Collaborative Domestic Violence Services: Cases Studies from New Castle County, Delaware, & Cluj County, Romania

Caitlin Del Collo

Ileana Dunca

Diana Ghiura

Cosmin Onaci

**Abstract**

This paper examines the collaborative nature of domestic violence services provided in two locations: New Castle County, Delaware, United States of America, and Cluj County, Romania. A recent study of criminal justice outcomes for domestic violence victims in Romania suggests that women are most successful in obtaining relief from abuse via the legal system when they receive a collaboration of services, including counseling, shelter, and support from other professionals. Given this finding, we focus on the ways in which government, nonprofit, and other agencies collaborate to provide services to victims of domestic violence in the aforementioned locations. Our comparison finds that both locations have similar collaborative services between law enforcement and social service agencies that provide counseling, legal advocacy, and shelter. At the same time, however, each location has important collaborations that are lacking in the other. We provide suggestions for bolstering each location’s systems of services, as well as directions for future research.

**Introduction**

 This paper is the result of collaboration among graduate students from two universities who were provided with an opportunity to conduct cross-disciplinary research of domestic violence services provided in Delaware and Cluj. As such, the study was not as exhaustive in terms of detail or sources as it would have been had the purpose been a substantive evaluation of the services provided in each location. Nevertheless, this project has allowed the authors to compare domestic violence services in both locations and to point out practices that may be useful if adapted and transferred from one location to the other.

Domestic violence can be broadly defined as any abuse (psychological, verbal, and/or physical) that occurs between or among members living in the same household ( ). For the purpose of this paper we define domestic violence as abuse that is perpetrated against an intimate partner, regardless of whether they live in the same household. While we recognize that domestic violence can be perpetrated by both males and females, and both heterosexuals and homosexuals, most of the cases we encountered for this study were perpetrated by heterosexual males against their female partners.

Domestic violence affects women, men, and children all over the world. Given the diversity of culture around the world it follows that the ways in which societies deal with domestic violence varies. Even within one society there are many approaches to confronting domestic violence, with some focusing on prevention while others focus on intervention from various service providers and stakeholders.

This paper identifies and evaluates the collaborative services that are available to victims of domestic violence in two locations: New Castle County, Delaware, United States of America (hereafter identified as Delaware); and Cluj County, Romania (hereafter identified as Cluj), with the intent of using the comparison to note instances in which practices from one location may be transferred to the other to improve services. Additionally, we make general recommendations for improving the existing coordination of services to victims of domestic violence in each location.

**Background**

 Research on domestic violence in Romania indicates the value of coordinating services for victims. An example of such research includes a study conducted by the Wosafejus project, which aims to develop community policies and best practices that relate to women’s human rights, and is financed in part by the European Union’s Daphne III Programme. On April 24, 2010, Wosafejus hosted its first international conference: “Wosafejus – Why doesn’t she press charges? Understanding and improving women’s safety and right to justice (Daphne III).” One of the papers presented and published for this conference includes a study that was done on domestic violence in Romania. The study, “Female Victims of Domestic Violence: Analysis of the Criminal Justice System in Romania,” provides an in depth look at how victims of domestic violence in Romania use the criminal justice system. The study interviewed 78 women to find out what types of service(s) they sought to deal with domestic violence, including those provided by law enforcement, as well as legal assistance, social assistance, etc. The authors found that in 58% of cases the victim filed a complaint, but only 7% (4 cases) went to trial. Of the cases that went to trial, the most “successful” cases were the ones in which:

in addition to women deciding to take action and wanting “justice to be done,” a series of support factors is present. These are: family support, shelter services, counseling, and the support of other professionals (such as lawyers and police officers) during the whole legal process. Their *continuous and coordinated collaboration with their pro-active attitude* led to productive mobilization of the criminal justice system. A accumulation of support factors helps to keep women safe when they are faced with domestic violence. (Wosafejus, 2010)

This study underscores the importance of victims accessing multiple services that collaborate in order to achieve justice and safety. Given this finding, our research focuses on how the collaborative services available in two locations can work together to increase a victim’s knowledge and use of services that promote safety.

**Methods**

 The data compiled in this paper represent two cases studies, one of the domestic violence services in Delaware, and the other of the domestic violence services in Cluj. The data from Delaware is qualitative in nature and was compiled from the Delaware legal code as well as personal knowledge of one of the authors, who has had experience as a residential/hotline counselor at a local nonprofit domestic violence shelter in New Castle County. The data from Cluj is also qualitative and was obtained through interviews with two lawyers, a spokesperson for the Cluj city police department, employees from city and county level social service agencies, a domestic violence researcher employed at Babes Bolyai University, and a person who is well informed on the situation at the nonprofit agency ARTEMIS. Additionally, data was obtained from the Romanian legal code

**Findings**

**Delaware**

In Delaware a victim of domestic violence has several options for legal recourse. Oftentimes a victim will first enter the justice system by calling the police. Per the Lethality Assessment Program (LAP), every time a police officer responds to a domestic violence case he/she must administer a “lethality assessment” to the victim to gauge the victim’s risk of homicide due to domestic violence. The assessment includes eleven questions, a sampling of which includes: has your partner ever threatened to kill you or your children; does your partner own a firearm or have access to a firearm; has your partner ever attempted suicide; does your partner spy on you or leave you threatening messages. If a victim answers yes to any of the first three questions on the assessment, or answers yes to four or more of questions four through eleven, the police officer will call the 24/7 Domestic Violence Hotline and put the victim on the phone with the hotline counselor. The hotline is operated by the nonprofit CHILD, Inc.

 From there the hotline counselor will offer shelter to the victim, as well as information about obtaining a Protection From Abuse order (PFA), counseling, and other services as deemed appropriate. If the victim is female and wants to be sheltered, the police may escort her to the shelter, which is also operated by CHILD, Inc.

 Regardless of whether a victim is referred by the police via the LAP system, or calls the Domestic Violence Hotline on her own, she can request and subsequently receive shelter at one of CHILD, Inc.’s two confidential locations for a period of sixty days. Both shelter locations offer psychological counseling to address the dynamics of abusive relationships, counseling for children of victims of domestic violence, and clothing donated from the clothing bank, referrals to social service agencies and the Department of Labor, optional support groups for victims of domestic violence, and assistance with filing a PFA.

A PFA is a court order issued by civil court that prohibits an abuser from contacting a victim, establishes a minimum distance between the abuser and the victim, and can provide for other forms of relief such as spousal support, child support, mandatory counseling, drug and alcohol evaluation and treatment, surrender of known firearms, and anything else that the court finds reasonable to prevent future abuse. A PFA is usually granted for a period of one year, but in severe cases it may be granted for a period of two years or a lifetime, depending on the discretion of the commissioner.

If a victim does want to file a PFA, she may be accompanied by shelter staff to the Family Courthouse. Even if she goes to the courthouse alone, however, she can receive assistance from the Domestic Violence Advocacy Program (DVAP), which is also operated by CHILD, Inc. DVAP workers help victims fill out the paperwork for a petition, and can sometimes offer volunteer attorneys to represent a victim at their PFA hearing. They also connect victims with the Victim Compensation Assistance Program (VCAP), which provides compensation to victims for damages and other losses incurred through violent crimes and is funded through routine court fees.

Another important service provided by the shelter is making victims aware of the VINElink and VPO programs. VINElink is a national service that notifies victims of when their offender is released from prison. Similarly, The VPO program notifies victims of when their abuser is served with a Protection From Abuse order. These crucial services allow victims the time to get to a safe location when their abuser is being released or served with court papers. It is significant that shelter/hotline staff provide information on these services to victims, because otherwise victims may not know that they exist.

Another important collaborative service for victims of domestic violence in Delaware is the Domestic Violence Coordinating Council, which was established by the Delaware legal code. The mission of the council is to reduce the incidence of domestic violence in all its forms, which it accomplishes through drafting and improving legislation and policies that impact domestic violence; studying court, law enforcement, and criminal justice procedures; facilitating coordination among service providers of victims of domestic violence; promoting prevention and intervention techniques based on research; creating standards for intervention programs that treat offenders; and reviewing and commenting on legislation relating to domestic violence that is introduced into the Delaware General Assembly. The council members include the Chief Judge of the Family Court, members of the House of Representatives and the Senate, the Attorney General, the Public Defender, a representative of law enforcement, representatives from state agencies, and at-large council members that are appointed by the council and may include community members or other stakeholders such as those who work in the nonprofit sector to assist victims of domestic violence.

An example of the work done by DVCC is its 2012 Annual Report and Fatal Incident Team Report in which it makes specific recommendations for various domestic violence service providers, including individual police departments, the courts, probation and parole offices, the Delaware Coalition Against Domestic Violence (DCADV) (a nonprofit resource organization), and the Domestic Violence Coordinating Council itself. In this way the DVCC serves as a watchdog that evaluates and guides best practices for those who respond to domestic violence at multiple levels within the state.

The collaborative services for victims of domestic violence in Delaware can thus be summarized as follows: the police collaborate with the Domestic Violence Hotline operated by CHILD, Inc. to refer victims for shelter, counseling, and legal assistance among others; CHILD, Inc.’s DVAP staff assists victims in filing PFAs at Family Court; CHILD, Inc’s shelter staff refer victims to the VINElink and VPO programs, which in turn notify victims of when their abuser is released or served with court papers; and the DVCC brings together representatives from various parts of the government, the courts, and the community to provide oversight, advocacy, and evaluation of domestic violence laws and policies.

**Cluj**

 In 2012 the law regarding domestic violence in Romania changed. Law 25/2012 established a new form of legal recourse to victims, thereby improving the mechanism of protecting abused persons. This new form of recourse is the protection order. If someone feels threatened by a family member or feels that his/her life is in danger, he/she can apply for a protection order. Through this type of order one can obtain the following types of relief: temporary evacuation of the aggressor from the house; limitation of the aggressor to a particular area of the house; ordering the aggressor to maintain a certain distance from the victim, the victim’s relatives, the house, the victim’s place of work, etc.; restricting the aggressor from accessing certain places; and prohibiting the aggressor from contacting the victim. It should be noted that this list is not exhaustive.

Although protection orders can afford many types of relief, they are only valid for a period of up to six months. After the six month period if a victim still feels threatened or otherwise believes that a protection order is necessary, he/she can file to extend the order. In order to do so, he/she needs to present new evidence of abuse. To obtain an order in the first place, a victim must file a claim. The process for filing a claim is quick, so it is possible for a victim to be granted a protection order the same day that he/she files.

 There is widespread collaboration between police, prosecutors, lawyers and courts to address cases of domestic violence, with each agency/actor playing a distinct role in the process.

 Many times the first actor to intervene in domestic violence cases is the police. If a victim calls 112 the police will respond and assess the risk level of the situation. In Cluj this is accomplished by the police administering a risk evaluation tool that accounts for risk factors for continued violence. This evaluation tool was created after the British model, and is currently only used in Cluj.

 Aside from assessing risk level, the police can offer other types of assistance to victims, including putting the victim in touch with the Service for Protection and Social Assistance (SPAS). SPAS is a government agency created in 2008 that operates under the direction of City Hall. They can offer counseling and legal assistance to victims of domestic violence, including helping a victim file for a protection order. Additionally, SPAS can refer victims to a shelter operated at the county level.

 If a victim is willing to file a protection order against his/her abuser, another actor is involved in the case: the prosecutor. The prosecutor’s job is to find all the evidence that proves that abuse occurred. The prosecutor can interview neighbors, family, or other potential witnesses to the abuse; search for audio or video proof; and assist the victim in obtaining a medical certificate to prove that abuse occurred. These forms of evidence all contribute to the strength of a victim’s case, and therefore impact the likelihood of a protection order being granted.

 Once a protection order is filed a victim needs to obtain a lawyer. If he/she cannot afford a lawyer, one will be provided by the state. Unfortunately not all lawyers are specialized in the field of domestic violence, so a victim is at a potential disadvantage if he/she cannot afford to hire a lawyer who is experienced in domestic violence cases. The fact that domestic violence is a relatively recently acknowledged problem in Romania helps to explain the lack of specialization among lawyers.

 The last institution that contributes to the implementation of the law is the court. According to the new law the court treats all the domestic violence cases with priority. After the protection order is issued the police are responsible for notifying the abuser about the terms of the order.

 Aside from the criminal justice system, there are several public and nonprofit institutions that provide services for victims of domestic violence. Some of these are operated at the city level, while others are operated at the county level.

 As previously mentioned there is SPAS which is operated at the city level. At the county level there is another institution that provides services for domestic violence victims called DGASPC (General Direction of Social Assistance and Child Protection). Among the services offered by this institution are social counseling, psychological counseling, and legal assistance. These services are very similar to the ones offered by SPAS.

 DGASPC also operates a shelter for female victims of domestic violence. The location of the shelter is confidential in order to protect victims from their abuser. Those who stay at the shelter receive counseling, medical services, and housing up to 60 days. If a woman’s issues are not resolved by the end of 60 days, her stay can be extended until such a time as when she can be safely housed elsewhere. Additionally, victims may receive employment assistance. For example, we interviewed a woman staying at the shelter who was in the process of learning to type in order to increase her job skills and employability. The shelter is also accommodating of women who have children: if a woman has children they will be housed in a room together. Another important service of the shelter is that it works in partnership with the Education Inspectorate to re-enroll children in school.

 The most prominent nonprofit agency that assists victims of domestic violence is ARTEMIS. The mission of this organization is to promote women’s and children’s rights, reduce the risk of abuse, and inform the public about the risk of abuse as well as the actions one can take if he/she is the victim of domestic abuse.

 Among the services ARTEMIS offers are psychological counseling and legal assistance for abused women and children. They also offer trainings for different personnel who work in the field of social services. In the early 2000s ARTEMIS ran a shelter in Cluj-Napoca; they have since lost their external source of funding for the shelter, however, and are no longer to provide that service to victims.

 A new creation within the field of domestic violence in Cluj is the “working group.” The purpose of this group is to collaborate among agencies and actors to assist victims of severe cases of domestic violence. At this time the working group only operates at the Cluj level. Among the institutions that are represented in the working group are: the department of criminal prevention; DGASPC; SPAS; lawyers in Cluj’s bar association; prosecutors; judges; and universities, including the Faculty of Sociology and Social Assistance, the Law school, and the European Studies at Babes-Bolyai University. The working group was responsible for creating the risk assessment tool that the police administer, as well as lobbying at the central level for modifying the domestic violence law. One of its objectives is to create a new shelter in Cluj-Napoca and to extend the concept of a working group at the national level.

The collaborative services for victims of domestic violence in Cluj County, Romania, can be summarized as the following: police put victims in touch with SPAS, which then offers counseling, legal assistance in obtaining a protection order, and possible referral to the shelter operated by DGASPC; DGASPC offers shelter, counseling, legal assistance in obtaining a protection order, and collaborates with the Education Inspectorate to re-enroll children in school; ARTEMIS offers counseling and legal assistance in obtaining a protection order; and the working group, which includes many parts of government, NGOs, and universities, works together to address severe cases of domestic violence, as well as to create and guide larger scale policies on domestic violence.

**Discussion**

Table 1 illustrates which types of services are available to victims of domestic violence in each location. Many of the services are found in both locations, although with some minor variations. Additionally, there are a few services that are only found in one location; these services are ones that may be helpful to transfer (and adapt as necessary) to the other location for improved service coordination and delivery to victims of domestic violence. A comparative summary follows.

Table 1: Comparison of services available to victims of domestic violence by location

|  |  |  |
| --- | --- | --- |
| **Service** | **Delaware** | **Cluj** |
| Hotline  | X |  |
| Police administered risk assessment | X | X |
| Protective court order | X | X |
| Shelter with confidential location | X | X |
| Psychological counseling | X | X |
| Victim notification of offender release/delivery of court order  | X |  |
| Legal assistance with filing for protective order | X | X |
| State appointed lawyer for protective order hearing |  | X |
| Policy-oriented agency comprised of various public, private, and NGO members | X |  X\* |

\*The agency in Cluj (known as the “working group”) includes University faculty, unlike the agency found in Delaware (DVCC)

 In both Delaware and Cluj there is a relationship between the police and at least one social service agency that offers victims counseling, legal assistance, and shelter. This is a valuable collaboration in both cases because it enables victims who interact with the police to access other services that fall outside of the purview of law enforcement. A crucial difference, however, is that in Delaware the police connect victims to a 24/7 hotline, which in turn provides many services and resources, whereas in Cluj the police connect victims to a city level agency. There is no hotline in Cluj –either associated with the city agency or otherwise- for victims to call for information regarding domestic violence services; thus a victim must either connect with the police first, or connect directly with SPAS by calling or visiting their office in order to obtain information about services. In Delaware a victim does not need to call the police in order to call the hotline for information and resources, nor does a victim have to visit an office. The 24/7 hotline is accessible to the Delaware population in a way that SPAS is not for its population. Adding a 24/7 hotline to the list of services provided by SPAS, DGASPC, ARTEMIS, or another social service agency in Cluj would allow victims access to information about services day or night regardless of the victim’s involvement with the police. This is especially important for victims who do not call the police out of fear of retribution, and who therefore may not otherwise know about the services that SPAS has to offer.

 Both places also have social service agencies that provide counseling, shelter, and legal assistance in obtaining protective orders. Again, this is a positive collaboration to offer victims who might otherwise not know where to seek counseling or how to pursue the legal system to obtain a protective order. It is significant to note, however, that while both Delaware and Cluj offer protective orders to victims, the conditions of these orders differ on a few points. A PFA is granted for at least one year in Delaware, and in severe cases for a period of two years or a lifetime; in Cluj, however, a protection order is granted for a period of only six months. Since these orders were recently established by Law 25/2012, it will be important to track the number of victims who file to extend protection orders after the six month period expires. If many victims do file for extensions based on new abusive incidents, then the working group and other stakeholders should consider lobbying to have Law 25/2012 modified to provide for longer term protection orders. Another crucial difference among the two types of protective orders is that PFAs require the surrender of known firearms; no such stipulation exists for protection orders in Cluj. Again, the working group and/or other stakeholders may want to consider adding the surrender of firearms to the list of protections that are granted through a protection order.

 The Domestic Violence Coordinating Council in Delaware and the working group in Cluj constitute another similarity in collaborative services. Both bodies incorporate various service providers, government agencies, and other stakeholders to shape and guide domestic violence policy. It is interesting to note that the working group in Cluj also includes faculty from universities. This is a component that is largely lacking from the Domestic Violence Coordinating Council. It would be helpful for the DVCC to network more closely with major universities, such as the University of Delaware, in order to obtain the most current research on best practices and policies. Additionally, it would be interesting to see the DVCC direct its resources towards helping severe cases of abuse, as is the case with the working group in Cluj. For Cluj, it would be helpful for the working group to be extended to a regional or even national level within Romania, so that the benefits of the collaborations at the county level can be shared and disseminated with a greater population.

 One collaborative service found in Delaware that is lacking in Cluj is the connection of victims to the VINElink and VPO programs. As far as our research suggests, there are no such programs in Cluj County that inform victims of when their abusers are released or served with court papers. Establishing such programs as part of the court system, law enforcement, or an independent agency would allow victims more time to get to a safe location. If such programs do become available, it would be in the best interest of victims to advertise the programs through SPAS, DGASPC, ARTEMIS, and the police.

 One service offered in Cluj that would be beneficial in Delaware is the state appointment of lawyers for protection order hearings for victims who otherwise cannot afford a lawyer. In Delaware victims can access the DVAP for assistance in filing a PFA, and they may be able to have a volunteer attorney represent them, but that is no guarantee. The chances of a victim obtaining a volunteer attorney are constrained by the ratio of attorneys to victims on any given day, as well as the time the attorneys are willing to donate to DVAP. Having state appointed attorneys in cases in which volunteers are unavailable and the victim cannot afford their own attorney would be helpful. It would be necessary, however, to work out a cost benefit analysis of providing state appointed attorneys for PFA hearings. If there are not enough victims requiring the help of a state attorney to justify state appointments, then it may be useful to look to expanding the capacity of the DVAP, or other nonprofit/private agencies, to provide attorneys.

**Conclusion**

 In both the case of Delaware and Cluj there are a number of collaborative services for victims of domestic violence. These services connect victims to other resources that are helpful to their pursuit of violence free lives, resources that they might not otherwise access. There are many similarities in the way the collaborative services are structured in each location, especially between police and social service agencies, social service agencies and the court system (for obtaining PFAs/protection orders), and various service providers and stakeholders to direct large scale policies. The differences among the collaborative services in each location serve to show that there is something to be gained in each system that would better assist victims.

 In the future it would be helpful to conduct interviews to gain a broader perspective of the various ways in which agencies work together in Delaware. Our data on Cluj is also limited in the sense that we were only able to interview one victim of domestic violence. Future research should investigate victims’ experiences of accessing services in order to identify important collaborative services or other aspects of domestic violence services that prove helpful in ending violence, as well as barriers to services that require policy change. Such research should be conducted in Delaware and Cluj, both for the benefits of the victims in each location, as well as the theoretical benefit to researchers making comparisons between the two.

 Other future research should focus on how different agencies in the field of domestic violence obtain and retain funding, both in Delaware and Cluj. Collaborative services are not possible if the respective agencies that comprise the collaboration do not have funding. The example of ARTEMIS losing its funding for its shelter is an unfortunate reminder of the vulnerability of nonprofit agencies, and underscores the need for such research.

 Another avenue for future research would be treatment services for offenders. There are some treatment programs available in Delaware through CHILD, Inc., but there are none that we identified in Cluj. The establishment of such programs in Cluj, coupled with awareness of them through the existing social service agencies, law enforcement, and court system would help to protect victims from future abuse.

 It is our hope that we or others within the field will be able to continue and build on this research so that victims in Delaware and Cluj will have the best services available to them.

**References**

WoSafeJus Project, Daphne III. (2010). “Female Victims of Domestic Violence: Analysis of the Criminal Justice System in Romania.” *Why Doesn’t She Press Charges? Understanding and Improving Women’s Safety and Right to Justice.*