

# Advocate Referrals:

Further Improvements to Processes and Data Sharing Can  
Help Connect More Survivors to Services

A Report by the San José City Auditor  
March 2021

[www.sanjoseca.gov/auditor](http://www.sanjoseca.gov/auditor)

- In California, survivors of certain crimes have a right to an advocate, who can provide a range of services
- Law enforcement plays a role in notifying survivors about advocates
- SJPD's advocate partners include:
  - YWCA Silicon Valley
  - Community Solutions for Children, Families and Individuals

## Relevant Sections of Resource Cards Distributed by Patrol Officers

### VICTIM RIGHTS

Victims of domestic violence have several rights, including the right to ask a judge of the Superior Court to make the following orders:

- An Emergency Protective Order issued at the scene which requires the abuser to leave the residence immediately.
- An order prohibiting the abuser from contacting the victim or other family members or going to the victim's residence.
- An order giving the victim custody of minor children or household animals.
- An order directing the restrained party to pay support for minor children, if that party has a legal obligation to do so.
- An order directing the restrained party to make payments (rent, mortgage, etc.) which come due while the order is in effect.
- An order directing either or both parties to participate in counseling.

Victims also have a right to have:

- A copy of the police report.
- An advocate or support person present for interviews.
- An interpreter.

### YOUR RIGHTS as a Survivor of Sexual Assault

You have rights. You have the right to get answers, the right to information, and a right to know. This card explains your rights, options, and helpful resources available to you under California Law (Penal Code 680.2).

#### You Decide

It's your choice to:

- Get a physical exam
- Be part of a criminal case, or
- Report the assault

**No matter what you choose,  
you keep your rights.**

A law enforcement officer or medical provider must provide you with a card that clearly spells out your rights.

#### You Have the Right To:

- Have a Confidential Sexual Assault Counselor (Victim Advocate) AND a person of your choice present during any exam or investigative interview.

You can reach a **Sexual Assault Advocate**  
24 hours a day by calling:

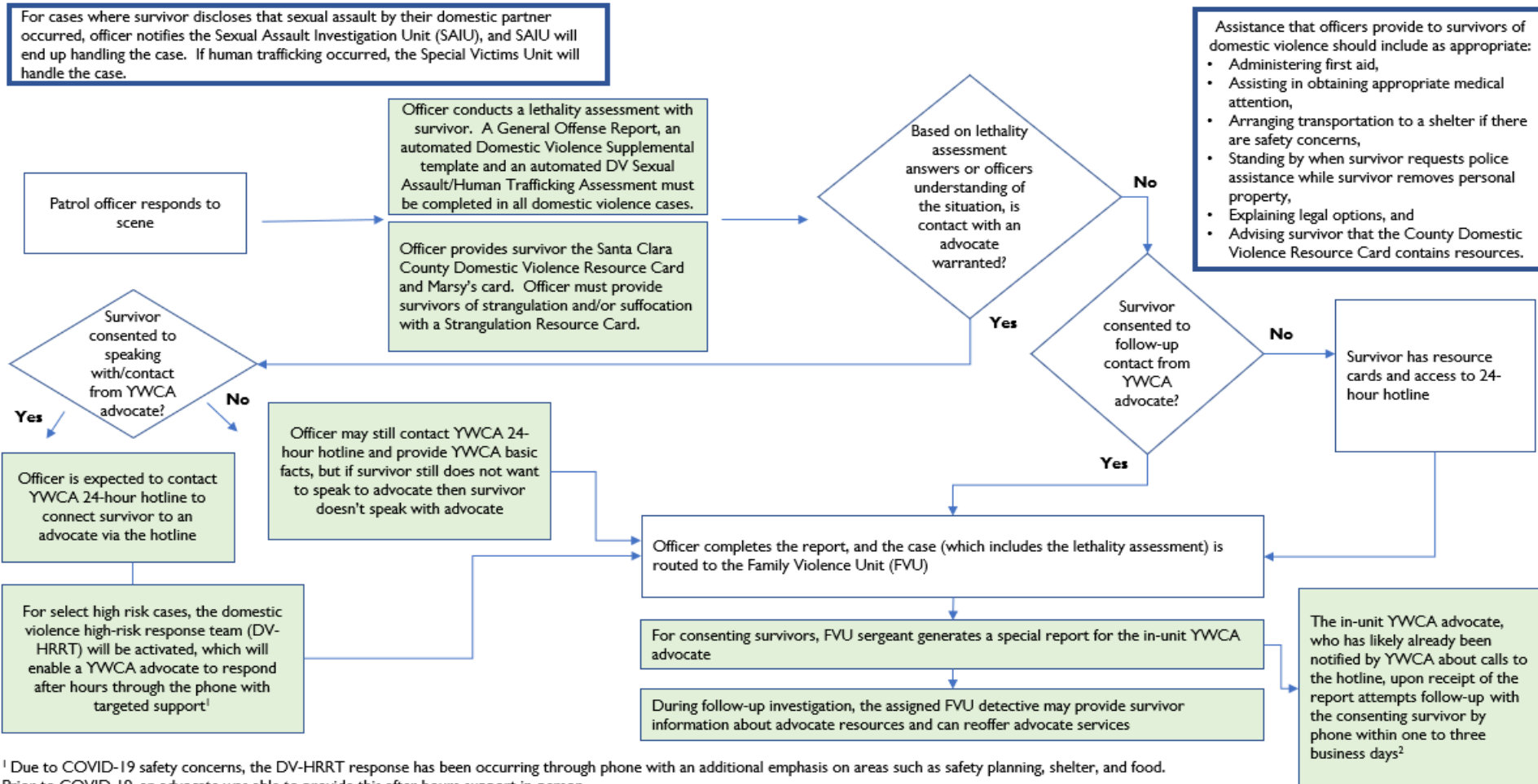
**YWCA of Silicon Valley 1-800-572-2782**  
(Serving North County and Central County)  
[www.ywca-sv.org](http://www.ywca-sv.org)

**Community Solutions 1-877-363-7238**  
(Serving South County and San Benito County)  
[www.communitysolutions.org](http://www.communitysolutions.org)

- Request a person of the same or opposite gender as you to be present in the room during any interview with law enforcement or the District Attorney.

# Finding I: Updates to Internal Processes Would Help Connect Survivors to Advocates

## Domestic Violence Advocate Referrals (Family Violence Unit)



<sup>1</sup> Due to COVID-19 safety concerns, the DV-HRRT response has been occurring through phone with an additional emphasis on areas such as safety planning, shelter, and food. Prior to COVID-19, an advocate was able to provide this after hours support in-person.

<sup>2</sup> The advocate will attempt to reach out to survivor up to three times. For high risk cases, the advocate will reach out three times and potentially more to make contact.

Note: The green boxes indicate steps in the process where some form of an advocate referral or connection to services is occurring, including when a survivor is given information about advocates.

## **Finding I:** Updates to Internal Processes Would Help Connect Survivors to Advocates

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SJPD's process has redundancies to ensure survivors have multiple opportunities to connect with an advocate.

### **We found:**

- The Duty Manual does not explicitly include guidance to offer advocacy services, which would align with Santa Clara County protocols.
- Resource cards are not fully available in Spanish and Vietnamese.
- Standardizing the process for how detectives refer victims of sexual assault could help advocates reach more survivors.

To help connect survivors with advocates:

- Update internal processes to match County guidance and standardize referrals
- Revise and fully translate resource cards into Spanish and Vietnamese

## **Finding 2:** SJPd Provides Additional Resources for Survivors of High-Risk Domestic Violence Cases

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To identify and respond to high-risk domestic violence cases, SJPd uses a lethality assessment and a high-risk response team.

### **We found:**

- Roughly 1,700 domestic violence incidents were deemed high risk through the lethality assessment between September 2019 and November 2020.
- The high-risk response team was activated 45 times between September 2019 and mid-November 2020.
- The high-risk response team is operating as a pilot program. Upon completion, YWCA is expected to conduct an evaluation of the program.

The evaluation of the high-risk response team pilot program should:

- Assess the criteria used to activate the team
- Review the level of service provided to survivors, and whether additional involvement with other agencies is warranted

### **Finding 3: Better Data Sharing Will Allow SJPD to Assess Referral Timeliness and Other Areas of Performance**

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Both SJPD and its advocate partners collect data that can be useful for assessing the timeliness and utilization of services.

#### **We found:**

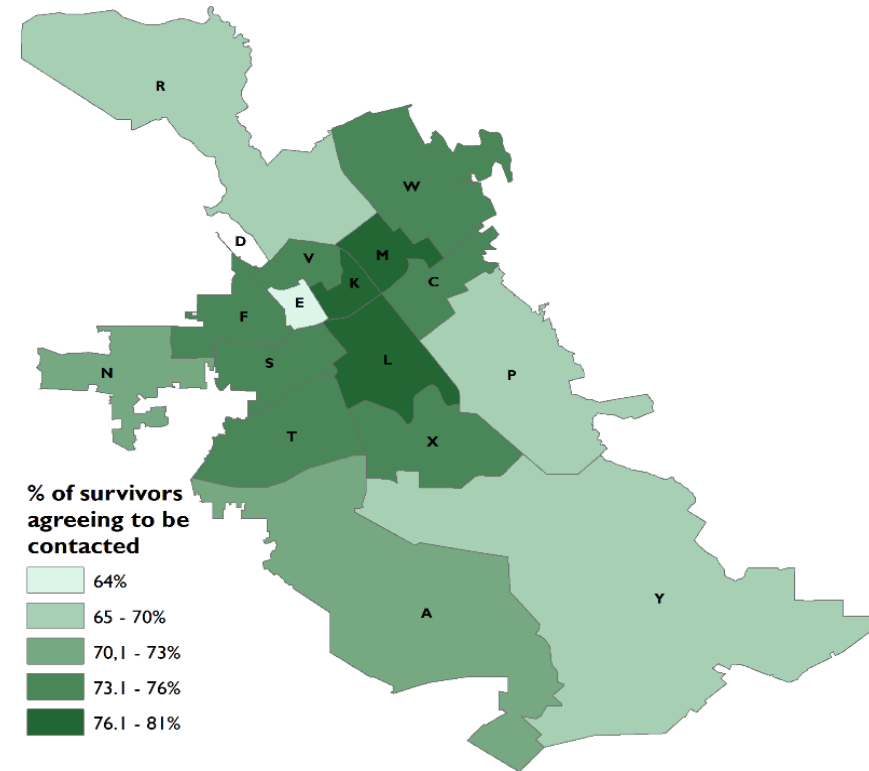
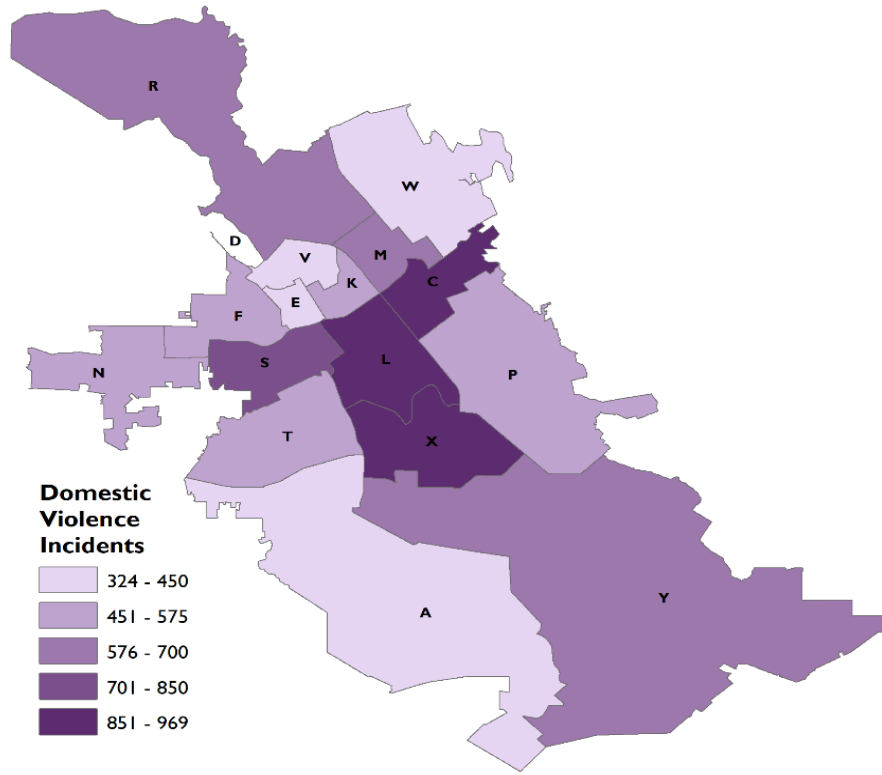
- Information collected by the YWCA about the timeliness of SJPD domestic violence referrals and advocate follow-ups is not currently provided to SJPD.
- Data on sexual assault advocate referrals is limited, and SJPD does not regularly receive data on human trafficking advocate referrals.
- Data can help SJPD target outreach to educate the community about advocate resources.

To better assess referral timeliness and utilization of advocate resources:

- Work with advocate partners on what data can be shared between the agencies
- Work with community partners to expand outreach and education to targeted communities

### Finding 3: Better Data Sharing Will Allow SJPD to Assess Referral Timeliness and Other Areas of Performance

## The Number of Reported Cases of Domestic Violence and Rates of Survivors Agreeing to an Advocate Referral Vary (3/30/2017 – 11/19/2020)



Our audit report includes a total of six recommendations to further improve community advocate referrals.

We would like to thank the San José Police Department, its advocate partners, and the other departments that helped in this audit for their time and insight during the audit process.

The audit report is available at: [www.sanjoseca.gov/auditor](http://www.sanjoseca.gov/auditor)