

MEMORANDUM OF UNDERSTANDING (MOU)

The Lincoln County Board of Commissioners, the Lincoln County District Attorney's Office, My Sisters' Place Women's Shelter, Lincoln County Parole & Probation, and Crossroads Nonviolence Education, with the support of the Lincoln County Circuit Court, Lincoln County Sheriff's Office, Newport Police Department, Lincoln City Police Department, Toledo Police Department, and Oregon State Police, enter into a Memorandum of Understanding in the application for the Grant to Encourage Arrest Policies and Enforcement of Protection Orders Program.

I. History of Relationship

The grant partners have been informally working together on initiatives to decreasing instances of Domestic Violence, Sexual Assault, Stalking (DV/SA/STLK) for 20 years, and have been working towards more formal collaboration on projects as members of the local Domestic Violence Council since 1998. In 1999, the Lincoln County District Attorney's Office, My Sisters' Place, and Crossroads Nonviolence Education (Crossroads) collaborated on other grant projects focusing on the prevention and prosecution of DV/SA/STLK and on the services provided to victims, through the OVW's Rural Domestic Violence and Child Victimization Enforcement Grant (RDV/CVE). From 1999 thru 2004, with supportive funding from the RDV/CVE Grant, the community generated strong energy for working on the issues concerning DV/SA/STLK. Since 2004, community partners have continued addressing DV/SA/STLK with collaborative efforts spearheaded by Arrest Grant funds. The community has demonstrated a commitment to sustaining efforts since the completion of previously funded projects and in some cases alternative funding has been found to continue or complete projects.

There is a recognized need for increased collaboration with additional community and law enforcement partners to successfully create a stronger, more complete model and a better system of accountability and supervision for DV/SA/STLK offenders, and to provide greater levels of safety, autonomy and support to the victims / survivors of these crimes.

II. Development of the Application

The Encourage Arrest Grant Partners, with the support of the Lincoln County Domestic Violence Council, is focused on sustaining and expanding the services that partnering agencies are developing towards the improvement of tracking cases, providing increased monitoring of defendants pending trial, providing for supervised probation of the convicted “high-risk” misdemeanor domestic violence offenders, and sustaining and increasing victims’ access to services and safety education. Included in the discussions for this grant concept was the need to centralize the statistical information on DV/SA/STLK and to utilize the results of the Community Safety and Accountability Audit (CSAA) completed in the Fall of 2008 of local practices to determine if victim safety and offender accountability is being accomplished in our community.

Joining as partners not receiving direct funding from this grant are all of the local law enforcement agencies (Lincoln County Sheriff’s Office, Newport Police, Toledo Police, Lincoln City Police, and Oregon State Police), as well as the District Attorney’s Victim Assistance Program. Law enforcement officers attend, and will continue to attend, OVW Training and will continue to receive the benefits of the other grant partners’ training and technical assistance.

Since September of 2005, representatives from the partners in this grant have been regularly meeting to implement a collaborative project that would meet those goals. These regular meetings have consistently included representatives from Lincoln County Parole & Probation, the District Attorney’s Office, My Sisters’ Place (MSP), and Crossroads Nonviolence Education (Crossroads). Additional meetings and trainings between these partners also include law enforcement, the judiciary in Lincoln County, Legal Aid, and the Department of Human Services. These meetings, as well as discussions with other community partners who would not receive any direct funding through this grant, have led to this agreement defined by this Memorandum of Understanding.

My Sisters' Place (MSP) is an ideal community based advocacy program to partner with for this grant. They have been providing domestic violence advocacy and shelter services in Lincoln County for over twenty years. MSP and Crossroads have a history of providing domestic violence training to law enforcement partners and community agencies in addition to volunteers assisting with the community's response to DV/SA/STLK. Their expertise and experience with the dynamics of domestic violence and sexual assault is respected by the community.

Grant partners continue to meet regularly to implement and modify the tasks designed to implement this project and to plan the proposed continuation project. Lincoln County DA, MSP, and Crossroads meet weekly and have an open communication policy. Parole & Probation is often part of this open dialog. They share recognition that there needs to be an increased in advocacy to match the increased awareness of high risk offenders this project has identified.

III. Roles and Responsibilities

Lincoln County District Attorney's Office – Roles and Responsibilities

- Grant funding will allow the District Attorney's Office to continue to employ one (.5 FTE) Deputy District Attorney that will be dedicated to the handling and prosecution of misdemeanor cases falling under the statutory definition of Domestic Violence (DV DDA). Currently, the DV DDA position is split between two .5 FTE DDA to increase the Office's ability to respond to and prosecute DV/SA/STLK more effectively and efficiently. This continuation grant request would fund one of those two .5 FTE DDA positions (the Lincoln County Board of Commissioners has recently agreed to provide funding for the other .5 FTE DDA position).
- The DV DDAs will handle and prosecute all misdemeanors domestic violence cases as well as violations of restraining orders and domestic stalking orders.
- The DV DDAs will provide training/education for other members of the District Attorney's Office and staff regarding domestic violence issues.
- The DV DDAs will provide training to law enforcement agencies within Lincoln County on domestic violence issues as well as updates on legislative and statutory changes that

affect the areas of domestic violence, sexual assault and stalking. Trainings at patrol briefing times and ride-alongs will craft a solid line of communication between the DV DDAs and the officers to ensure proper arrests and successful prosecutions.

- The DV DDAs will regularly participate in ride-alongs with all of the Lincoln County law enforcement agencies.
- The DV DDAs will work closely with the advocates at My Sisters' Place and the DA Victim's Assistance Program as well as with the Crossroads Nonviolence Education and Parole & Probation to ensure victim safety and offender accountability.
- The DV DDAs will attend OYW designated trainings through the funding provided by this grant.
- The DV DDAs will cooperatively work with other Deputy District Attorneys and support staff in the office as a functioning team member.
- The DV DDAs will continue to support efforts to fully implement the Domestic Abuse Information Network.
- The DV DDAs will continue to be active participants on the Domestic Abuse Response Team (DART) and the Lincoln County Domestic Violence Council.

Lincoln County District Attorney's Office Contributions:

- The DA's Office will work with the other grant partners towards successful implementation of the grant goals and objectives.
- The DA's Office will provide office space as well as all technical equipment needed for the DV DDAs to perform all duties (computers, telephones, etc.).
- The DA's Office will provide all appropriate and necessary statute, code, and reference books and materials at no cost to the grant.
- The DA's Office will cover all expenses related to the DV DDA's Bar Membership (local and state) as well as fees and costs for attending required Continuing Legal Education (CLE) credits for each year. The DA's Office will cover all fees and costs for the DV

DDAs to attend any available in-state training programs relating to Domestic Violence, above and beyond what may be required in regards to CLE credits.

- The DA's Office will donate the time of legal staff as well as clerical and administrative assistance to the DV DDAs.
- The DA's Office will provide funding for DV-trained Deputy District Attorneys and staff to handle and prosecute felony cases falling under the statutory definition of Domestic Violence.
- The DA's Office will donate the services of the Victims' Assistance Program to victims needing immediate attention while at the Courthouse, refer victim / survivors to MSP for community based advocacy, as well as donate the time and services of the DA Investigator in locating victims and witnesses as needed for all domestic violence cases.
- The DA's Office will donate all printing/ copying costs incurred through the production of any training materials, guides, or handbooks provided to DA Staff, other Deputy District Attorneys, and law enforcement agencies throughout the County or other jurisdictions within the State.
- The DA's Office will continue to support efforts to fully implement the DAIN system.
- The DA's Office will assume responsibility for the semi-annual progress reports and any other necessary grant reporting.
- The DA's Office will provide statistical reports to the grant administrators and reporters as needed.

Lincoln County Board of Commissioners Contributions

- Will support the efforts of the Encourage Arrest Grant, and have agreed to fund one of the .5 FTE DV DDA positions to show an ongoing commitment towards institutionalizing and sustaining these efforts.

My Sisters' Place (MSP) – Roles and Responsibilities

- With grant funding, My Sisters' Place will maintain its Women's Victim Advocate at the increased level of a full time (1 FTE). The Women's Victim Advocate will focus on the

victims of those misdemeanor domestic violence offenders that are tagged as “high risk” offenders to include other “high risk” felony offenders.

- The Advocate will provide peer support, information and referrals to clients, both directly and over the telephone, to assist clients to obtain appropriate resources from all agencies and services, and to provide safety planning.
- The Advocate will provide information and support to clients regarding the criminal justice system, giving particular focus to cases involving those offenders tagged as “high risk” offenders.
- The Advocate will develop and present domestic violence information and education curriculum for clients.
- The Advocate will assist other MSP Victim Advocates in conducting safety-planning classes for victims prior to no-contact orders being lifted by the Court. The advocate will provide additional information to the victims based on the offender’s placement in the “high risk” category.
- The Advocate will act as a liaison, if desired by the victim, between the victim and the DV DDA and Crossroads Compliance Monitor.
- The Victim’s Advocate will attend OVW-designated training through the funding provided by this grant.
- The Victim’s Advocate will continue to support efforts to fully implement the DAIN system.
- The Advocate will continue to be an active participant in the DART program.

My Sisters’ Place Contribution

- MSP will work with the other grant partners towards successful implementation of the grant goals and objectives.
- MSP will provide office space as well as all technical equipment necessary for the Women’s Advocate to perform all duties (computer, telephone, etc.).

- MSP will provide training opportunities to ensure updated knowledge and training of domestic violence issues and how they relate to victim/survivors.
- MSP will provide the assistance and time of other MSP advocates as well as the services of the Women's Shelter.
- MSP will continue to provide non-court-mandated safety-planning classes to any victim interested.
- MSP will continue to support efforts to fully implement the DAIN system.
- MSP will provide statistical reports to the grant administrators and reporters as needed.

Lincoln County Parole & Probation (P&P) – Roles and Responsibilities

- Grant funds will allow for a .35 FTE DART Probation Officer to provide intensive supervision of high risk offenders (15 at any given time).
- Grant funding will allow Lincoln County Parole & Probation to continue employment of a .35 FTE Probation Officer that will be dedicated to the supervision of those misdemeanor domestic violence offenders that are tagged, under the newly established local "high risk" definition, for supervised probation (DV PO).
- The DV PO will be responsible for intensive supervision of those DV offenders tagged under the local "High-Risk" definition. Intensive supervision, as defined by the State of Oregon, requires no less than two (2) office visits per month, one (1) home visit per month, verification of employment, monthly verification of participation in DV classes, monthly verification of substance abuse counseling (if ordered), urine testing on demand, monthly consultation with the DV Batterers' Intervention provider, monitoring of financial obligations, monitoring of subsequent arrest activity, special reports and/or revocation reports filed with the District Attorney. The DV PO will pursue sanctions for treatment failure, whether in the form of voluntary sanctions or motions to revoke probation.
- The DV PO will make available a one hour voluntary orientation session once a month (or as needed) for the victims/ survivors of high risk offenders to attend upon their

request. The PO will inform the victims/ survivors of the conditions of the offender's probation.

- The DV PO will attend OVW-designated training through the funding provided by this grant.
- The DV PO will continue to support efforts to fully implement the DAIN system.
- DV PO will continue to be an active participant and team player on the DART.

Lincoln County Parole & Probation (P&P) Contribution:

- P&P will work with the other grant partners towards successful implementation of the grant goals and objectives.
- P&P will provide office space as well as all technical equipment necessary for the DV PO to perform all duties (computer, telephone, etc.).
- P&P will donate the time of clerical and administrative staff to assist the DV PO.
- P&P will provide all service/ duty equipment necessary to the DV PO's duties, including but not limited to a vehicle, all duty weapons and a bullet proof vest.
- P&P will cover the costs associated with training of the DV PO, including, attendance at the Oregon Police Academy as well as provide ongoing training relevant to probation duties. This DV PO will also receive additional training in the dynamics of domestic violence, abuse and assault. There will also be specific and ongoing training opportunities for the DV PO to become proficient in recognizing offender tactics and belief systems as specifically related to DV behavior.
- P&P will provide all of the teaching and training materials (copies of materials, video, etc) as well as meeting rooms for any and all probation office visits and sessions.
- P&P will continue to support efforts to fully implement the Domestic Abuse Intervention Network (DAIN) system.
- P&P will support the DV PO providing monthly (or as needed) reports on the offenders actively involved in the DART program.
- P&P will support the DV PO being an active participant in the DART program.

- P&P will provide meeting space (when needed) for the DV PO, MSP Advocate and partner of the High Risk Offender to meet for an orientation / corrections overview.
- P&P will provide statistical reports to the grant administrators and reporters on the DART.

Crossroads Nonviolence Education – Roles and Responsibilities

- With grant funding, Crossroads Nonviolence Education will employ and house a .75 staff member to perform the duties of the Domestic Abuse Information Network (DAIN) Specialist / Compliance Monitor to provide Intensive Monitoring of High Risk Offenders, attend DV Court Compliance Reviews and DART related activities.
- The DAIN Specialist / Compliance Monitor will work as an integral component of the coordinated community response to domestic violence and as the central axis of the Lincoln County High-Risk Offender Program (LC-HROP).
- The DAIN Specialist / Compliance Monitor is trained in the DAIN tracking system and software and is responsible for data entry and tracking of all domestic violence offenders, with a specific emphasis of monitoring those offenders that fall into the “High-Risk” offender category.
- The DAIN Specialist / Compliance Monitor will be responsible for generating reports to MSP, DA’s Office, and to the Lincoln County Domestic Violence Council.
- The DAIN Specialist / Compliance Monitor will attend OVW-designated training through the funding provided by this grant.
- The DAIN Specialist / Compliance Monitor will assist the DA’s Office with information for the semi-annual progress reports and any other necessary grant reporting.
- The DAIN Specialist / Compliance Monitor will continue to be an active participant in the DART program.

Crossroads Nonviolence Education Contribution

- Crossroads will work with the other grant partners towards successful implementation of the grant goals and objectives.

- Crossroads will provide office space as well as all technical equipment necessary for the DAIN Specialist and the Compliance Monitor to perform all duties (computer, telephone, etc.).
- Crossroads will donate the time of clerical and administrative staff as well as technical assistance for the DAIN Specialist and the Compliance.
- Crossroads will continue efforts to expand on the existing DAIN Computer Tracking.
- Crossroads will provide (IN-KIND) Central Monitoring System services on going.
- Crossroads will provide (IN-KIND) personnel and reporting to the DV Court weekly.
- Crossroads will continue to provide the Batterer Intervention Classes.
- Crossroads will provide (IN-KIND) a bi-cultural / bi-lingual community liaison to Spanish the speaking community on DV, SA, Stalking issues.
- Crossroads will continue to offer (IN-KIND) support and mentoring to Siletz Tribe on DV, SA, Stalking issues.
- Crossroads will continue to support efforts to fully implement the DAIN system as part of its Central Monitoring activities.
- Crossroads will provide statistical reports to the grant administrators and reporters as needed.

Lincoln County Circuit Court, Domestic Violence Court (DV Court) Program

- DV Court will make referrals to the DART program.
- DV Court will supply status updates on the DV Court to the Lincoln County Domestic Violence Council
- DV Court will support the Encourage Arrest Grant and DART project activities.
- DV Court will work closely with Crossroads Compliance Monitor on supervision issues for High Risk Offenders, and support efforts to fully implement the DAIN system.

Lincoln County Sheriff's Office (LCSO) Roles and Contribution

- The department will promote aggressive pro-arrest policies.
- The department will promote domestic violence education and training for all Lincoln County Sheriff's Deputies, including training and enforcement of restraining orders and stalking orders.
- Designated Sheriff's Deputies will attend OVW-designated training through the funding provided by this grant.
- The department will provide for overtime pay for OVW-designated training that Sheriff's Deputies would attend under this grant.
- Sheriff's Deputies that attend OVW training will pass the training information on to other members of the Sheriff's Department at no cost to the grant.
- The department will provide time needed for those who have attended training programs, either through this grant or otherwise, to pass that training along to other Deputies.
- The department will set aside training time for all officers to receive regular training by the DV DDA and other grant partners during briefing sessions.
- LCSO will continue to support efforts to fully implement the DAIN system.
- LCSO will provide statistical reports to the grant administrators and reporters as needed.

Newport Police Department (NPD) – Roles and Contribution

- The department will promote aggressive pro-arrest policies.
- The department will promote domestic violence education and training for all Newport Police officers, including training and enforcement of restraining orders and stalking orders.
- The department will set aside training time for all officers to receive regular training by the DV DDA and other grant partners during briefing sessions.
- NPD will continue to support efforts to fully implement the DAIN system.

Toledo Police Department (TPD) – Roles and Contribution

- The department will promote aggressive pro-arrest policies.
- The department will promote domestic violence education and training for all Toledo Police officers, including training and enforcement of restraining orders and stalking orders.
- The department will set aside training time for all officers to receive regular training by the DV DDA and other grant partners during briefing sessions.
- TPD will continue to support efforts to fully implement the DAIN system.

Lincoln City Police Department (LCPD) – Roles and Contribution

- The department will promote aggressive pro-arrest policies.
- The department will promote domestic violence education and training for all Lincoln City Police officers, including training and enforcement of restraining orders and stalking orders.
- The department will set aside training time for all officers to receive regular training by the DV DDA and other grant partners during briefing sessions.
- LCPD will continue to support efforts to fully implement the DAIN system.

Oregon State Police (OSP) – Roles and Contribution

- The department will promote aggressive pro-arrest policies.
- The department will promote domestic violence education and training for all Oregon State Troopers, including training and enforcement of restraining orders and stalking orders.
- The department will set aside training time for all officers to receive regular training by the DV DDA and other grant partners during briefing sessions.
- OSP will continue to support efforts to fully implement the DAIN system.

V. Development and Implementation

Activities in this application were developed by and will be implemented by DART team members with the support of the Lincoln County Domestic Violence Council. The specific roles and responsibilities outlined above in this MOU for this project are contingent on receiving the funds requested for this project in this OVW Grant to Encourage Arrest Policies and Enforcement of Protection Orders Program grant application. The beginning and end dates of this collaborated effort would coincide with the grant period, which is anticipated to be July 1, 2012 to June 30, 2014. The Lincoln County Board of Commissioners, in an effort to show support and encourage sustainability have agreed to support one .5 DV DDA, not contingent on grant award. The efforts to sustain a DV Court, though inspired by OVW mentoring over the years, are not contingent on OVW funding. The work of the local Domestic Violence Council and its supporting agencies to assist in efforts to contend against domestic violence, dating violence, sexual assault and stalking are ongoing and is not contingent on any funding. Continued and ongoing collaboration is not contingent on these funds.

The undersigned hereby affix our signature to the Memorandum of Understanding and approve thereby the proposed project with its budget and goals for this OVW Encourage Arrest Grant project.

Sheryl Bachart 3/20/12
Judge Sheryl Bachart Date
Lincoln County Circuit Court (DV Court)

[Signature] 3/21/2012
Rob Bovett Date
Lincoln County District Attorney

Don Lindly 3/21/12
Don Lindly, Chair Date
Lincoln County Board of Commissioners

[Signature]
Don Chapin, Director Date
Crossroads Nonviolence Education

[Signature] 3-23-12
Karen Shores, Director Date
My Sisters' Place Women's Shelter
Lincoln County DV Council, Co-Chair

[Signature] FOR SHERIFF DOTSON 3/23/12
Dennis Dotson CURTIS LANDERS Date
Lincoln County Sheriff
Lincoln County DV Council, Co-Chair

[Signature] 3-23-12
Steven Bechard, Chief Date
Lincoln City Police Department

[Signature] 3-21-12
Mark Miranda, Chief Date
Newport Police Department

David B. Enyeart 3/22/12
David Enyeart, Chief Date
Toledo Police Department

[Signature] 3-21-12
Marcia Thompson, Supervisor Date
DA's Victim Assistance Program

[Signature] 3.21.12
Justin McGladrey, Lieutenant Date
Oregon State Police
Newport Patrol Office

[Signature] 3-22-12
Suzi Gonzales Date
Director of Community Justice
(includes Parole & Probation)