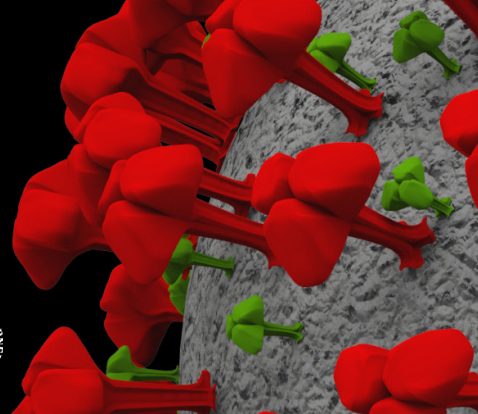


COVID-19

Conducting and Defending a Pandemic-Era Forensic Interview Webinar Follow-up



On June 23, 2020, CNA and the National District Attorneys Association (NDAA) partnered with Lys Runnerstrom, a Senior Deputy District Attorney and the Domestic Violence Liaison in the Boulder County, Colorado, District Attorney's Office to present a webinar on the nuances of domestic violence dynamics. During this webinar, Ms. Runnerstrom referred to additional resources and answered a number of questions. This document provides those follow-up resources and answers some remaining questions.

FOLLOW-UP RESOURCES

During the webinar, Ms. Runnerstrom mentioned a number of articles and other resources focusing on nuances of domestic violence, including the following:

- Abramson, A. (2020). "How COVID-19 may increase domestic violence and child abuse." *American Psychological Association*, 8.
- Allen, P. G. (1998). "A test of validity and reliability of the Stages of Unbonding Scale." (Doctoral Dissertation). Retrieved from the University of Cincinnati.
- Bettinger-Lopez, C. & Bro, A. (2020, May 12). "A Double Pandemic: Domestic Violence in the Age of COVID-19." Council on Foreign Relations. <https://www.cfr.org/in-brief/double-pandemic-domestic-violence-age-covid-19>.
- Bonomi, A. E., Gangamma, R., Locke, C. R., Katafiasz, H., & Martin, D. (2011). "Meet me at the hill where we used to park": Interpersonal processes associated with victim recantation." *Social Science & Medicine*, 73(7), 1054-1061.
- Epstein, D. (1999). "Effective intervention in domestic violence cases: Rethinking the roles of prosecutors, judges, and the court system." *Yale JL & Feminism*, 11, 3.
- Hester, M., & Westmarland, N. (2006). "Domestic violence perpetrators." *Criminal Justice Matters*, 66(1), 34-35.
- Kantor, J. (2014). "Seeing abuse, and a pattern too familiar." *The New York Times*.
- Klein, A. R. (2009). *Practical implications of current domestic violence research: For law enforcement, prosecutors and judges*. Washington, DC: Office of Justice Programs, US Department of Justice.
- Kreager, D. A., Felson, R. B., Warner, C., & Wenger, M. R. (2013). "Women's education, marital violence, and divorce: A social exchange perspective." *Journal of marriage and family*, 75(3), 565-581.
- Peters, S. W., Trepal, H. C., de Vries, S. M., Day, S. W., & Leeth, C. (2009). "Victims of domestic violence and front-line workers: A helping paradigm." *Michigan Journal of Counseling: Research, Theory and Practice*, 36(2), 3.
- Pummell, K. L. (2017). "Empathetic Cops: The Impact on Victims of Domestic Violence." (Master's Thesis). Retrieved from The College at Brockport Digital Commons.



- Rollè, L., Ramon, S., & Brustia, P. (2019). "New perspectives on domestic violence: from research to intervention." *Frontiers in psychology*, 10, 641.
- Stanley, M. (2020, May 9). "Why the increase in domestic violence during COVID-19?" *Psychology Today*. <https://www.psychologytoday.com/us/blog/making-sense-chaos/202005/why-the-increase-in-domestic-violence-during-covid-19>.
- Thomas, K. A., Joshi, M., & Sorenson, S. B. (2014). ""Do you know what it feels like to drown?" Strangulation as coercive control in intimate relationships." *Psychology of Women Quarterly*, 38(1), 124-137.
- Vilhauer, J. (2000). "Understanding the Victim: A Guide to Aid in the Prosecution of Domestic Violence." *Fordham Urban Law Journal*, 27, 953.
- Zara, G., & Gino, S. (2018). "Intimate partner violence and its escalation into Femicide. Frailty thy name is 'violence against women.'" *Front Psychol.* 2018; 9.

QUESTION: HAVE YOU FOUND THAT "NO-DROP" POLICIES IMPACT REPORTING?

Ms. Runnerstrom has not pulled any data in her own jurisdiction to make this determination, so she would be guessing if she answered either way. However, Ms. Runnerstrom believes that, extrapolating from the research, no-drop prosecution policies take the onus off the victim to act as a "civil claimant," and therefore can lead to an increase in reports by helping mitigate some of the fear of reprisal a victim may experience when initiating a report. In the context of re-abuse and recidivism within a relationship, a no-drop prosecution policy will also help create an environment where victims can act ambivalent or even opposed to prosecution in an effort to protect themselves, knowing that they do not have to drive prosecution.

QUESTION: WOULD YOU RECOMMEND TRAINING ON THESE TOPICS FOR POLICE OFFICERS?

Part of the reason Ms. Runnerstrom talks so much about research and especially the role of empathy in connecting with a victim is that criminal justice professionals often find themselves in fast-paced jobs and have to work quickly. Sometimes, they can forget to take the time to slow down and really think about what they are doing and the human component of the work.

It is amazing to see the connections criminal justice professions, including police officers and prosecutors, can forge with people out in the world by exercising empathy. Empathy certainly has a place in officers' personal lives, but even more so in their professional lives, when talking with victims of trauma. The research is clear: empathy is a major factor in a victim's satisfaction with the outcome of an interaction with law enforcement, and it is also critical to helping victims work through trauma.

While not presented in the webinar, there is evidence that if a victim is shown empathy, he or she is 90 percent more likely to continue participating in the prosecution, even if he or she disagrees with the prosecutor's position. The more criminal justice professionals can eschew judgment in the domestic violence context, recognize the importance of how they approach interactions with victims, choose their words carefully, and recognize that each individual is unique with a unique story that does not fit into preconceived stereotypes, the better they will serve the community. Police officers and prosecutors can learn these valuable skills through training.

QUESTION: ARE THERE ADDITIONAL STEPS THAT PROSECUTORS CAN TAKE TO SUPPORT VICTIMS OF DOMESTIC VIOLENCE DURING COVID-19?

The biggest step is finding creative ways to connect victims with resources. For example, Boulder County's District Attorney's Office hung simple flyers with local shelter information in essential businesses. It also posted a short video on its website with essential information for DV survivors, such as the phone number, shelter information and hotline information. Now that salons are opening, Boulder County is preparing to contact local salons to train stylists on signs of DV using the Cut It Out program training materials. Stylists can identify signs of DV in victims who have been in isolation with their abusers.

QUESTION: WHAT SHOULD THE ROLE OF THE VICTIM'S ADVOCATE BE IN SUPPORTING VICTIMS OF DOMESTIC VIOLENCE?

Offices around the country have different opinions about the victim advocate's role, but a major component of the role is connecting victims with resources. A huge impetus for victims stems from the various places they must call and go to receive the resources they need once a case is filed. An advocate can really help bridge that gap.

This relates back to the 1999 Epstein study. In that study, student advocates with only a few weeks of training presented a valuable resource to victims by connecting them to other community resources—ultimately leading to those victims leaving the abusive relationships when they wanted to. A victim advocate is also crucial in helping a victim navigate the criminal justice system. Since prosecutors are all well versed in the system, they may underestimate how confusing it can be. When a prosecutor helps a victim know what to expect at all times, the victim is more likely to stick with the prosecution.

QUESTION: GIVEN THE PREVALENCE OF DV, DO YOU HAVE KEY GO-TO QUESTIONS YOU USE DURING VOIR DIRE TO FERRET OUT JURORS WHO THEMSELVES ARE DV VICTIMS OR ABUSERS?

Judges in Boulder County almost always ask jurors whether they have been victims of crime or charged with a crime. That identifies some folks who have been involved one way or another with intimate partner violence but we also know that only 62 percent of domestic violence is reported leaving out a large swath of people.

Ms. Runnerstrom asks questions about whether anyone thinks DV should be a family matter, as well as questions about where DV happens, why it happens without witnesses, and how to judge credibility. It is surprising to realize how many people in the general public still have antiquated views of DV and talk about it needing to be resolved within the family. The more prosecutors know about those views, the more they can tailor their questions to identify those responses. Usually, those who have been involved in IPV will start to identify themselves during voir dire.

QUESTION: SOCIAL MEDIA IS PROMOTING DV VICTIM "CODE," E.G., CALLING 9-1-1 TO ORDER A PIZZA, OR GIVING A HAND SIGNAL DURING A VIDEO CALL (ZOOM, SKYPE, ETC.)—IS THIS A REAL RESOURCE FOR VICTIMS OF DOMESTIC VIOLENCE?

Ms. Runnerstrom believes that these can be useful. A few months ago, Boulder County saw these kinds of "codes" being using in other countries with some success. There was a story about a woman using the phrase

“Mask 19” in China to identify herself as a DV victim in a pharmacy, prompting the police to be called. But there are some limitations to using code systems. It fails to recognize that one of the biggest issues with COVID is the forced isolation aspect, so it is probably not very likely that a victim will be alone to use the code words or signals.

Ms. Runnerstrom has not seen the “calling 911 to order a pizza” suggestion—but she believes that could end up being a real resource. Some hotlines are also now using WhatsApp, a secure messaging platform—that can certainly be helpful where a phone call is too risky. The platform’s security helps with confidentiality.

MS. RUNNERSTROM ANSWERED THE FOLLOWING QUESTIONS DURING THE NUANCES OF DOMESTIC VIOLENCE DYNAMICS WEBINAR. TO ACCESS A RECORDING OF THE WEBINAR, PLEASE CLICK THIS [LINK](#).

- What are common misconceptions about victims of domestic violence?
- How do you increase victim cooperation during prosecution?
- How do you discuss prosecution with victims who wish to recant?
- How do no-contact orders impact victims of domestic violence?
- Do you share statistics with victims of domestic violence when they want to recant?

FOR QUESTIONS, CONTACT US AT COVID19_COURTS@CNA.ORG.