

Review of Dutchess County Sexual Assault Prevention and Response Dutchess County Legislature, September 2018

About one in 5 American women and one in 71 men will suffer rape at some point in their lives. While in U.S. colleges, one in 5 female students and one in 16 male students are sexually assaulted. People of any gender or sexual orientation can be perpetrators or victims, and perpetrators come from all backgrounds, income levels, and walks of life. Employers should be aware that 8% of rapes occur while the victim is at work.¹

Approximately 20% of sexual assaults are committed by a stranger and 80% by an acquaintance, relative, current or former spouse, boyfriend, or girlfriend. Among women (who are about 90% of victims), 30% are assaulted for the first time between ages 11 and 17 and another 12% even earlier—at age 10 or below. Thus it is critical to recognize and address the considerable overlaps among sexual assault, domestic violence, and child abuse.

The goal of this report is to review Dutchess County's current measures to prevent and respond to sexual assaults and suggest measures to strengthen the county's responses. We are grateful to the informants listed at the end who generously shared their time and expertise.

Victim Safety and Support

The main agency serving victims of sexual assault is the Center for Victim Safety and Support (CVSS) at Family Services in Poughkeepsie. CVSS provides 24 hour comprehensive services to victims of domestic violence, sexual assault, and other crimes and works to enhance system response to victims of crime. Everyone in the office is cross-trained to handle both domestic violence and sexual assault, and the office serves anyone in need of help.

CVSS follows a model of co-location, in which staff split their time between the main office and partner agencies throughout the community to facilitate cooperation and streamline services to victims. Partner agencies include the Dutchess County Sheriff's Office, Dutchess County Office of Probation and Community Corrections, and the police departments of the City of Poughkeepsie, City of Beacon, Hyde Park, and Town of Poughkeepsie.

Services provided by CVSS include:

24-hour hotlines for domestic violence and rape crisis/crime victim assistance. The latter is also the Dutchess County hotline for human trafficking victims.

Rape Crisis Services: Victim Advocates provide rape crisis services and are on-call 24 hours a day, 7 days a week to respond to and accompany sexual assault victims and secondary victims to hospital emergency rooms, police departments, and courtrooms.

Advocacy/Accompaniment: Victim Advocates staffed at CVSS are professionals trained to support victims of crime.

¹ National Sexual Violence Resource Center,
https://www.nsvrc.org/sites/default/files/publications_nsvrc_factsheet_media-packet_statistics-about-sexual-violence_0.pdf

Counseling: CVSS provides an array of services to help victims through their healing process including three months of free trauma counseling and support groups.

Outreach/Education: CVSS provides outreach and education to community members in an effort to spread awareness of domestic violence, sexual assault, and other crimes as well as to make the community aware of victims' rights and services.

CVSS incorporates several system enhancement projects including the Universal Response to Domestic Violence, Domestic Abuse Response Teams, High Risk Case Management, Lethality Assessment Program, and Sexual Assault Response Team. In all these programs, Family Services works closely with other victim services agencies, the District Attorney, law enforcement, and campus representatives. CVSS also partners with Grace Smith House, Inc., and other agencies working to reduce and address domestic violence.

Prevention

SVP (Sexual Violence Prevention) has a robust program despite financial limitations. They have received, this year, a \$145,000 NYS Department of Health grant for rape prevention education, but the grant covers three counties and \$75,000 of the grant is subcontracted to agencies in Orange and Westchester. The remaining portion has to cover the oversight work for all three counties as well as programming in Dutchess itself. SVP also received a \$10,000 grant from United Way this year but it is year-to-year and renewal is uncertain. Without it, key services would be lost.

The Regional SVP program has initiated **Hudson Valley Educator Coalition**, which meets quarterly for discussion and collaboration and covers the entire Hudson Valley.

For sexual assault prevention, the key evidence-based practice to teach and learn is **bystander intervention**. There is not much evidence of its effectiveness unless an in-depth, 12-hour training is completed. A key initiative in Dutchess is work with school districts, especially high schools, to provide education and training.

The SVP program has memoranda of understanding with all five colleges: Vassar, Marist, DCC, CIA, and newly this year, Bard. The biggest barrier is student participation (incentives have included food and gift cards). Since 2010 the training has been offered at Marist for course credit in Social Work. This has been very successful and ensures the appropriate level of knowledge. It is the first college-credited course of its type in New York.

On social media, SVP has participated in the Start By Believing campaign and has promoted it in Dutchess to encourage support for survivors. SVP also ran its own campaign, disseminating key information through the hashtag #healthyrelationshiptime . Public awareness to undermine myths around sexual violence ("it was her fault because she was drinking or wearing a short skirt") are particularly key.

The prevention team is also developing an innovative nightlife safety program, **Safe Bars**, to teach bystander intervention to bartenders and other employees. The Derby in Poughkeepsie was the first business to participate and others are now signing on. This program has tremendous promise in making nightlife safer and helping bystanders learn to intervene to stop sexual assault before it happens.

Sexual Assault Response Team (SART)

Both Poughkeepsie hospitals have SAFE programs to provide immediate assistance to victims of acute sexual assault. Northern Dutchess Hospital is interested in SAFE but at present does not have the program, and instead sends assault victims to Vassar Brothers Hospital.

Since 2015 SART has worked to ensure a standard protocol by facilitating communication and training among victim services agencies, the District Attorney, college administrators, and law enforcement. Strides have been made toward use of a universal, standardized protocol but there are gaps.

It is especially important for police officers to call a victim advocate as soon as possible. Further work and training with law enforcement is needed to make sure this happens. Law enforcement has shown great success in training for domestic violence (the DART program) and it is now standard for officers to ask a series of 11 questions that help determine the likely lethality of the situation. A similar consistency is still needed in response to sexual assault.

SART is working with local law enforcement to develop trauma-informed spaces where survivors can be interviewed. Detailed, evidence-based recommendations for the design of such spaces include everything from wall color to the availability of tea and water. SART is in dialogue with the City of Poughkeepsie Police Department in hopes that they may renovate a space for such use; SART also hopes that a trauma-informed interview and waiting area will be included in the new Dutchess County Law Enforcement Center, now under construction.

It was noted that local hospitals receive a considerable number of sexual assault cases from prisons located in Dutchess County, including both male and female inmates. No numbers were given but further research seems advisable. These inmates are in state custody but Dutchess is the location providing services and response, and the extent of such assaults is extremely troubling.

Forensic Services and Sex Offender Supervision

In 2006-07 Dutchess County requested and received technical assistance from the federal Center for Sex Offender Management. This two-year project resulted in a comprehensive, evidence-based, victim-centered approach, designed and implemented by multiple agencies.

When someone is convicted of sexual assault, the Office of Probation prepares a pre-sentence report which includes legal and social data and a sentencing recommendation. After reading the report, a judge makes the final sentencing determination. Individuals placed on probation are supervised in a specialized unit with officers and a supervisor trained in sex-offender supervision and treatment. A special set of Order and Conditions of Probation, specifically designed for relapse prevention, is part of the supervision plan. The office revises conditions of probation as needed, better clarifying the expectations of the offenders while providing an evidence-based rationale for condition revisions.

Probation works closely with the Relapse Intervention for Sex Crimes (RISC) program at Family Services, Inc., which is the primary sex-offender-specific treatment program providing services to probation sentenced offenders. Offenders who have successfully completed the standard course of treatment, and who remain on probation, often continue to attend treatment groups on a

maintenance status. This continuation of treatment while concurrently being supervised by the Probation Department serves to reinforce the self-management skills developed during treatment, as well as providing a forum for offenders to seek assistance with changing life circumstances.

The Sex Offender Supervision Unit is working to expand established initiatives, with the goals of ensuring that known victims and other vulnerable populations remain safe in our community, and that offenders are held accountable not only for the offense for which they were convicted, but in demonstrative management and avoidance of high risk activities, reducing the likelihood of recidivism. Supervision Officers do the following:

- ◆ conduct pre-sentence home visits to offenders living in the community who are awaiting sentencing. This effort ensures that the offender is living at the reported address, in addition to assessing the appropriateness of the residence relative to proposed conditions of probation.
- ◆ collaborate with local law enforcement in monitoring and verifying offender addresses and activities, improving information-sharing with these agencies and assuring offender adherence to conditions of probation. Supervision Officers regularly verify addresses and other information required to be provided by offenders on the New York Sex Offender Registry.
- ◆ with the assistance of Crime Victim Assistance Advocates, seek to establish and maintain contact with victims of sexual offenders supervised by the Office of Probation. The goal is to ensure that victims and their families receive services and advocacy they may need.

Of particular note are efforts by the Sexual Offenses Prevention Unit to limit and eliminate potential victimization through technological means. Most offenders, because of the high-risk nature and potential anonymity of the Internet, are not permitted computer use. Probation continues to monitor the permitted computer and Internet usage of a select group of offenders through an offender paid monitoring program. This has proven to be successful in assisting offenders to manage otherwise impulsive computer behavior, while allowing them to develop themselves occupationally and educationally.

CVSS Forensics provides a non-offender program that serves family and friends of both survivors and perpetrators of sexual violence. With more funding, they could expand and advertise these programs, which for non-offenders teach the same bystander skills that are standard in other areas of the prevention programming.

Colleges have made great strides in working on sexual assault, but staff members often do not have the background or expertise to assess the level of future threat posed by perpetrators. Professional forensic interviewers can provide guidance on this. Outreach to campuses has been undertaken but more needs to be done.

Dutchess County Task Force Against Human Trafficking

Human trafficking is a very serious criminal justice issue that lies beyond the scope of this report. Legislators, however, should be aware that Dutchess County has a task force, located in the Department of Social Services, whose mission is to prevent human trafficking by working collaboratively to raise knowledge and awareness in our county, identify potential victims, and

provide comprehensive trauma-informed services. In conjunction with the work of this Task Force, the Children's Home of Poughkeepsie has created a trauma-informed youth screening tool. The organization Give Way to Freedom also provided a "Human Trafficking 101" presentation for task force members. The Task Force is working on a region-wide collaborative response with counterparts in Westchester, Ulster, Orange, Rockland, and Putnam Counties. The Task Force chair is David Garcia in DCFS.

Recommendations

1. CVSS / SART recently created four subcommittees to work with 1) college campuses; 2) law enforcement; 3) the health care system; and 4) community awareness. We recommend that a legislator be regularly appointed and serve as an ex-officio member of the Community Awareness subcommittee. Cost: none.
2. We recommend that the county create a volunteer Citizens Advisory Task Force on Sexual Violence, modeled on the highly successful Citizens Advisory Task Force on Domestic Violence. Such a committee would be very helpful in raising awareness and expanding public education programs. Programs like "Sexual Abuse and How to Prevent It" can be important educational tools if volunteers and staff are able to organize and advertise them, with help from public libraries or other partners. Alternatively, it is possible that the county could expand the current Domestic Violence Task Force to include a sub-committee working specifically on sexual assault prevention and treatment. Cost: minimal (perhaps \$500 for supplies).
3. We recommend that funds be made available to ensure that the county's new Law Enforcement Center has a trauma-informed interview space. The Sheriff's office should take the lead in working with SVP to implement this space. Cost: not determined. (Many aspects of a trauma-informed space, such as choices of paint colors and furniture types, could be potentially folded into the planned budget of the Law Enforcement Center.)
4. We recommend that the county provide to CVSS a small emergency "unmet victim needs" fund, to assist victims with necessary purchases related to a crime. The New York State Office for Victim Services pays most expenses but there are occasional gaps, which prevent a victim from obtaining medication or other urgent necessities. Cost: \$12,000 is suggested.
5. We recommend that law enforcement agencies throughout the county continue training to ensure that protocols are followed whenever a sexual assault may have been committed—in particular, that the responding officer calls CVSS as soon as possible to ensure that the survivor has access to a victim advocate for support. A trauma-informed approach helps address pre-conceptions or misconceptions about how a victim "should" behave. This training is recommended for anyone handling sexual assault complaints and investigations, so they understand typical victims responses to trauma and how to minimize re-victimization and enhance outcomes through the criminal justice process. A two-day training for 100 officers with a national expert would cost approximately \$110,000 (consultant and training expenses plus overtime expenses for 100 officers).
6. We recommend that the county explore the benefit of hiring a sexual assault outreach worker who could facilitate communication between victims and the DA's office. This would not be a lawyer,

but someone always available to assist with information and support. This outreach worker could potentially also maintain and analyze data assessing the justice system's response to sexual assault. Cost: This position could also be located in the District Attorney's office, but if it were created in DSS, state funds might be available to support it. Further conversation with DSS about this possibility is recommended.

7. We recommend that the county support Sexual Violence Prevention by providing additional personnel in CVSS. The highest priority would be a full-time prevention educator to focus solely on sexual violence prevention in Dutchess County. As noted above, Family Services is the lead agency coordinating the NYS Dept. of Health Regional Sexual Violence Prevention Program for Dutchess, Westchester, and Orange. This project includes a number of innovative programs such as the Healthy Nightlife Safe Bars initiative, described above. The New York Department of Health only funds one coordinator at Family Coordinator; the part-time staff in Dutchess, Orange and Westchester work in three large counties. Local funding would substantially strengthen prevention work in Dutchess County. Cost: \$81,000.

It is impossible to quantify the extent to which prevention measures might be offset by financial savings through rape *prevention*. However, a rough estimate of the lifetime cost of a single rape, solely to the victim herself, is over \$120,000.² That does not include taxpayer costs in the criminal justice system.

We appreciate the attention of the legislature to our report and also the initiative of Gregg Pulver, Chairman of the Legislature, in convening the task force and supporting its work.

Respectfully submitted,

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² National Alliance to End Sexual Violence,

[https://www.endsexualviolence.org/where we stand/costs-consequences-and-solutions/](https://www.endsexualviolence.org/where-we-stand/costs-consequences-and-solutions/)