

The 24 Hour Initiative



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District Attorney

34th Judicial District of Texas

Identifying the Challenges: Domestic Violence Prosecution in Texas

- ⦿ The dynamics of the crime are different.
 - ⦿ Defendant and victim often live together even after the crime.
 - ⦿ Defendant and victim often have children.
 - ⦿ The couple's finances are intertwined.
 - ⦿ Love.
- ⦿ The defendant and the victim already have a *relationship*.

Identifying the Challenges: Domestic Violence Prosecution in Texas

- Collecting the evidence becomes the key.
 - *Crawford* and *Davis* and *Hammond*
 - Building evidence re forfeiture by wrongdoing
 - 911 Recordings
 - Photographs – defendant, victim, etc.
 - Medical records
 - Witnesses
 - Phone records
 - Texts
 - Emails

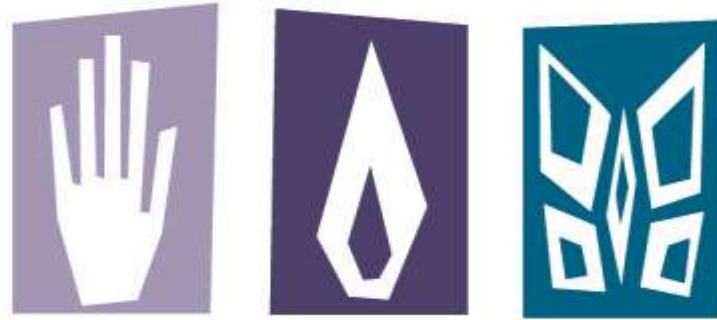
Addressing the
Challenges:
the 24 Hour Initiative

Domestic Violence (DV) Case Evaluation Standards:

1. Importance
2. Victim's Issues
3. Evidence
4. Case Review

The Weekly Advocate Meetings





HELP · HOPE · HEALING

THE VIS

Victim Impact Statement

Declaración de Impacto de la Víctima

Important Information You Should Know

Information About Victims' Rights and Compensation

BUSINESS REPLY MAIL

NO POSTAGE NECESSARY IF MAILED IN THE UNITED STATES

Victims' Assistance Program

June 23, 2005

Maria Diaz
10500 Montwood
El Paso, Tx 79936

Dear Maria Diaz,

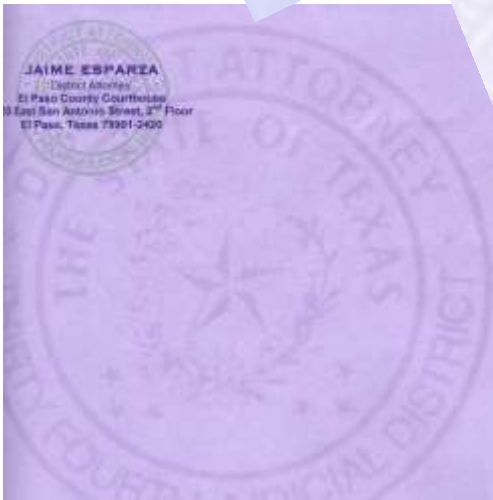
Many crime victims find the criminal justice system frightening and intimidating. The Victims' Assistance Program exists to provide information, assistance, and support for crime victims during their journey through this process.

It is important for us to understand how this crime has affected you, not only physically, but emotionally as well. The information which you supply will help our prosecuting attorneys to be more aware of how this crime affected you and your family. Further along in the process, this information may be utilized by the Judge to determine punishment and restitution to be paid by the defendant. In the future, this information may even be considered by a parole board in the event that the defendant appears before them.

Enclosed are a Victim Impact Statement and a postage paid return envelope. **Please complete this Victim Impact Statement and return it in the enclosed, postage paid envelope to the Victims' Assistance Program as soon as possible.**

We realize that being a victim of a crime can be very traumatic. The Victims' Assistance Program is available to provide information, assistance, and support during this difficult time. If we can help you complete the form, or if we can provide information, please contact us at 546-2091.

JAIME ESPARZA
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DV Unit

- Greater attention/ importance to cases
- Vertical prosecution to include better response and understanding of victims
- Prosecutor trained to screen/ prosecute DV Cases
- Contact with victim
 - Prosecutor calls victim when case filed
 - Prosecutor available to victim via cell phone
 - Status
 - Facts
 - Disposition
- Case disposition- still slow, but priority
- Evidence collection
 - Prosecutor requested evidence and supervised case development
 - 911 calls
 - Photographs
 - Medical records (EMT, Hospital)

**In 87% of the cases,
a woman was the victim.**



You're not alone



Emergency:
911

If you need to leave:
915-593-7300

District Attorney's office:
915-546-2059

National hotline:
800-727-0511

You've already been the victim of violence. Don't let it happen again. It's okay to feel afraid. Remember, help is out there for you and your children.

Other people like you have gone on to better, safer, happier lives because they took a stand against this terrible crime. They pressed charges. The District Attorney can help you stay safe and hold your abuser accountable.

THINK ABOUT YOUR CHILDREN

Families with frequent acts of violence and abuse in their homes often think this behavior is normal. Children who witness or experience abuse growing up often



Comprehensive DV Unit

- 24 Hour contact
 - Speedy contact with victim
 - Speedy case review/
recommendation
 - Speedy complete file
- Contact with victims- 24 hours of defendant's arrest
 - Victim safety
 - Victim education
 - Defendant made aware of
prosecutorial interest/
involvement in case

Instituted: August 2009

Comprehensive DV Unit

- Prosecutors trained on problems / challenges / issues
 - Victim's varied responses
 - Victim's non-prosecution statements/ recantations
 - Evidentiary Issues (*Crawford*, forfeiture by wrong doing)
 - Trial issues (recantations, writs of attachment)
- **Daily** emphasis/ Importance

Comprehensive DV Unit

- Evidence collection- 24 hours
 - 911
 - Photographs
 - Complete Offense Report (including reliable victim information)
 - Medical Packets requested
 - Pen packets requested (prison records)

Comprehensive DV Unit

- Case review
 - All evidence
 - Victim's perspective
 - Defendant's criminal history
- Trial prosecutor – receives a complete case
- Plea offer by Elected District Attorney

Comprehensive DV Unit- Victim's Issues

Victim contacted within 24 hours

Victim educated on community
resources

Defendant aware of prosecutorial case
importance and involvement

Comprehensive DV Unit- Victim's Issues

Victim contacted within 24 hours

Victim educated on community
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Defendant aware of prosecutorial case
importance and involvement

Comprehensive DV Unit- Victim's Issues

Victim contacted within 24 hours

Victim educated on community
resources

Defendant aware of the District
Attorney Office's importance and
involvement in case

Comprehensive DV Unit- Case review

Case punishment
recommendation made within 24
hours after reviewing all evidence,
victim's perspective and
defendant's criminal history

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Goals of Evaluation

- To examine the impact of the 24-Hour Initiative on:
 - The criminal justice system's response to victims of domestic violence
 - Providing stronger cases to prosecute
 - The level and degree of services provided for victim restoration
 - Strengthening collaborations between law enforcement, prosecutors, the courts, and victim service providers

Evaluation Goals Continued

- To determine the following elements for replication across other Texas communities:
 - The strengths and promising practices of the current program operations and service delivery
 - The challenges and barriers encountered
 - The cost to implementation