

Domestic Violence and Immigrant Populations

Special Attention to Special Victims



Presented to the Task Force on
Immigration

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Connecticut Chief State's Attorney's Office, Specialized Domestic Violence Unit.

- **Kevin Dunn** – Senior Assistant State's Attorney. Helped develop the dedicated domestic violence docket in Bridgeport. He is credited with pioneering the team prosecution and victim centered prosecution model in Connecticut. He is currently the statewide resource prosecutor on domestic violence.
- **Ken Edwards** – Inspector. Over 26 years of law enforcement experience. He developed a multi-disciplinary domestic violence team in New London. Ken's career is highlighted by his work improving the delivery of police services to underserved populations.



The Comprehensive Family Violence Act of 1986.

- Motivated by the Tracy Thurmond attack.
- Defined Family Violence.
- Provided direction for police and courts.
- Required arrest when probable cause existed.



New law a step in the right direction

- Some police agencies struggled with the arrest - decision making process.
- Dual arrests increased. (Still a problem in some jurisdictions)
- Although there was now a mandatory arrest provision, there still is no mandatory prosecution law.

D/V Intakes by court 2006

(% of total cases) (% of D/V Intakes)

■ New Haven 25%	3228	■ Danielson 34%	1113
■ Hartford 27%	3174	■ Middletown 23%	999
■ Waterbury 27%	2932	■ Bantam 29%	997
■ New Britain 31%	2068	■ Norwalk 24%	938
■ Bridgeport 25%	2019	■ Danbury 36%	937
■ Manchester 28%	1755	■ Norwich 27%	936
■ Meriden 23%	1506	■ Stamford 23%	907
■ Bristol 30%	1207	■ Milford 22%	824
■ Enfield 30%	1189	■ Derby 29%	750
■ New London 22%	1135	■ Rockville 20%	579



The courts needed to re-evaluate how they operated around D/V

- In 1996 – Only 10.5% of all Connecticut domestic violence cases in criminal courts were prosecuted. (89.5% were dismissed or nollied)
- In 1997 a special domestic violence docket, consistent prosecutor / judge, and team approach were instituted in Bridgeport.
- Bridgeport went from a conviction rate of 7.2% to 28% in less than a year. In 2002 it was 30%, and in 2006 the average was over 32%.



Best Practices

- Consistent & Complete Investigations
- Dedicated Dockets
- Independent Advocacy
- Team Review and Input
- Victim Centered Prosecution
- Accessible 26 week batterers program
- Judicial Oversight



Immigration / Domestic Violence

- Two best practices we will focus on:
 - Police as the gatekeepers of the system
 - Equal protection under the law.
 - Stay true to the principals of community policing.
 - Victim centered prosecution
 - Advocates as important team members.
 - Consider the impact of prosecutorial decisions upon the victim and her family.



Criminal Proceeding and Their Effect on Offenders

- Criminal record and immigration status.
- Crimes with immigration consequences.
- Sentence imposition.



Criminal Proceedings and Effects on Victims

- Dual Arrest
- Effects of convictions on victim:
 - Applications (need for U Visa)
 - Housing
 - Income
 - Standing w/ family & community



Recommendations

- Law enforcement agencies should examine their existing mission statements and ensure they are applied to all persons they police.
- Law enforcement agencies need to establish policies that direct their officers on what they will, or will not do, when dealing with victims who have questionable immigration status.
- Efforts must be made to educate the community that the police will not question victims about their immigration status.



Recommendations

- Recommend specialized D/V units within Law Enforcement Agencies.
- Expand and enhance D/V dockets in Connecticut courts.
- Sufficiently fund community based advocates!!!!
- Advocates need to be educated on the special needs of victims who happen to be immigrants, and the resources available to them.
- Trained advocates need to be available during every stage of the process, educating victims about how the system works, and directing them towards help on their status.



Recommendations

- Police & Prosecutors should be prepared to help certify that a victim has helped, or is helping, in the investigation or prosecution of a domestic violence crime.
- Prosecutors should convene weekly team meetings that balance victim safety and welfare with defendant accountability.



Recommendations

- Family Justice Centers
 - Co-locate services
 - Wrap around – one stop shop for victims and their families
 - Help victims, including those in the immigrant community, to navigate the civil, criminal and administrative mazes.