



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Edgardo Garcia
Jacky Morales-Ferrand

**SUBJECT: DOMESTIC VIOLENCE
PREVENTION AND AWARENESS**

DATE: February 6, 2018

Approved

Date

2-6-18

SUPPLEMENTAL

REASON FOR SUPPLEMENTAL

On November 16, 2017, the Public Safety, Finance and Strategic Support (PSFSS) Committee accepted the San José Police Department's 2016-2017 "Domestic Violence Prevention and Awareness Annual Report¹." At that meeting, Vice Mayor Magdalena Carrasco shared an interest in holding a City Council Study Session to look more comprehensively at the issue of domestic violence, including hearing from the community, Santa Clara County, and other City departments.

On January 10, 2018, the Rules and Open Government Committee accepted a memorandum from Vice Mayor Carrasco² and set a date for the Study Session on Domestic Violence for Friday, February 9 from 1:30 p.m. to 4:30 p.m.

As outlined in the Vice Mayor's memorandum, the Study Session agenda will include:

- A comprehensive overview of efforts to address domestic violence in San José;
- An opportunity for the public to learn about the San José Police Department's response to domestic violence and how residents can gain access to services;
- A briefing on the Santa Clara County Intimate Partner Violence Blue Ribbon Task Force report "Working Together to Promote Healthy and Safe Relationships in Santa Clara County;"³ and
- An opportunity to hear from a panel of residents whose lives have been impacted by domestic violence, including survivors and loved ones.

¹ Report to PSFSS: http://sanjose.granicus.com/MetaViewer.php?meta_id=686545
Staff Presentation: http://sanjose.granicus.com/MetaViewer.php?meta_id=689859

² Vice Mayor's memorandum:
<https://sanjose.legistar.com/LegislationDetail.aspx?ID=3305923&GUID=57D07BAE-51DA-4854-A28F-65F8A0E293B4&Options=&Search=>

³ County report: <https://sanjose.legistar.com/LegislationDetail.aspx?ID=3305923&GUID=57D07BAE-51DA-4854-A28F-65F8A0E293B4&Options=&Search=>

The Police Department's 2016-2017 annual report on domestic violence and the report from the County Intimate Partner Violence Blue Ribbon Task Force are footnoted here and are posted with the agenda for the February 9, 2018 Study Session. This supplemental memorandum addresses questions raised in the Vice Mayor's memorandum and provides additional information about domestic violence services in San José.

San José Police Department Response

Domestic violence cases arrive at the Police Department in a variety of ways:

- A victim calls 9-1-1 for help;
- A friend or family member of a victim reports a domestic violence incident;
- A neighbor or other witness calls 9-1-1 to report a disturbance, fight, or assault;
- A victim comes to the Department's Family Violence Center at 1671 The Alameda, Suite 100 for help;
- A victim (or friend/family member) calls a nonprofit-run domestic violence hotline and, with the support and encouragement of the advocate, files a police report;
- Victims may go to one of three Family Justice Centers (FJC) located in Santa Clara County and report the domestic violence. There is one FJC located in San Jose.
- Victims may go to a non-profit advocacy agency (such as the YWCA, Next Door Solutions to Domestic Violence, AACI, Maitri, or Community Solutions) and report the domestic violence; or
- Victims may show up at a medical facility with injuries. Medical staff are trained to observe domestic violence-related injuries and, under state law, are mandatory reporters. This means, medical personnel must report domestic violence-related incidents to the Police Department and officers respond to the medical facility.

In 2016-2017, the Family Violence Unit received 3,341 domestic violence cases. This was an increase of 360 cases (12 percent) compared to 2015-2016 when the Unit received 2,981 cases.

Additional data on the types of cases, staffing in the Family Violence Unit, and grant funding to the Unit is in the Police Department's 2016-2017 "Domestic Violence Prevention and Awareness Annual Report," which is posted with this report.

When a call is made to 9-1-1, the caller may not initially describe the incident as domestic violence. They may say that a fight or disturbance is occurring or that there has been an injury and someone needs medical attention. Call-takers and dispatchers use protocols to ask questions and work to determine if the situation involves domestic violence.

Patrol Officers conduct the preliminary investigation following the Santa Clara County Domestic Violence Protocol⁴. A key component of the Protocol is the Lethality Assessment for First

⁴ Santa Clara County Domestic Violence Protocol:
<https://www.sccgov.org/sites/da/prosecution/DistrictAttorneyDepartments/Documents/DVProtocol-LEA%202017.pdf>.

Responders, a questionnaire that is used countywide. In San José, the Lethality Assessment is included in the Department's automated report writing system.

If the perpetrator has not fled the area, the perpetrator is arrested. An Emergency Protective Restraining Order can be obtained for the victim by the patrol officer. During their preliminary investigation, patrol officers will ask the survivor a series of lethality assessment questions on the automated form. If the survivor answers in the affirmative to the questions, then the patrol officer will contact the 24-hour YWCA hotline to obtain advocate support for the survivor.

The patrol officer routes the case electronically to the Family Violence Unit for follow-up. Under the Domestic Violence Protocol, for all cases, victims are asked if they would like their information shared with an advocate who can provide counseling, lethality/risk assessment, safety planning, restraining order assistance, and assistance in accessing services, as well as making other referrals. If the victim consents to sharing their contact information, the Family Violence Unit shares this information with the YWCA advocate housed at the Family Violence Center, who then contacts the victim.

San José Police Department Training Protocols

While in the academy, Police Communications staff receive training on domestic violence. In addition, every other year, they undertake continuing education training that meets standards set by the California Commission on Peace Officer Standards and Training (POST).

For sworn Police recruits who are in the Police Academy, POST requires 10 hours of domestic violence training. San José Police Department provides its Police Recruits with 12 hours of domestic violence-training which includes scenario-based tests.

POST also requires that sworn police personnel (police officers and above) receive a domestic violence training update every two years. The Police Department's Training Unit provides this update via Continued Professional Training (CPT) classroom training or a POST-produced video. Sworn personnel will be taking the domestic violence update in 2018.

Housing Issues

The shortage of reasonably-priced housing in San José is a critical challenge for domestic violence survivors, with many of them falling into homelessness. According to the 2017 San José Homeless Point-in-Time Count, survey respondents stated that family violence (13 percent) and spousal or partner violence (7 percent) were primary causes leading to homelessness.

When those being abused lack stable housing, it can add to their fear of leaving the relationship. This may occur if the perpetrator is paying all or part of the rent or mortgage, if the abused is not directly on the rental lease, or if replacement housing is hard to find (as it is in an expensive and tight market like San José). According to the County Report, 46 percent of women in Santa Clara County reported staying in abusive relationships because they have nowhere else to go.

There are five non-profit agencies providing confidential shelter and services to domestic violence victims in Santa Clara County:

- Next Door Solutions;
- YWCA;
- Maitri;
- AACI (Asian Americans for Community Involvement); and
- Community Solutions (primarily serving South County).

Together, they provide a total of 59 emergency shelter beds and 18 transitional housing beds (9 units) for domestic violence victims and their families.

In addition, the following agencies provide housing and shelter services to clients who may include domestic violence victims:

- Bill Wilson Center;
- Family Supportive Housing;
- Life Moves; and
- Sacred Heart Community Services (primarily hoteling).

The County Blue Ribbon Task Force report recommends exploring new approaches that would allow survivors and children to stay in the home and cites a YWCA Silicon Valley report “Innovative Housing Models for Domestic Violence Survivors.” Representatives from the County will present the Blue Ribbon Task Force’s recommendations at the February 9 Study Session.

Grant Funding for Domestic Violence Agencies

The Housing Department has long supported programs to assist victims of domestic violence with use of its federal funds from the U.S. Department of Housing and Urban Development (HUD). Community Development Block Grant (CDBG) funds can pay for capital projects to build or improve emergency shelters, and can fund services to vulnerable populations. In addition, HUD’s Emergency Solutions Grant (ESG) program funds homeless services and shelter operations, which may serve homeless domestic violence survivors.

From 2010 to 2012, Next Door Solutions to Domestic Violence was awarded more than \$150,000 from in CDBG funds to provide safe emergency housing and food for survivors of domestic violence and their children in San José. Also from 2010 to 2012, Maitri was granted a total of \$50,000 from CDBG for their transitional housing with supportive services to South Asian low-income survivors of domestic violence or human trafficking and their children.

With Next Door Solutions as the lead agency, the Housing Department supported a Domestic Violence Collaborative Homelessness Intervention and Prevention Program from 2012 to 2015 with funds from both CDBG and ESG awards. The collaborative was unable to submit a proposal within the deadline in the latest Request for Proposals titled Outreach, Shelter, and

Rapid Re-housing for Unhoused Populations released in early 2015 to award contracts under both CDBG and ESG for Fiscal Year 2015-2016 with up to two annual extensions.

Currently, the Housing Department provides Next Door Solutions with funding from the ESG for shelter and rapid rehousing (\$53,357), local Housing Authority Litigation Award (HALA) funding for rapid rehousing (\$25,060), as well as federal Housing Opportunities for Persons with AIDS (HOPWA) funding for permanent supportive housing (\$192,215). All of these offer case management and financial support specifically for survivors of domestic violence.

The YWCA also participates in the City's Rapid Rehousing Program and offers case management and rental subsidies to 20 households who are survivors of domestic violence, sex dating violence, sexual assault, and/or stalking. The Police Department has a consultant contract with the YWCA to provide advocacy services at the Family Violence Center. This partnership is discussed in the annual report to the PSFSS Committee (posted separately).

Additionally, the Housing Department currently provides The Health Trust with funding to provide rental assistance, motel vouchers, and housing placement to low-income HIV/AIDS or people fleeing domestic violence through the federal HOPWA program (\$1,059,300).

In addition, other non-profit agencies that assist those experiencing homelessness may help residents who have experienced domestic violence. For example, the City's federal HOME funds provide tenant-based rental assistance vouchers, as well as funding affordable housing developments. The Second Street Studios, now under construction using HOME funds, will provide 134 formerly homeless households with permanent supportive housing.

Using CDBG funds, the City funded land acquisition for The Villas, another forthcoming affordable permanent supportive housing development.

With the one-time HALA funds, the City can fund homeless outreach services that are connected to housing developments, including permanent supportive housing. Some of those helped by these HALA-funded outreach teams and ultimately placed in supportive housing likely may be domestic violence survivors. Finally, HALA can also fund rental vouchers that help vulnerable low-income populations, including survivors of domestic violence.

Going forward, there are three opportunities for funding coming up in the next six months:

- 1) The Housing Department will issue a Release for Proposals for federal entitlement funding streams with the intent to award multiple contracts prioritizing outreach, prevention, and rapid rehousing on July 1, 2018.
- 2) A Notice of Availability of Funding for developments funds to support permanent and transitional housing opportunities will be released in the spring of 2018.

- 3) A non-profit facility improvement grant opportunity will provide funding for shelter and or office space to fund facility improvements or tenant improvements.

Non-profits serving domestic violence survivors and their families are strongly encouraged to apply for these funding opportunities.

COORDINATION

This report has been coordinated with the Office of Economic Development.

CEQA

Not a Project, File No. PP17-009, Staff Reports, Assessments, Annual Reports, and Informational Memos that involve no approvals of any City action.

/s/
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Chief of Police

/s/
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For questions, please contact Lieutenant Derek Chen, Family Violence Unit, San José Police Department, at (408) 277-3700 or Jacky Morales-Ferrand, Director, Housing Department at (408) 535-3851.