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Working with Victims

Leslie Abernathy
Forsyth County Solicitor-General

If only court were so choreographed!!

http://www.youtube.com/watch?v=zbr2ao86ww0&feature=PlayList&p=6338E66C0B0F5E22&playnext=1&playnext_from=PL&index=3 -

Objectives:

- Review mandates of Crime Victim's Bill of Rights
- Explore victim mentality
- Examine Victim Advocates role in process
- Equip prosecutors to empower victims

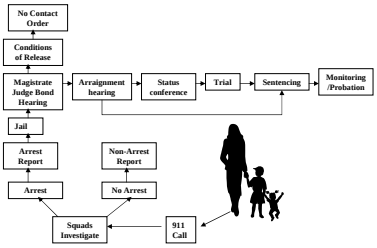
Crime Victim's Bill of Rights

- 17-17-5: notification of release and hearings regarding release
- 17-17-6: possibility of release; victim's role in each stage; how to get information about each stage; availability of victim compensation; and community based victim services

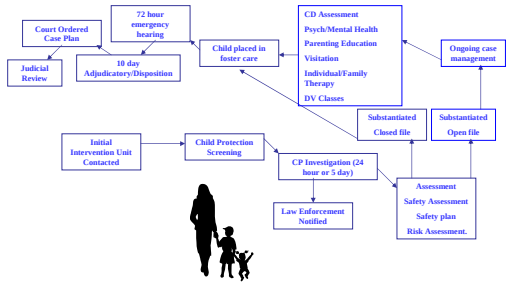
- 17-17-7: notify victim of arrest of suspect
- 17-17-8: steps in processing a criminal case; their rights under this bill; suggested procedures if the victim is subject to threats or intimidation; names & telephone numbers of contacts at holding facility and prosecutors office; prompt advance notice of court proceedings

- 17-17-9: provide separate waiting areas
- 17-17-11: provide victim opportunity to express their opinion on disposition

"Why Doesn't She Just Leave?"
Or "Why Did She Stay So Long?"

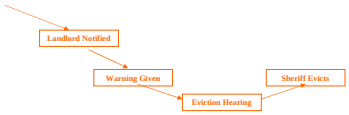


DOMESTIC VIOLENCE/ ARREST INCIDENT



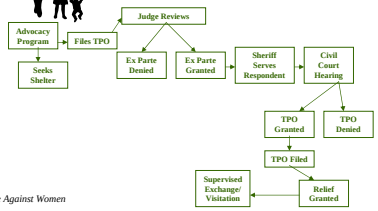
CHILD PROTECTION MAP

HOUSING MAP



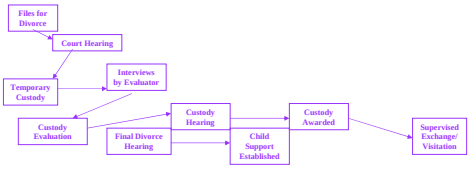
Praxis – Rural Technical Assistance on Violence Against Women

ORDER FOR PROTECTION – CIVIL COURT PROCESS

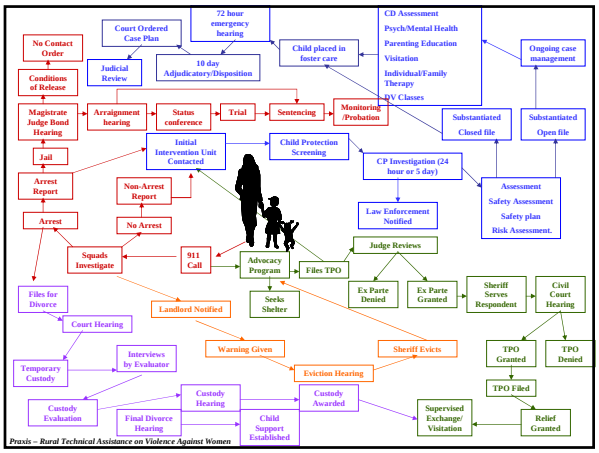


Praxis – Rural Technical Assistance on Violence Against Women

CUSTODY MAP



Praxis – Rural Technical Assistance on Violence Against Women



Working with survivors:

- Use your resources – Victim Advocates
- Understand that they are adults and they will make their own decision about cooperating with you or not cooperating with you
- Respect their decision

- Explore grant opportunities to fund a free victim counselor
- Victim Advocate can give referrals to counseling services and group
- Victim Advocate can give referrals to local resources for sustainability

- Communicate with your Victim Advocate on the status of the case
- Use Victim Advocate to prepare the victim to testify
- Have Victim Advocate do a risk assessment

ASSESSING RISK:

The most dangerous time for a domestic violence victim is separation

Safety should always be in the forefront of considerations

There are 20 top risk factors

associated with domestic violence

homicides.

Questions to ask:

- Has the physical violence increased in severity or frequency over the last year?
- Does he own a gun?
- Have you left him after living with him during the past year?

- Is he unemployed?
- Has he ever used a weapon against you or threatened you with a weapon?
- Does he threaten to kill you?

- Have a procedure in place for the victim to meet with the Victim Advocate to request bond modifications
- Have the Victim Advocate to meet with Investigator and/or Prosecutor to prepare evidence and testimony

- Has he avoided being arrested for Domestic Violence?
- Do you have a child that is not his?
- Has he ever forced you to have sex when you did not want to?

- Does he ever try to choke you?
- Does he use illegal drugs?
- Does he have an alcohol abuse or addiction problem?

- Does he control most or all of your daily activities?
- Is he violently and constantly jealous of you?
- Has he ever been violent when you were pregnant?

- Has he threatened or tried to commit suicide?
- Does he threaten to harm your children?
- Do you believe he is capable of killing you?

- Does he follow, spy on you, leave threatening notes or messages, destroy property or call you when you don't want him to?
- Have you ever threatened or tried to commit suicide?

Empowering Victims

Works