☐ Expanding the availability of free legal services for the preparation of protection orders.
- ☐ Creating procedures to honor the protection orders issued by other jurisdictions (full faith and credit).
- ☐ Developing bench books for judges and court personnel.
- ☐ Developing protocols for inter-jurisdictional issues among city, county, state, tribal, and federal jurisdictions.
- ☐ Promoting collaboration among the criminal, civil, and juvenile courts.
- ☐ Establishing statewide councils and coalitions.

Evaluation issues with respect to policies, procedures, and protocols will include: 1) who was involved in deciding which new policies, procedures and protocols should be adopted? 2) who was involved in designing and implementing the policies, procedures, and protocols; what was the timetable; what were the steps involved; who was consulted in the process? 3) what goals are each policy, procedure, or protocol expected to meet; what differences in attitudes, behavior, efficiency, or victim reactions were expected or desired as a consequence of establishing the policy, procedure,

or protocol? 4) what evidence is available to indicate whether the policies, procedures, and protocols are having the desired effects? 5) what does that evidence show?

### ***Data Collection and Communications***

Many specific plans for improving data collection and communications were proposed. In addition to the intent of many states and territories to establish statewide data systems for tracking sexual assault and/or domestic violence cases, the following activities were mentioned in the plans:

- ☐ Developing a jail release notification system.
- ☐ Conducting a statewide victimization survey.
- ☐ Providing investigative and communications equipment for domestic violence and sexual assault units within law enforcement.
- ☐ Providing fax machines to victim service agencies to improve communications.
- ☐ Developing a computerized system linking law enforcement, prosecution and the courts to track domestic violence arrests, protection orders, violations, and convictions.
- ☐ Developing a computer-indexed repository for statewide domestic violence and sexual assault data, statistics, and reports.
- ☐ Developing standardized data collection instruments for both sexual assault and domestic violence services.
- ☐ Data collection and evaluation activities, such as statewide needs assessments or victim impact surveys.

Evaluation issues with respect to data collection and communication systems will include: 1) who was involved in deciding which systems to adopt? 2) how have the inter-jurisdictional and inter-agency issues of data quality (completeness and accuracy), data sharing, timeliness and confidentiality been handled? 3) who was involved in designing and implementing the systems; what was the timetable; what were the steps involved; who was consulted in the process? 4) what goals are these systems expected to meet? 5) what evidence is available to indicate whether the data collection and communication systems are having the desired effects? 6) what does that evidence show?

### ***Victim Services***

Most implementation plans expressed the intent to strengthen victims services. This area saw the most frequent expectation that new staff would be hired; some plans also detailed their intent to recruit and train more volunteers. Activities related to victim services included:

- ☐ Creating a statewide emergency response 800 telephone number.
- ☐ Developing a network of translators for various languages.
- ☐ Exploring the feasibility of developing safe homes in counties without shelters.
- ☐ Expanding sexual assault services in rural areas.
- ☐ Creating multi-disciplinary teams to respond to domestic violence and sexual assault.
- ☐ Exploring the feasibility of mobile teams to serve remote areas of the state.
- ☐ Creating a videotape describing the procedures for filing a domestic violence complaint.
- ☐ Developing questionnaires to collect service evaluation data from domestic violence and sexual assault service users.
- ☐ Providing a variety of specific technical assistance.
- ☐ Training medical personnel and victim service professionals.

Evaluation issues with respect to victim services will include: 1) who was involved in deciding which services should be formed, expanded, or strengthened; where these services should be located, and whom these services should help? 2) what is the balance of the resources devoted to strengthening services for victims of sexual assault, domestic violence, and stalking; how much joint activity has occurred? 3) who was involved in designing and implementing the services; what was the timetable; what were the steps involved; who was consulted in the process? 4) what goals do these services expected to meet; what differences in victim outcomes or criminal justice system functioning are expected or desired as a consequence of providing the services? 5) what evidence is available to indicate whether the services are having the desired effects? 6) what does that evidence show?

## *Stalking*

Relatively few implementation plans address this legislative purpose. Those that do suggest holding a statewide conference or summit to develop strategies for addressing stalking, or establishing an association of domestic violence investigators with particular expertise in the area of stalking; developing curricula to train relevant personnel on appropriate criminal justice system responses; and developing a prosecution protocol. The absence of direct references to stalking initiatives may not mean that states do not plan to aggressively work in this area. Stalking activities may be subsumed under, and play a major role in, planned victim protection and enforcement activities, particularly for domestic violence victims. Future evaluation will be directed at examining the extent to which the grantees address the issue of stalking.

Evaluation issues with respect to stalking will include: 1) what ideas do grantees have about approaches to reducing stalking behaviors? 2) are grantees handling stalking issues separately, or in the context of domestic violence and sexual assault; how appropriate does it appear to be to

address stalking separately rather than as a connected issue? 3) who has been involved in designing and implementing policies or procedures with respect to stalking? 4) what goals are these approaches to reducing stalking expected to meet? 5) what evidence is available to indicate whether approaches to stalking are having the desired effects? 6) what does that evidence show?

### ***Programs Addressing the Needs of Indian Tribes***

As with stalking, relatively few state or territorial implementation plans addressed this purpose.<sup>1</sup> The activities proposed by the few states that did address it included establishing a special unit on one reservation; establishing shelters and rape crisis services on reservations within the state; and assisting tribal governments in various ways (training tribal police, providing protocols, working with coordinating councils, promoting community policing and increasing community involvement). A few states mentioned serving Native American populations as part of their intent to expand victim services—sometimes the emphasis was on language issues, and sometimes on cultural and access issues.

Evaluation issues with respect to programs for Indian women will include: 1) who was involved in deciding which programs to develop? 2) are these programs focused on reservations, or are the needs of urban and non-reservation Indians also addressed? 3) who was involved in designing and implementing the programs; what was the timetable; what were the steps involved; who was consulted in the process? 4) what goals are the programs expected to meet; what differences in attitudes, behavior, and procedures were expected or desired as a consequence of establishing the programs? 5) what evidence is available to indicate whether the programs are having the desired effects? 6) what does that evidence show?

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## **Distribution of Effort across Domestic Violence, Sexual Assault, and Stalking**

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**T**he VAWA legislation stipulates a particular distribution of STOP funds across the three priority areas of law enforcement, prosecution, and victims services. However, although the legislation *allows* support for activities related to domestic violence, sexual assault, stalking, and other types of violence against women, it does not *require* a particular distribution. Grantees might, therefore, choose to put most of their emphasis on domestic violence, or on sexual assault, to the effective exclusion of other types of violence. We therefore thought it was important to examine implementation plans to see whether we could gain a sense of the balance struck by grantees across these types of violence against women.

Since relatively little activity in the implementation plans is devoted to stalking issues, the question comes down to the distribution of resources between domestic violence and sexual assault. Based on the information contained in implementation plans (which in quite a few instances is quite minimal), it appears that most states and territories plan at this time to strike a reasonable balance



between these two focuses. Forty-three (43) implementation plans seem to indicate significant attention to both. Only 9 plans show a distinct bias in one direction or the other; for 8 of these, the balance is definitely tipped in the direction of domestic violence, while the remaining plan places a stronger emphasis on sexual assault. In the coming year we will examine this issue of distribution across types of violence more closely. We will also be interested to see how stalking is handled, and whether it makes most sense from a service perspective, and from the perspective of protecting women, to integrate efforts to reduce or eliminate stalking into the ongoing work being done with domestic violence and sexual assault.

### ***Distribution across Underserved Populations***

Most plans that say anything about special needs populations simply announce their intention to develop or improve the relevant services, without relating any specifics as to population or service. Relatively few plans mention specific activities designed to address the needs of underserved populations or ethnic, racial or cultural communities. Seven states explicitly mention including representatives of such populations or communities in their STOP planning activities. One or two plans mention services for specific disabled populations, such as increasing access for hearing-impaired women. During the coming year we will be paying particular attention to how STOP funding is being used to address the needs of underserved populations, and the role those populations themselves are asked to play in designing and delivering these services.

### ***Grantee Evaluation Plans***

Because many STOP implementation plans are relatively unspecific as to the actual projects to be funded, state evaluation plans are likewise often described in very general terms, if at all. We classified the information about state and territorial evaluation plans into four categories; plans could be included in more than one category. In the first category, 19 implementation plans either make no mention of evaluation at all, or state only that “subgrantees will submit reports.” In the second category, 20 implementation plans describe the intent to monitor and visit subgrantees and review their activities. Eighteen (18) plans mention conducting assessments, or looking at program effectiveness or outcomes, but do not provide any specifics about how this will be done, who will do it, or what outcomes will be measured. In the final category, 8 plans contain relatively specific information about evaluations, including evaluation models, differential evaluation plans for different types of services, follow-up surveys to assess victim impact, and other methods. It is possible, of course, that some states with relatively specific ideas for evaluation activities chose not to detail these ideas in their implementation plan. But it is more likely that some of the states mentioning an intent to assess effectiveness without giving specifics are at the same basic level as those who state only that they will collect reports from subgrantees—they will probably need quite a lot of help in developing adequate evaluation plans.

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## Plan Implementation and Impacts

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Not enough time elapsed between implementation plan approvals and the cutoff date for this report to expect that states could have acted upon the many specific projects described in their implementation plans. As noted earlier, many states still have not distributed their funds to subgrantees, or else the subgrantees have not been able to access the STOP funds due to federal shutdowns. Therefore, this report does not include information about specific types of training offered, units formed, policies established, and so on. The next report will contain a fully detailed description of these first-year accomplishments. In a similar vein, we cannot report for 1995 about numbers or characteristics of victims served in 1995 STOP programs or activities, such as client/witness demographics, nature of the offense, or services received.

The picture will be much different in the next report scheduled for March 1997. During 1996, OJP will be working with states to clarify their program objectives, to specify reporting requirements, and to begin the process of developing appropriate evaluation mechanisms for the STOP activities. The 1997 report will thus be able to cover first-year grantee actions, detailed information about the activities of subgrantees, client statistics, and the findings of in-depth site visits made by the Urban Institute in its role as independent evaluator of the STOP grant program.

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### Note, chapter 4

1. However, OJP has set aside about \$1 million of the STOP grant funds for the explicit purpose of funding projects run by Indian tribal governments, and 14 such grants have been awarded.

## Chapter 5

# Prospects for the March 1997 Report

The next report from this evaluation will cover the activities of STOP grantees for the first full year during which state and territorial grantees and subgrantees have STOP funding to work with. By late summer 1996, OJP will receive from grantees their reports on first-year activities, plus their implementation plans for their second-year activities. The Urban Institute will analyze the first-year reports to see whether first-year implementation plans were carried out as written, what changes were made, and the reasons for those changes. To the extent that subgrantees were able to perform the work specified in their subgrants and that their first-year reports include evidence of their accomplishments, the next report will contain concrete data about training held, numbers of people trained; specialized units formed or personnel trained; policies, procedures and protocols adopted and implemented; data collection and communication systems initiated or expanded; characteristics of victims served (and hopefully victim reactions to that service); and activities related to stalking and to Indian women who are victims of violence. In addition, we expect to be able to report what types of activities have been developed to address the needs of underserved populations, and what proportion of those populations are in a position to benefit from the new activities.

We also anticipate being able to include information about the process of implementation of the STOP grants. Specifically, we will be interested in who has been involved in STOP planning and

implementation, whether victim services and advocacy organizations have been invited to participate fully as the VAWA intended, how well the efforts at multi-agency and multi-jurisdictional collaboration have worked, and how adequately the state administrator and subgrantees have planned for gathering informative evaluation data showing program impact. Some of this information will come from our reviews of grantee plans and reports. However, a good deal of it will come from telephone surveys to key respondents in all grantee jurisdictions, and site visits to five grantees. The site visits will allow a more in-depth look at how the STOP funding is being administered and what it is accomplishing. The next report will include a description of our findings from the site visits and their implications for future actions under the VAWA.

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## APPENDIX

# Advisory Group Members

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