

# Collaborative Social Justice Responses to Domestic Violence

- Edmonton Police Services
- Edmonton Community Services Social Workers
- Alberta Justice Crown Prosecutors
- Court Assigned Victim Advocates



# Family Violence Stats in Canada

- 2001 ¼ of all violent crime reported is family-related
- 2/3 of that is spousal
- 85% victims are women

## 2003 Homicides

- 139 family homicides
- 78 spousal homicides
- 11 non-spousal but intimate partner
- 35 victims of murder/suicide

84 gang-related homicides *Statistics Canada 2003*

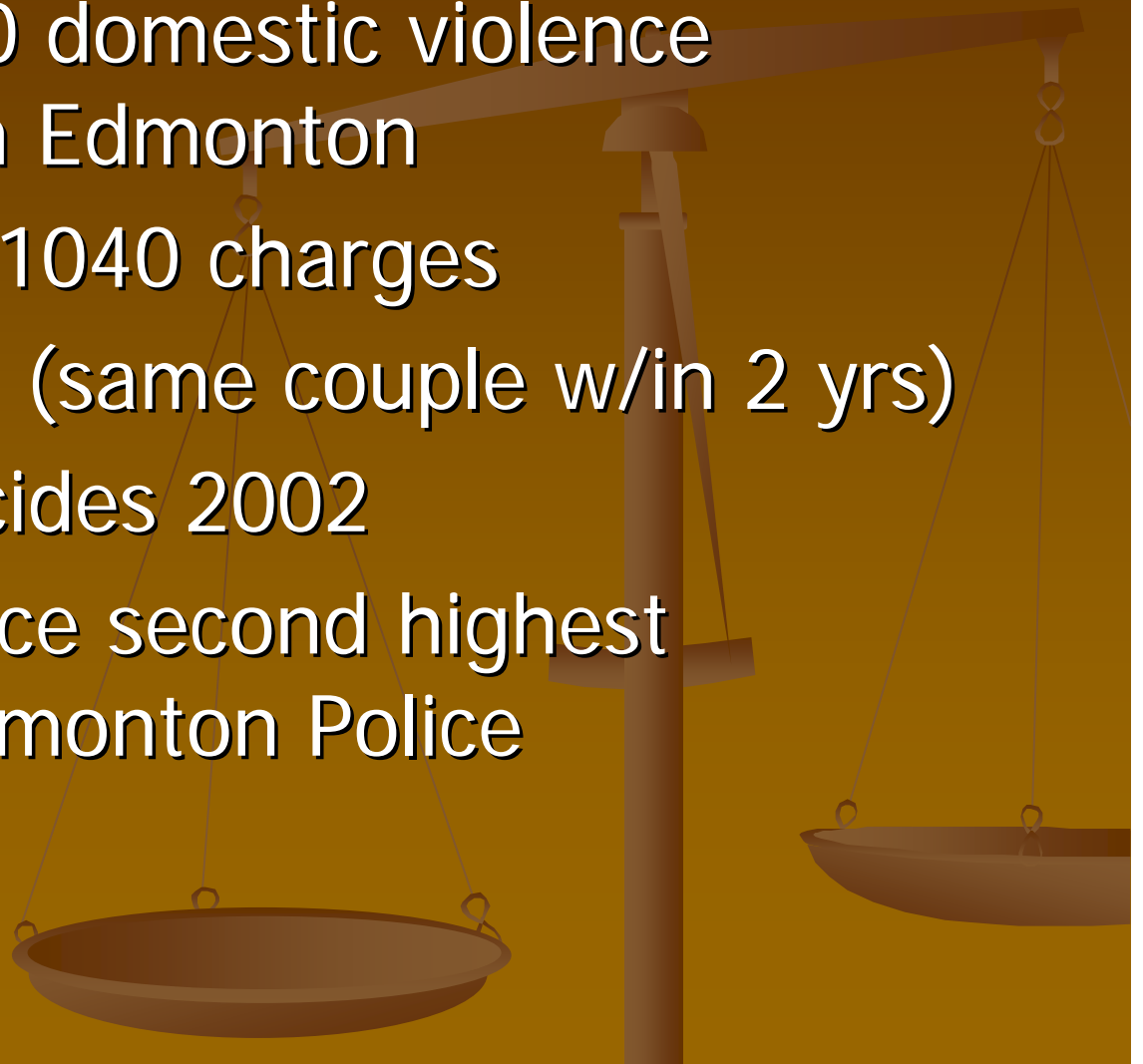
# ALBERTA 2002

- 4,944 charges spousal abuse charges laid
- 11 charges of first/second degree murder
- 2 charges manslaughter
- 6 charges attempted murder

*Alberta's rates of spousal homicides are significantly higher than the Canadian average.*

# Edmonton Statistics

- 2004, over 4200 domestic violence investigations in Edmonton
- Police laid over 1040 charges
- 287 repeat calls (same couple w/in 2 yrs)
- 7 spousal homicides 2002
- Domestic violence second highest response for Edmonton Police

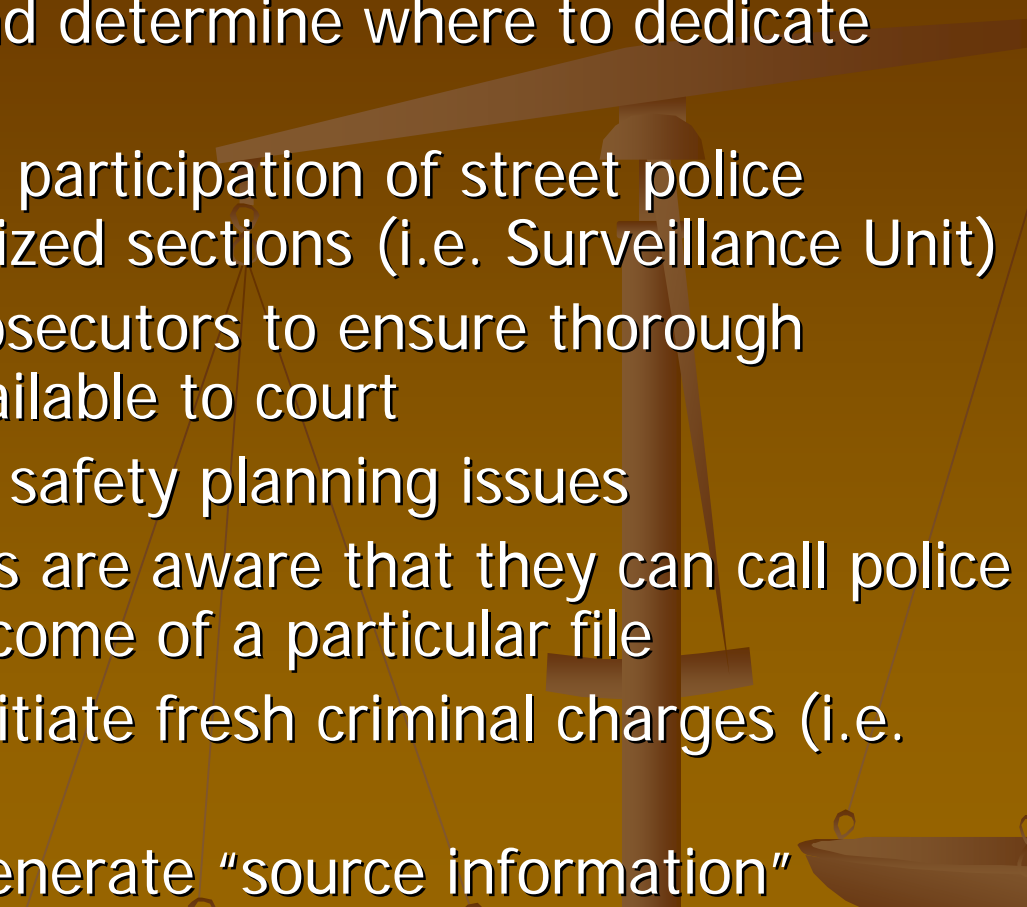


# Spousal Violence Intervention Teams

- Partnership between the City of Edmonton, Community Services Dept. and the Edmonton Police Service
- Social Workers specializing in family violence work with Detectives to intervene in incidents of spousal violence
- Established in 1992 there are now 5 geographic teams and one city wide Breach Enforcement Team
- Teams receive all EPS charge files and those non-charge files rated as high risk
- Teams also respond to direct calls for service from citizens and other professionals
- Teams rotate through a specialized Domestic Violence Docket court

# SVIT

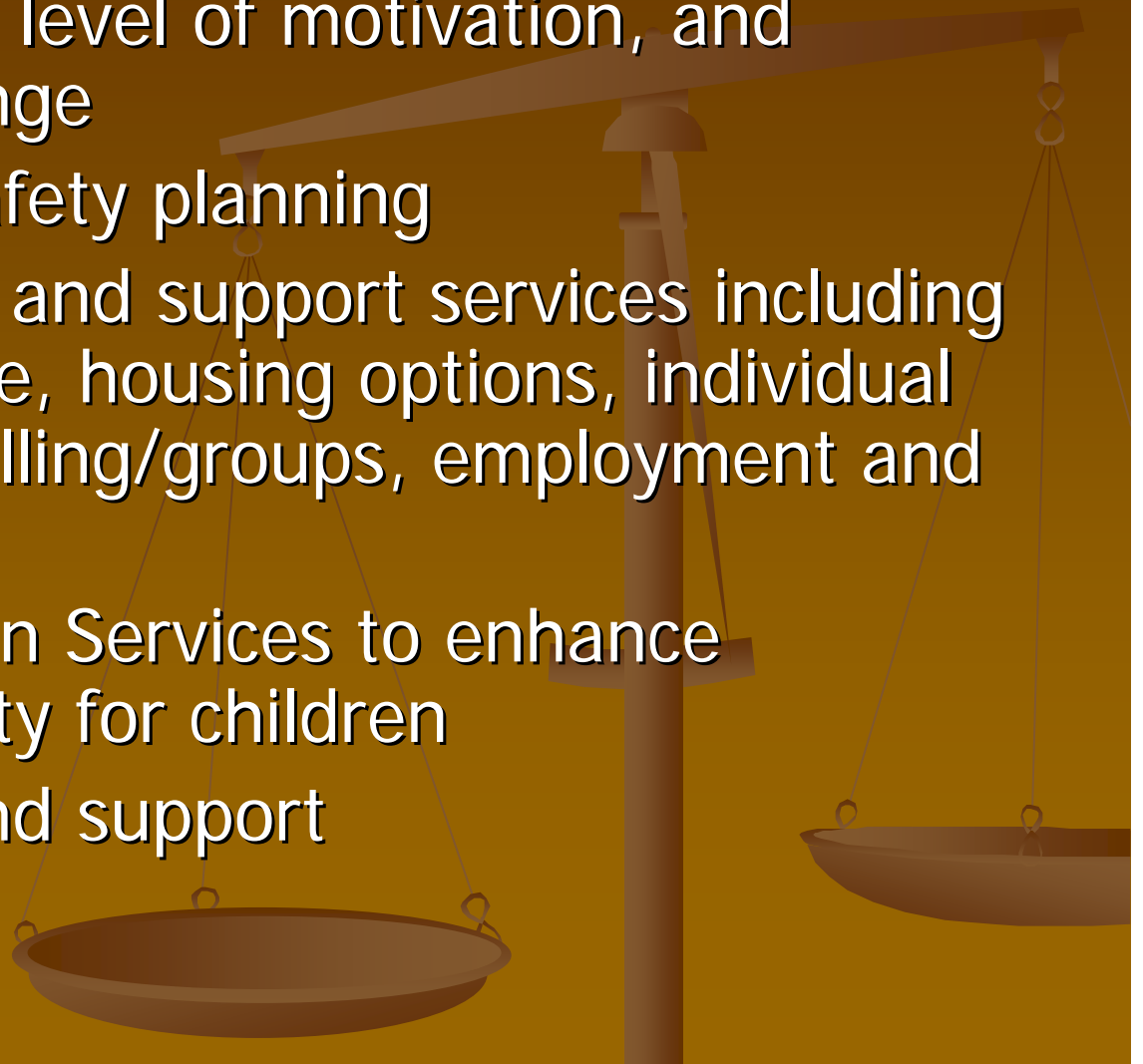
## ROLE OF DETECTIVE

- Review police files and determine where to dedicate limited resources
  - Encourage and direct participation of street police members and specialized sections (i.e. Surveillance Unit)
  - Liaise with Crown Prosecutors to ensure thorough investigations are available to court
  - Work with victims on safety planning issues
  - Ensure that all victims are aware that they can call police regardless of the outcome of a particular file
  - Where appropriate initiate fresh criminal charges (i.e. breaches)
  - Where appropriate generate "source information"
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# SVIT

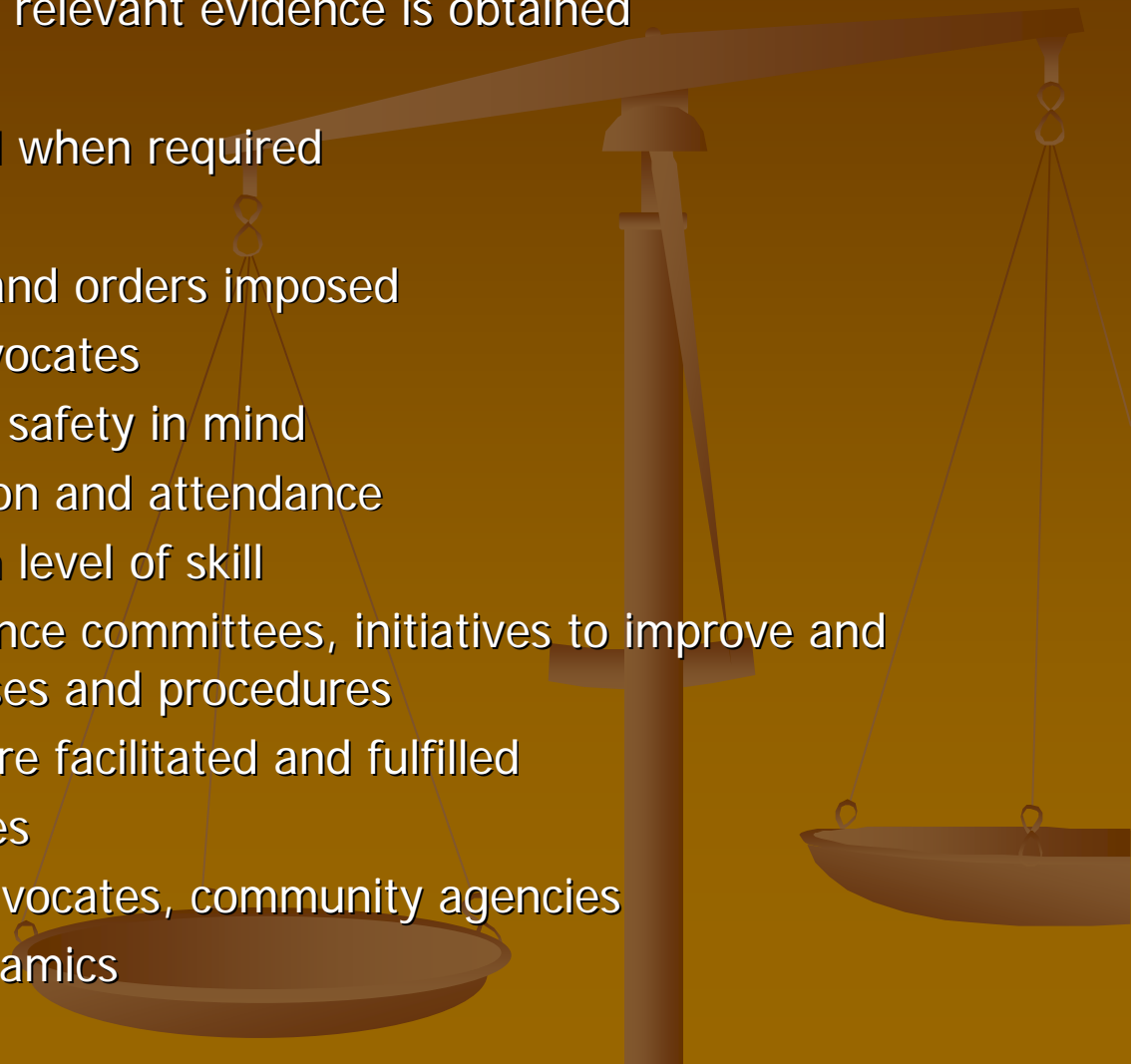
## ROLE OF SOCIAL WORKER

- Assess victim risk, level of motivation, and resources for change
- Comprehensive safety planning
- Referrals to social and support services including financial assistance, housing options, individual and family counselling/groups, employment and education options
- Liaise with Children Services to enhance supports and safety for children
- Court advocacy and support



# Specialized Prosecutor Role

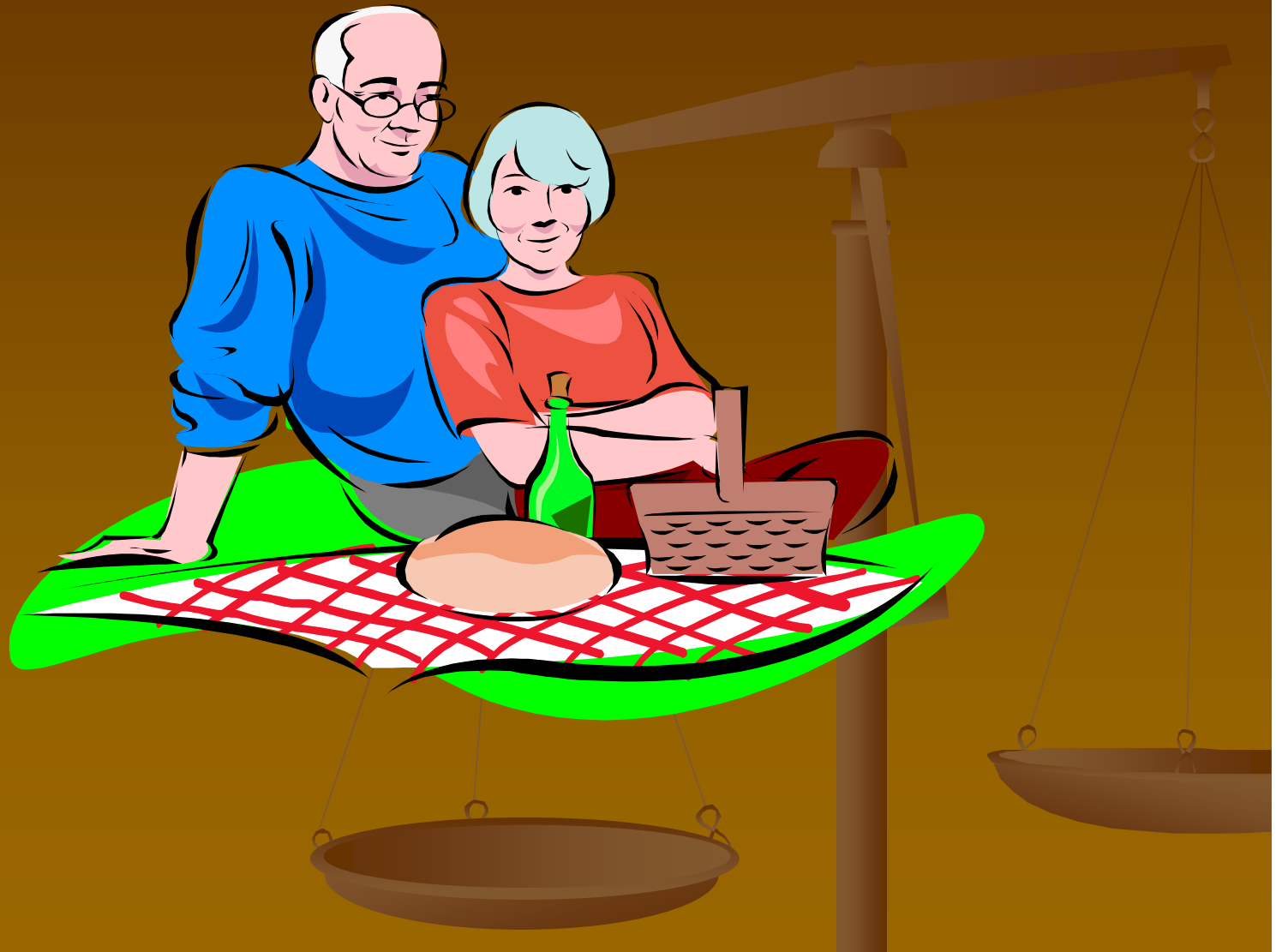
- Evidence is thorough and all relevant evidence is obtained
- Appropriate charges laid
- Exhibits are available as and when required
- Expeditious hearing dates
- Appropriate bail conditions and orders imposed
- Liaison with victim court advocates
- Sentencing with the victim's safety in mind
- Encourage victim participation and attendance
- Prosecute offences at a high level of skill
- Participate in domestic violence committees, initiatives to improve and develop streamlined processes and procedures
- Victim centered objectives are facilitated and fulfilled
- Recognition of high risk cases
- Collaboration with police, advocates, community agencies
- Enhanced knowledge of dynamics



# Edmonton Family Protection Unit

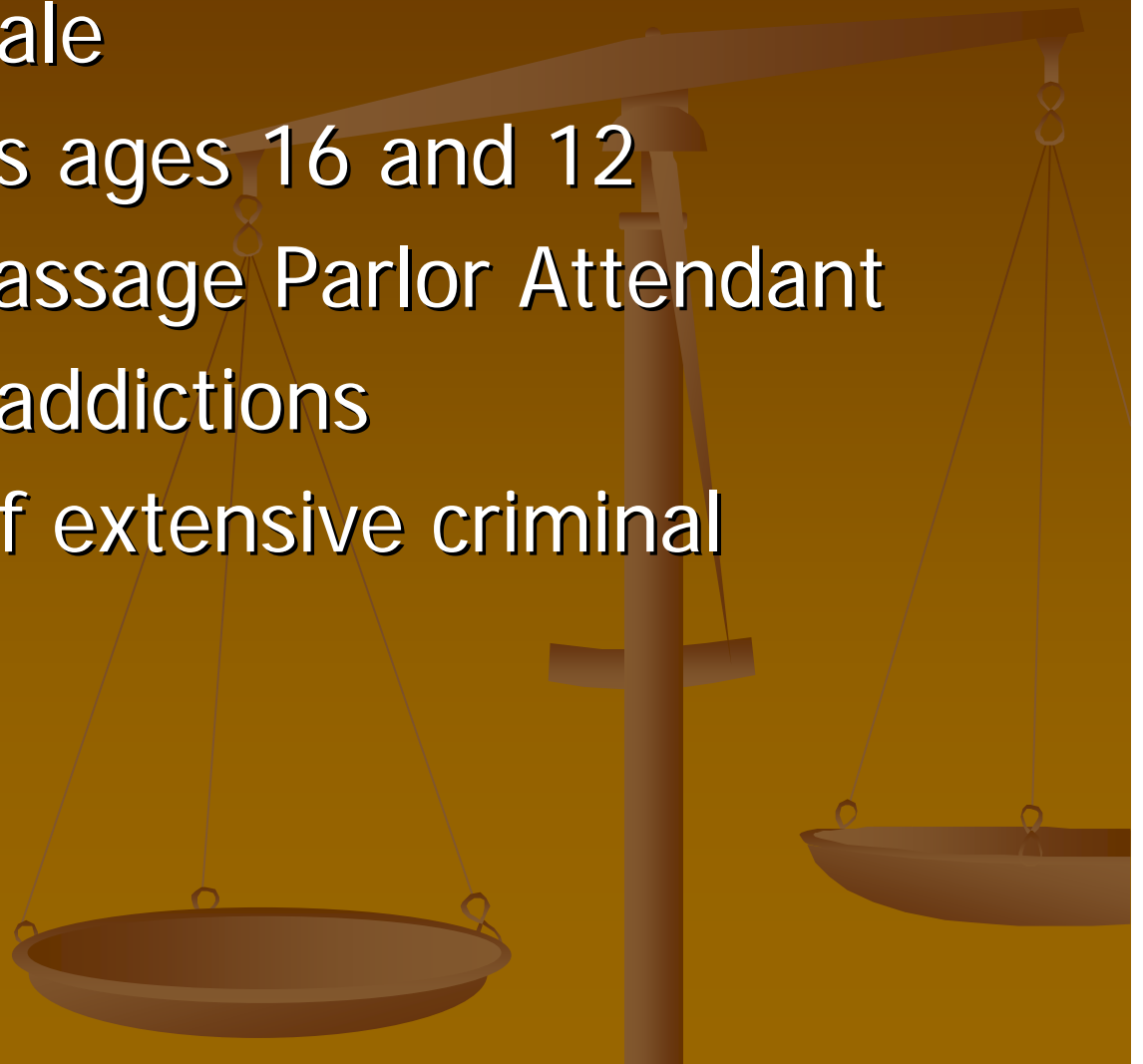
- 6 dedicated prosecutors
  - 3 specialized courtrooms
  - Docket
  - Domestic Violence Trials
  - Child Protection Courtroom
  - Spousal Violence Intervention Teams
  - Zebra Child Protection Unit
  - Victim Advocate Program
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# CASE STUDY



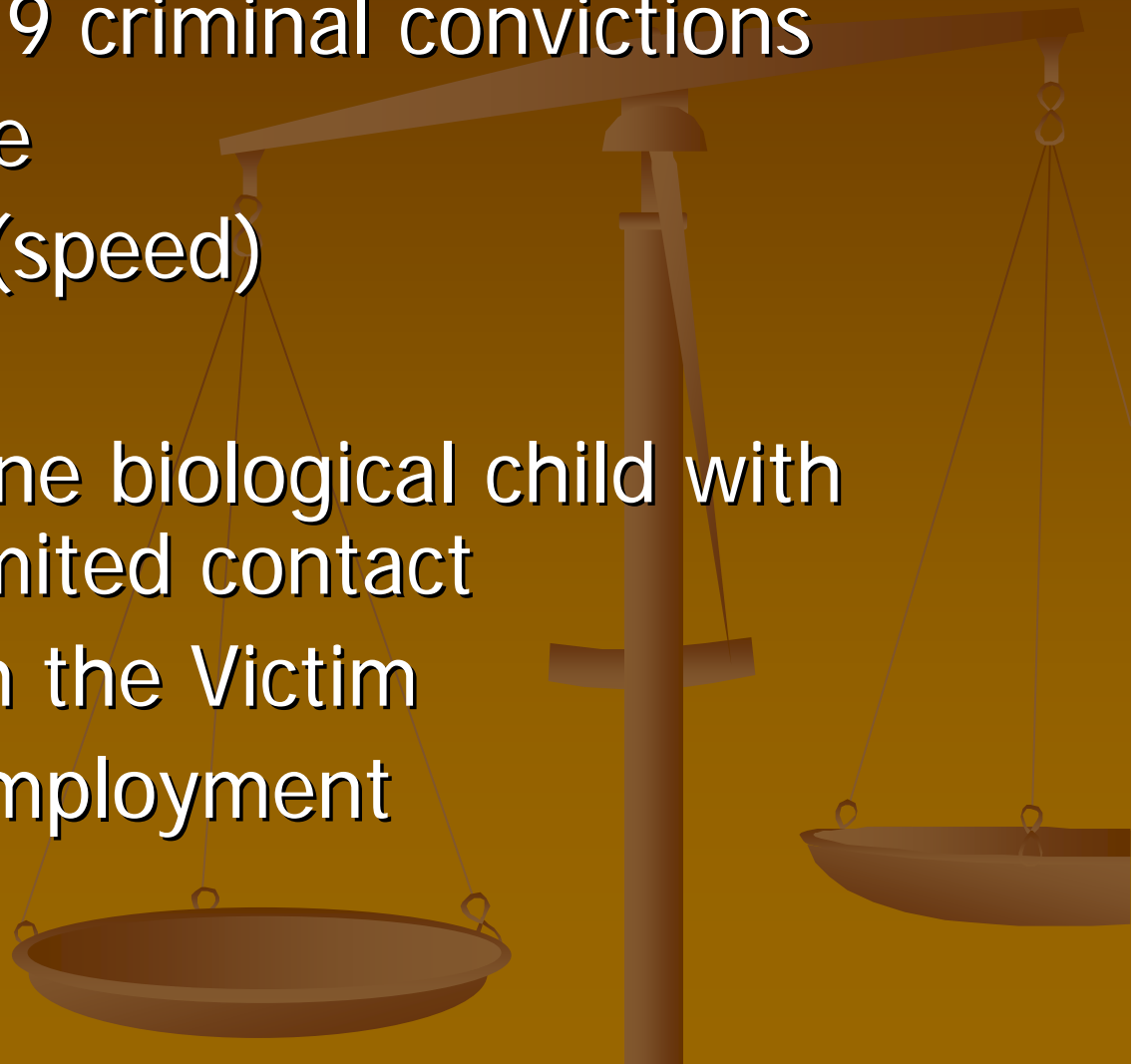
# Profile of Victim

- 37 year old female
- Divorced, 2 boys ages 16 and 12
- Occupation – Massage Parlor Attendant
- History of drug addictions
- Family history of extensive criminal behaviour



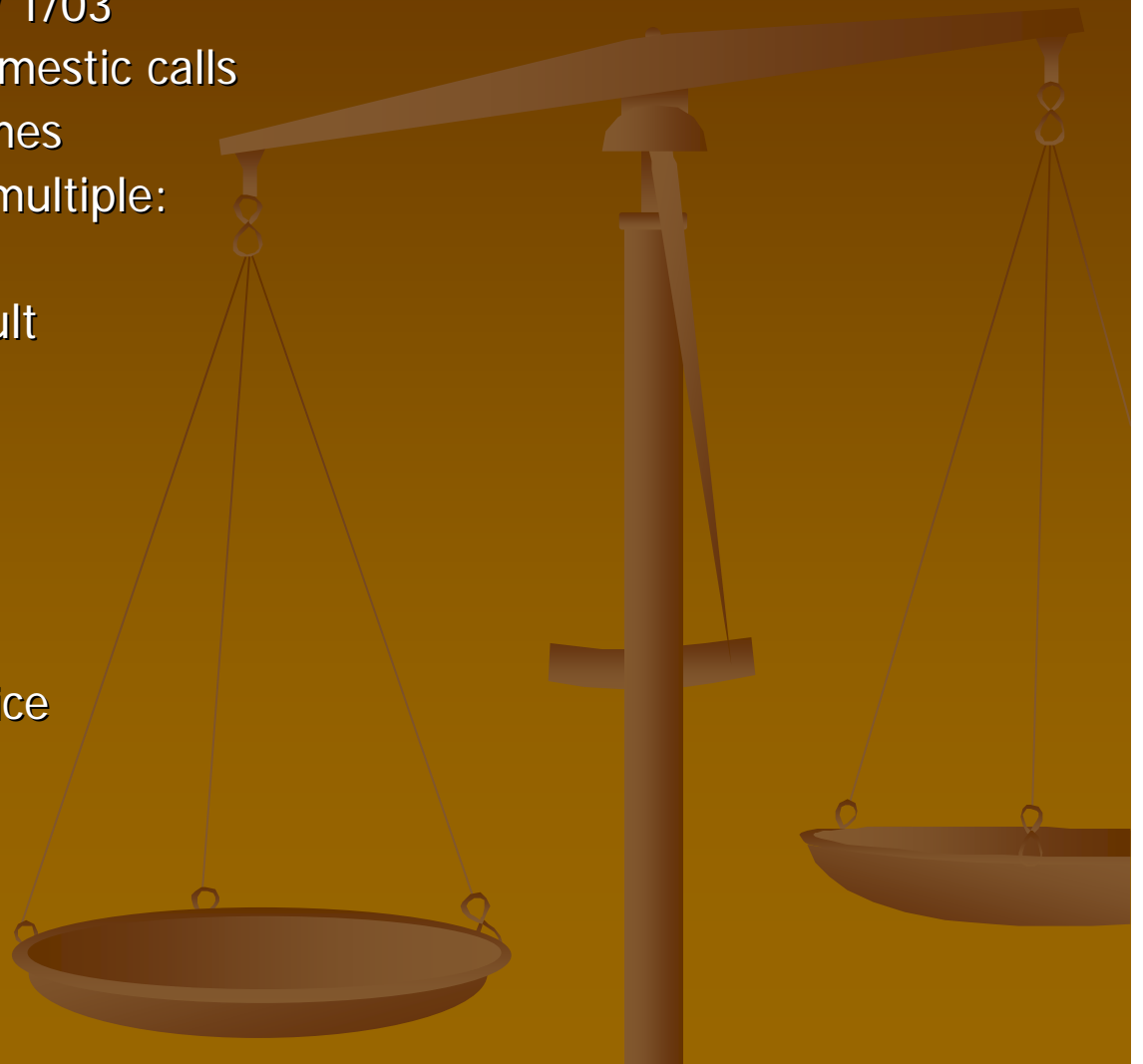
# Profile of Accused

- 1984 – 2005 - 19 criminal convictions
- 42 year old male
- Drug addiction (speed)
- HIV Positive
- Divorced with one biological child with which he has limited contact
- No children with the Victim
- No legitimate employment



# Case Synopsis

- Between April 6/02 and May 1/03
- EPS respond 17 times to domestic calls
- Arrested and released 13 times
- 15 charges result including multiple:
  - Threats
  - Aggravated sexual assault
  - Forcible confinement
  - Assault with weapon
  - Assault bodily harm
  - Forcible entry
  - Criminal Harassment
  - Attempt to obstruct justice
  - Mischief
  - Break and enter
  - Breaches



# Accused Custody Time

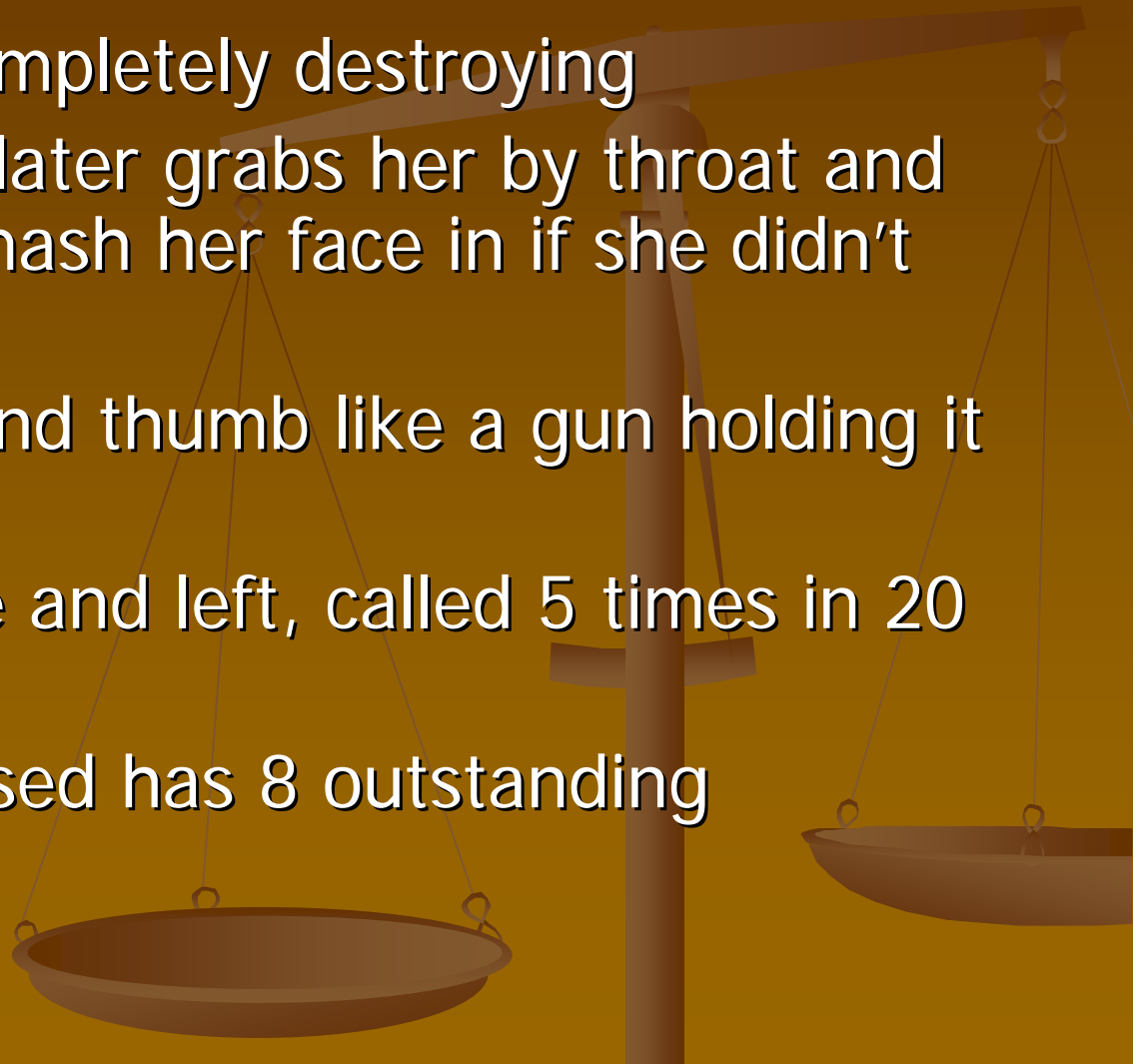


- Accused spends 466 days in jail between May 2003 and July 2005 for spousal incidents – primarily pre-trial custody
- Convicted of breach and failure to attend court
- Sentence of 1 day jail and \$50 fine
- All other charges withdrawn or dismissed
- Overall the victim was extremely reluctant to attend court/testify

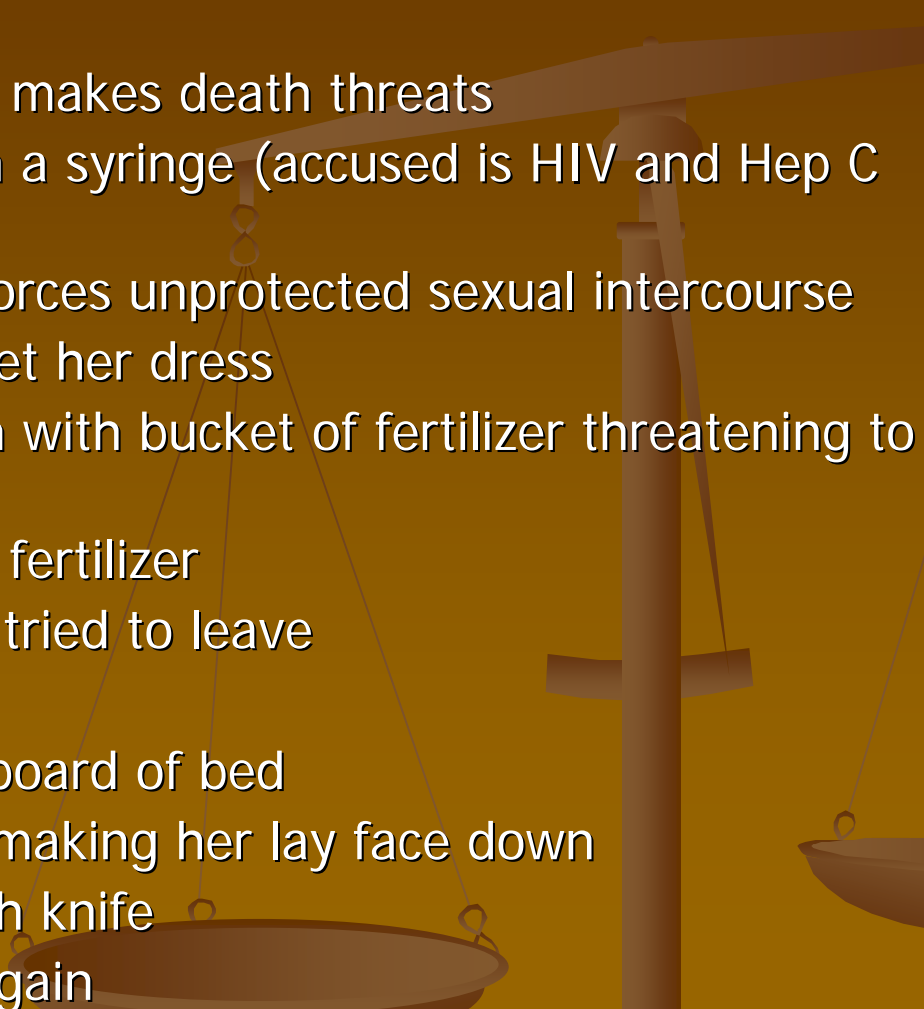
# Incidents

## February 28, 2003

- Kicked in door, completely destroying
- Attends few days later grabs her by throat and tells her he will smash her face in if she didn't open the door
- Points his finger and thumb like a gun holding it to her head
- Took kitchen knife and left, called 5 times in 20 minutes
- March 2003, accused has 8 outstanding warrants



# May 1, 2003

- While on release for assaulting victim, attends her home
  - Pulls phone out of wall
  - Drags victim to bedroom, makes death threats
  - Attempts to stick her with a syringe (accused is HIV and Hep C positive)
  - Removes her pants and forces unprotected sexual intercourse
  - Confined her, would not let her dress
  - Followed her to bathroom with bucket of fertilizer threatening to throw it in her face
  - Victim's feet burned from fertilizer
  - Pulled back by hair when tried to leave
  - Spit in her face
  - Stuck a knife in the headboard of bed
  - Threw the victim on bed making her lay face down
  - Poked her in buttocks with knife
  - Forced unprotected sex again
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# Turning Points



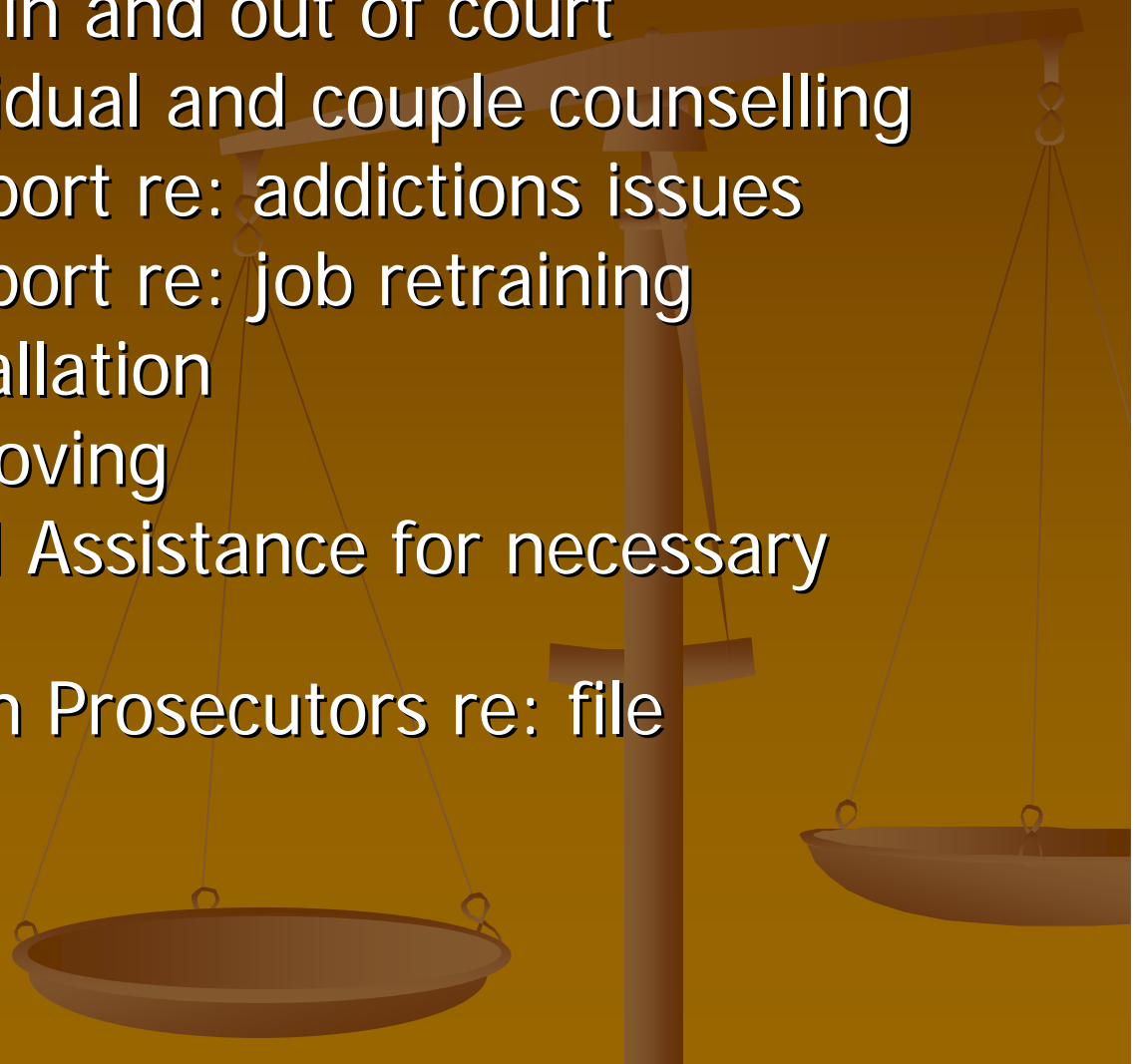
- 2004JAN21 – Accused attends complainants work and assaults her – complainant obtains an EPO
- After several “no-shows” the complainant attends an interview with the Downtown SVIT team and agrees to do a KGB interview
- 2004MAR31 – Complainant notifies police that Accused is at her residence and in breach of the EPO – Accused charged and is returned to Remand
- 2004MAY11 – Complainant contacts SVIT and reports that the Accused is repeatedly calling and that she is fearful. DVERS alarm is installed
- Accused calls Det. Fussell from BC and asks if he can return to Edmonton and if the EPO can be vacated. Accused informed of his outstanding Breach warrants. Complainant adamant that she wants to maintain EPO even though the Accused tells her he will commit suicide if she does not have it removed
- 2004MAY08 – Accused back in Edmonton – attends Complainants apartment building and she and her son take off in a taxi. She notifies SVIT of the occurrence.
- 2004JUL21 – Accused assaults Complainant outside her apartment building. Complainant completes KGB interview. Complainant ATTENDS court (1<sup>st</sup> time)
- 2004SEPT13 – Accused attends Complainants residence assaults Complainant and son

# Turning Points Cont.

- 2004SEPT14 – Complainant notifies LONG that the Accused is calling her repeatedly from the Remand Centre. She asks for assistance to relocate – LONG arranges for financial assistance for the move.
- 2004NOV17 – Accused is arrested for uttering threats against the Complainant.
- 2004DEC24 – Accused breaks into Complainant's house and is arrested. Complainant fails to attend the trial and a warrant is issued for her arrest. SVIT pick up the Complainant for the next court date and she testifies (2<sup>nd</sup> time in court!) – Accused pleads guilty and receives a 3 year term of probation with No Contact Conditions.
- 2005FEB02 – Upon the Accused release on the above charges Det. Fussell arranges for surveillance to follow the accused. He is arrested within 30 minutes of his release as he is found phoning the Complainant and threatening her that he will be heading to her home.
- 2005MAR13 – Complainant notifies SVIT that the Accused is calling her from the Remand. Det. Fussell has his phone priviledges removed. The Accused pleads guilty and is released 2005MAR14
- 2005MAR24 – Complainant notifies SVIT that the Accused has just phoned and says he is coming over. Det. Fussell notifies Communications. The Complainant uses her alarm system. The Accused is arrested at the residence.

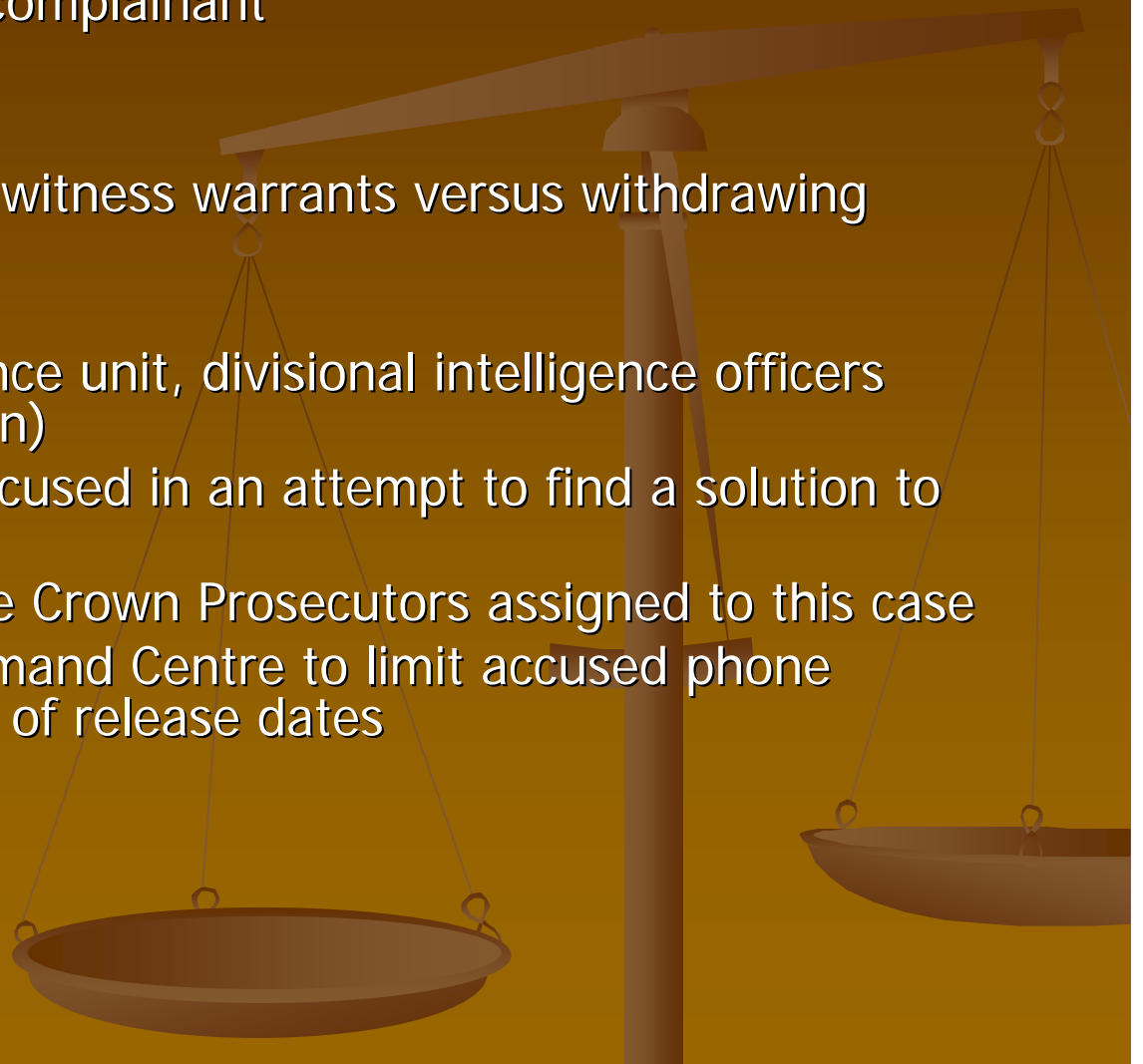
# Summary of Social Work Intervention

- On-going support in and out of court
- Referrals for individual and couple counselling
- Referrals and support re: addictions issues
- Referrals and support re: job retraining
- DVERS alarm installation
- Assistance with moving
- Liaison with Social Assistance for necessary funds
- Liaison with Crown Prosecutors re: file management



# Summary of Detective Work

- Initiate contact with the complainant
- Conduct KGB interviews
- Provide court support
- Encourage court to issue witness warrants versus withdrawing charges
- Provide court testimony
- Involved patrol, surveillance unit, divisional intelligence officers (information dissemination)
- Repeated contact with accused in an attempt to find a solution to the on-going problem
- On-going contact with the Crown Prosecutors assigned to this case
- Liaise with Edmonton Remand Centre to limit accused phone privileges and be advised of release dates



# Where Are They Today?

- 2005JUL20 – SVIT talks with the Complainant. She reports that she no longer is taking calls from the Accused. She has had her brother living with her and he fields all calls from the Accused. The first couple of weeks after the Accused was last released he telephoned in excess of 40 times. These calls have decreased to 2-3 a week. She has had no “visits” from the Accused and believes he is currently in a Treatment program for his addictions. Her addiction is under control. Her children are feeling safer. She has heard that the Accused is planning to return to BC once finished treatment. She is now filing for divorce. She is clear that she no longer wants anything to do with the Accused. She also is clear that the Accused problems (psychological, drug, etc.) are not her responsibility and she no longer feels the need to “take care of him”. She is still afraid. She says she will call if and when she needs us.
- She states, “I don’t know where I would be now if you had given up on me!”
- As of this date she is still safe and is not being bothered by the Accused.

# Key Messages & Outcomes

- Not just about laying charges
- All specialists support each other
- Victim knows they can always come back
- Never clear cut – solutions may come from various approaches

