

REPORT TO THE PEOPLE OF QUEENS: DOMESTIC VIOLENCE - PART TWO

The Future of Domestic Violence Prosecutions in Queens

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After Judge Brown's passing we took a pause on issuing these reports to the people of Queens. Today we pick up with where we left off, the second part of our report on Domestic Violence.

The prosecution of domestic violence cases has been one of the crowning achievements of Judge Brown's administration. In Part 1 we discussed the history of the Domestic Violence Bureau and its accomplishments. In Part 2 we will focus on the latest domestic violence prosecution approaches and how we remain a national leader in the field.

In 2015, in a case of first impression, this office litigated, and won, a landmark case for New York and the country, in which we successfully advocated for the right of crime victims to sign supporting depositions electronically. This allowed the victims to sign the necessary documents before their batterers are released from jail and attempt to contact and dissuade them from cooperating on the case. It eliminated the need for victims to travel to a courthouse or other location where they might not feel comfortable. Instead they could "sign" electronically on their smart phones.

At the time, Rosemonde Pierre-Louis, then Commissioner of the New York City Mayor's Office to End Domestic and Gender-Based Violence, said the court's decision "will transform and modernize the prosecution of domestic violence cases in New York City. I applaud District Attorney Brown and the Queens District Attorney's Domestic Violence Bureau for advocating tremendously to streamline access to the criminal justice system by providing victims with a new option to safely and quickly participate in the criminal case and hold their offender accountable."

Also, in 2015, Queens became the second county to implement the Mayor's Office's Coordinated Approach to Preventing Stalking (CAPS) Program. In announcing the program, Judge Brown recognized that a majority of domestic violence homicide victims reported being stalked by their assailants. Through the CAPS program, domestic violence ADAs and police officers in Queens



County have been trained to identify and strengthen stalking prosecutions and ensure that stalking victims have priority access to appropriate resources. Those resources include safety planning measures such as lock changes, housing transfers and increased police presence outside of their homes.

In 2018, DA Brown developed a new innovative program called the Domestic Violence Strategic Threat Alert Team (DVSTAT), which is the first and only one of its kind in the nation. The implementation of this program came about because DA Brown recognized that nearly half of domestic abusers fled the scene of their crimes before police arrived. This delay in arrest left victims unaware of safety planning resources available to them. It often delayed the taking of photographs of injuries. It also left them without orders of protection and made them vulnerable to witness tampering and further abuse.

The DVSTAT ADAs coordinate with the New York City Police Department and victims' services organizations to identify and enhance the prosecution of high-risk domestic violence cases after a crime has occurred, but before the perpetrator is apprehended. Through this program, we electronically receive from the NYPD all open intimate partner violence complaint reports on cases where defendants flee the scene. Our staff created a computer program that receives these complaints, compiles them into a database, scans the complaints for key information including whether there have been prior reports of domestic violence, whether the defendant has access to firearms and whether an order of protection was violated, and then assigns the complaint a score based on estab-

lished criteria. Assigned ADAs prioritize the cases based on the information in the database, then begin immediate outreach to the victims to invite them to the Queens Family Justice Center. This ensures that victims are aware of safety planning and counseling services and also allows ADAs to determine appropriate charges and preserve evidence immediately after an offense is committed.

This proactive approach has been groundbreaking. For DVSTAT cases, we have a 76% conviction rate. In addition, over the last six months, we have drafted approximately 10 search warrants, which has led to the recovery of a variety of weapons including loaded hand guns, shotguns and rifles, imitation pistols, drugs, drug paraphernalia and forged credit cards. The recovery of these weapons is one of the program's greatest successes, since the risk of homicide in a domestic violence environment increases by 500% when a firearm is present in the home. In addition, assigned DV STAT ADAs have drafted over 100 first party complaints and conducted outreach to over 700 victims - all before an arrest was made.

Also, in 2018, Queens was selected by the Mayor's Domestic Violence Task Force to be the first county to participate in an Interim Probation Domestic Violence Team (QIPDVT) probation supervision program. The program attempts to reduce recidivism by having specially trained probation officers create individualized programs for domestic violence defendants. Additionally, the program includes court liaison officers who conference with ADAs to conduct risk assessment screenings and make recommendations to the court, as well as victim advocates to ensure that victims have access to the appropriate resources. Since the program's implementation, nearly 100 defendants have had their sentences adjourned while they complete an individually tailored term of interim probation, instead of serving jail time.

In 2008, in partnership with the Mayor's Office to End Domestic and Gender-Based Violence, DA Brown opened one of the first family justice centers in the city in order to better serve victims of domestic violence. Since its opening in 2008, the Queens Family Justice Center has provided domestic violence victims with an integrated service center where they have access to prosecutors, social workers, counselors, police officers, civil attorneys and immigration attorneys, all in the same place. In 2018, according to Mayor's Office, there were 13,469

victim visits to the Queens Family Justice Center. The victims who use the services of the Family Justice Center are reflective of the broader Queens community we serve in that 75% of the victims who seek services at the Family Justice Center were born outside of the United States, and more than half speak a primary language other than English.

The Queens Domestic Violence Bureau is no different. Currently, the staff of the Domestic Violence Bureau speaks a total of twelve different languages, eliminating language barriers for many victims and allowing them to recount, in their native tongue, the abuse they suffered.

A commitment to education and close partnerships with organizations including Safe Horizon and the Mayor's Office to End Domestic and Gender-Based Violence, which are located at the Family Justice Center, have resulted in more victims having the confidence to report domestic violence and having the resources to leave their abusers. These resources also empower historically marginalized communities where domestic violence may go unreported because of a victim's immigration status, language barrier, gender identity and sexual orientation. The Domestic Violence Bureau also works closely with the QDA Office of Immigrant Affairs to aid victims of domestic violence in obtaining U-VISAS and other protected statuses to allow them to stay in the country without depending on their abusers. In 2018, the Queens District Attorney's Office completed over 200 U-Visa certifications, helping undocumented domestic violence victims to seek protected legal status.

It is indisputable that DA Brown's administration set a new national standard for domestic violence prosecutions. In fact, a study by the United States Justice Department described Queens County as a "jurisdiction for others to emulate" in the prosecution of domestic violence. Other counties, states, and countries have long recognized that the Queens County Domestic Violence Bureau is second to none and regularly look to Queens as a model to be followed. As a result, Queens DV prosecutors have been asked to lecture at national conferences and prosecutors' offices in Maine, Utah, Hawaii, Texas, California, Louisiana, Washington DC, and New Jersey. Our ADAs have even traveled as far as Japan to share our innovative techniques. Prosecutors, law enforcement officers, and DV advocates from South Korea, Bhutan, the Netherlands, Nigeria, Kenya, Chile, Argentina, Australia,

Dominican Republic and Jordan have visited Queens to learn our evidence-based method of prosecuting domestic violence. DA Brown's undeniably progressive approach to domestic violence prosecutions and deeply rooted commitment to seeking justice on behalf of domestic violence victims has kept countless women and children safe, has given thousands of victims the tools they need to leave abusive relationships, has given a voice to the marginalized, and has strengthened our communities.

To honor Judge Brown's memory we will remain committed to carrying on his mission of keeping victims safe and holding batterers accountable through an innovative and aggressive approach to DV prosecutions.

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