

Low Cost and No Cost CCR Innovations

*concrete and specific examples of
low and no cost innovations you
can implement in your community*

Danielle Basil Long
WI Office Of Justice Assistance

- Court Processing Committee
- Memorandum of Probation Conditions
- NCO Modification Guidelines
- Judicial Rotation & Training
- Probation Review Hearings
- Status Review Report
- DOC Protocol for Supervising DV Offenders
- Project Passport
- Ensuring that prohibited persons don't possess firearms

Use of Research to Guide Programming

- Victim Interview Study
- Milwaukee Protection Order Study
- Statewide Restraining Order Survey

Low Cost Prosecution Strategies in Domestic Abuse Cases

Gilbert Urfer

Team Captain - Domestic Violence Unit,
Milwaukee County District Attorneys Office

Low Cost Strategies

- Strictly Enforce Bail Conditions
 - No Contact Orders
 - Failure To Appear
- Intimidation Investigations
 - Jail Calls/Correspondence
 - Engage Community Partners
- Use of Interns for Both
- Law Enforcement Training/Education

Bail Conditions

- No Contact Orders in Every Case
 - Use Law Enforcement for "Safety Checks"
- Failure to Appear in Court as a Bail Violation
 - Every Case Gets Charged
 - Educate Judiciary at Sentencing About the Impact of FTAs

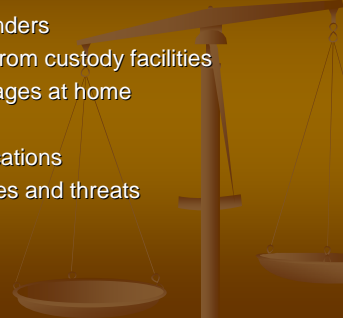
Intimidation Investigations

- Monitor Phone Calls/Correspondence of In-Custody Defendants
 - Where possible use interns for initial investigation
- Educate Others to Recognize, Preserve and Report the Evidence
 - Victims
 - Community Advocates
 - Law Enforcement
 - Probation/Parole



Compelling Evidence

- Letters from offenders
- Telephone calls from custody facilities
- Voice mail messages at home
- Text messages
- E-mail communications
- Gifts with promises and threats

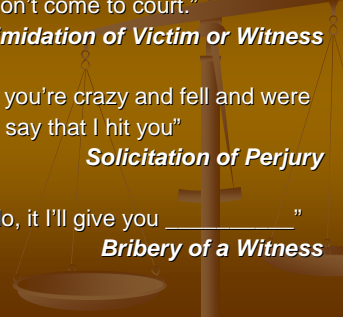


Criminal Behavior

“I’m sorry. Please don’t come to court.”
Intimidation of Victim or Witness

“At trial, please say you’re crazy and fell and were drunk, and don’t say that I hit you”
Solicitation of Perjury

“If you say I didn’t do, it I’ll give you _____”
Bribery of a Witness



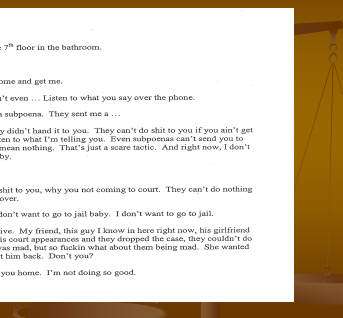
Other Criminal Behaviors

- Subornation of Perjury
- Offering Bribes
- Intimidating Witnesses
- Violation Orders of Court
- Communicating Threats
- Uttering Forged Instrument
- Blackmailing
- Extortion



Case Examples

JH: What you mean?
SW: I'm gonna hide up on the 7th floor in the bathroom.
JH: What do you mean?
SW: Because they're gonna come and get me.
JH: No they're not. They ain't even ... Listen to what you say over the phone.
SW: They sent, they sent me a subpoena. They sent me a ...
JH: Yeah. They sent it. They didn't hand it to you. They can't do shit to you if you ain't get it in your hand. Now listen to what I'm telling you. Even subpoenas can't send you to jail girl. That shit don't mean nothing. That's just a scare tactic. And right now, I don't need you to be scared baby.
SW: Uh, huh.
JH: Those people cannot do shit to you, why you not coming to court. They can't do nothing to you. The hard part is over.
SW: Are you sure, because I don't want to go to jail baby. I don't want to go to jail.
JH: I'm telling you I'm positive. My friend, this guy I know in here right now, his girlfriend didn't come to none of his court appearances and they dropped the state, they couldn't do shit to him. Yeah they was mad, but so fuckin what about them being mad. She wanted her man back and she got him back. Don't you?
SW: I want you back. I want you home. I'm not doing so good.
JH: Okay, quit crying baby.



Case Examples

- Abeita Script
- Hannah Call



Constitutional Implications

6th Amendment to U.S Constitution

“...in all criminal prosecutions the accused shall enjoy the right... to be confronted with the witness against him.”

Forfeiture by Wrongdoing

- Defendant forfeits right to confront his accuser when defendant's wrongdoing causes victim's unavailability
- FRE 804(b)(6): Hearsay exceptions
- The following are not excluded by the hearsay rule if the declarant is unavailable as a witness:
 - A statement offered against a party that has engaged or acquiesced in wrongdoing that was intended to, and did, procure the unavailability of the declarant as a witness
- Form Brief
