

Allegany County Consortium on Domestic Violence



Domestic Violence Profile 2003-2007

Prepared By:
Tamara Hamilton, Senior Program Manager
ACCORD Corporation Victim Services

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I. INTRODUCTION

According to the National Coalition Against Domestic Violence in all cultures, batterers are commonly males. Rural and urban women of all religious, ethnic, socio-economic and educational backgrounds and of varying ages and lifestyles can be affected by domestic violence. There is not a typical woman who will be battered - the risk factor is simply being born female. The purpose of the Allegany County Consortium on Domestic Violence five-year profile is to offer information on the county's domestic violence population, to examine service results and to identify barriers that victims encounter. Community collaboration and support is vital to reducing domestic violence and to effectively help victims. This profile demonstrates local resources in the community working in unison to promote healthy outcomes for families experiencing domestic violence.

Allegany County Community Opportunities & Rural Development Corporation (ACCORD) is the designated Community Action Agency for Allegany County and provides services to individuals, families and youth living at or below federal poverty level in Allegany, Cattaraugus and Wyoming Counties. ACCORD's mission is to adapt agency services to meet the needs of the community we serve in a caring, prompt and professional manner. In 1985, ACCORD recognized a need for domestic violence victim services and became involved with the grassroots effort of the Allegany County Family Violence Task Force. With funding from the New York State Homeless Housing Assistance Program, ACCORD established the Allegany County Domestic Violence Shelter in 1987. Since then, ACCORD secured federal, state and local support to provide domestic violence victims with 24-hour access to emergency shelter and supportive services. In 1994, ACCORD received funding from the Federal Family Violence Prevention Fund Act to establish a community collaborative response to domestic violence aimed at improving safety for victims. This initiative marked the beginning of the Allegany County Consortium on Domestic Violence (ACCODV). Consortium sub-committees include the Elder Abuse Prevention Committee and the Victim Response Team. ACCORD Corporation continues to facilitate monthly meetings.

Allegany County Consortium on Domestic Violence

Established in 1994, the ACCODV is comprised of representatives from local law enforcement, medical and mental health providers, clergy, the District Attorney's Office, probation, the Office for the Aging, nursing homes, schools and social service agencies. Consortium members work to improve the local response to domestic violence by supporting training efforts, developing protocol, collecting data and supporting offender prosecution efforts and enhancing victim services. The ACCODV Executive Committee, whose membership consists of department leaders from human service agencies, local government and law enforcement, meets annually to evaluate systems and services which assist victims. The Elder Abuse Prevention Committee meets monthly to identify cases of elder abuse, evaluate service response and educate community members on elder abuse issues. Members are committed to developing specialized services to meet the unique needs of the elder abused and neglected population. Members of the Elder Abuse

Prevention Committee include representatives from local hospitals and medical/mental health service providers, clergy, the Office for the Aging, the Department of Social Services, the District Attorney's Office, ACCORD, local nursing facilities and law enforcement agencies. The Victim Response Team meets monthly to monitor compliance of the established domestic violence law enforcement protocol, to organize and implement training for law enforcement and magistrates and to review domestic violence cases for successful prosecution efforts. Team members include representatives from law enforcement agencies, the Department of Social Services, Probation, the District Attorney's Office and ACCORD.

**Allegany County Consortium on Domestic Violence
2003-2007 Membership Agencies**

Dedicated professionals coordinating a comprehensive community response to domestic violence through public awareness, education, case reviews and providing victims with services, opportunities and supports.

Allegany County Department of Social Services
Allegany County District Attorney's Office
Allegany County Probation Department
Allegany County Office for the Aging
Allegany County Sheriff's Department
Allegany County Department of Health
Allegany County Board of Legislators
ACCORD Corporation
Alfred University
Alfred Police Department
Andover Police Department
Allegany Rehabilitation Associates, Inc.
Belmont Police Department
Cuba Police Department
Friendship Police Department
Immaculate Conception Roman Catholic Church
Jan & Bev's Home Health Care, Inc.
Jones Memorial Hospital
New York State Police
Village of Wellsville Police Department

"Establishing and maintaining a community response to domestic violence which communicates zero tolerance and the right of all residents to live free from abuse."

II. Allegany County Domestic Violence History

Domestic violence is a well-known problem. Although it may involve child abuse, elder abuse or abuse in a same-sex relationship, it is most commonly applied to an intimate relationship between a man and a woman in which one partner (statistically a male) uses a pattern of assault and intimidating acts to maintain power and control over the other partner (statistically a female). Although domestic violence usually includes violent attacks, it is not limited to physical acts of violence, and may include psychological, economic, sexual abuse and isolation. Domestic violence is a major woman's health issue with a long, dark past that is firmly entrenched in society. To fully understand the impact of domestic violence on our society, it is helpful to review some historical points. Sadly, the abuse of women in Allegany County has happened for generations.

A Historical View of Domestic Violence in Allegany County

- On October 13, 1841, Patrick Kelly was indicted for the murder of his wife in Andover, NY. Kelly was tried on June 16, 1842; however, the jury was not able to come to a verdict. In a second trial the jury came to a verdict of acquittal. This was the first recorded case of spousal murder in Allegany County.
- In 1983 in Cuba, one of the most controversial domestic violence cases occurred between Leslie Ann Emick and Marshall Allison. The two had been living together since 1978, and in 1981 while Emick was pregnant, Allison became very violent. Emick did not seek help. On February 25, 1983, in a trailer on the North Shore Road in the Town of Cuba, Emick shot Allison five times in the head at close range while he was sleeping. Emick was charged with first degree manslaughter. After three attempts the jury found Emick guilty and sentenced her to an indeterminate term of two-six years imprisonment.
- In 1983, under the leadership of Mildred Stewart, the Family Violence Task Force of Allegany County was established.
- In 1984, the Allegany County Family Violence Task Force established and put into service the Allegany County 24-Hour Domestic Violence Hotline.
- In 1985, the Task Force and ACCORD Corporation collaborated in writing an application for a grant to obtain funding for a shelter.
- In December 1987, the Allegany County Domestic Violence Shelter opened.
- In 1994, the Violence Against Women Act was adopted in the United States. This act supported research of domestic abuse and generated the legal and financial support for law enforcement and social services to protect battered women.
- In 1994, the Allegany County Consortium of Domestic Violence was established. With support from the Allegany County Department of Social Services, ACCORD began providing non-residential services to victims of domestic violence and their families.
- In 1996, the Consortium on Domestic Violence developed the Elder Abuse Prevention Committee to coordinate services for elderly victims and to educate the community on elder abuse issues.
- In 1996, recognizing the need to support and educate survivors of domestic violence, ACCORD began the Women and Children's Chances program, an eighteen-week, educational program.

- In 1996, in partnership with the Allegany County Family Court and the Allegany County Department of Probation, ACCORD began preparing the family offense petitions for victims of domestic violence requesting orders of protection.
- In 1996, the Allegany County Batterers Program (ACT) was established to work with domestic violence perpetrators.
- In 1997, ACCORD received funding from the NYS Department of Criminal Justice System to form the Victim Response Team comprised of local law enforcement agencies and health and human services providers to strengthen local response and hold batterers accountable.
- In 1999, ACCORD Corporation took over operation of the Allegany County Domestic Violence Hotline.
- In 2000, the Victim Response Team developed and implemented the Allegany County Law Enforcement protocol.
- In 2003, Alfred University Rural Justice Institute Domestic Violence Awareness Trainings were implemented.
- In 2006, New York State passed legislation to provide court ordered protection for pets.
- November 2006, the Allegany County Integrated Domestic Violence Court was established.
- In 2007, the Victim Response Team updated the law enforcement protocol and distributed the protocol to all Allegany County law enforcement agencies.
- Governor David Paterson signed a major expansion to New York State's domestic violence law on July 22, 2008. Family court judges can issue civil orders of protection for a person who is or was in an intimate relationship with an abuser – even though not related to that person – to seek an order of protection in family court. This substantially expands protections for victims, who for a variety of reasons may be unwilling to press charges in criminal court.



⚖ *Justice is conscience, not a personal conscience but the conscience of the whole of humanity. Those who clearly recognize the voice of their own conscience usually recognize also the voice of justice.*

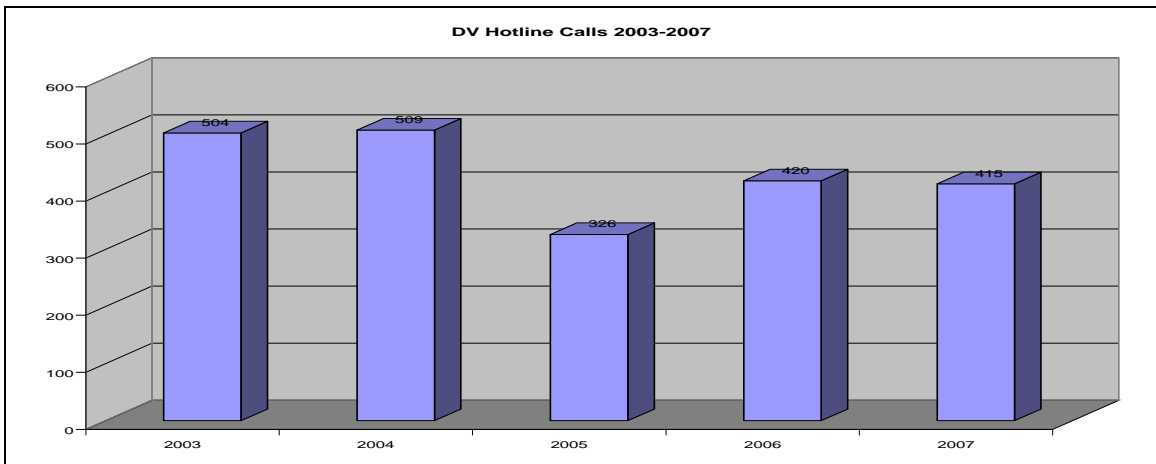
- Aleksandr Solzhenitsyn

III. Domestic Violence Data and Reports

Domestic violence data and reports included in this profile are derived from a variety of service providers in Allegany County.

A. The Allegany County Domestic Violence Hotline

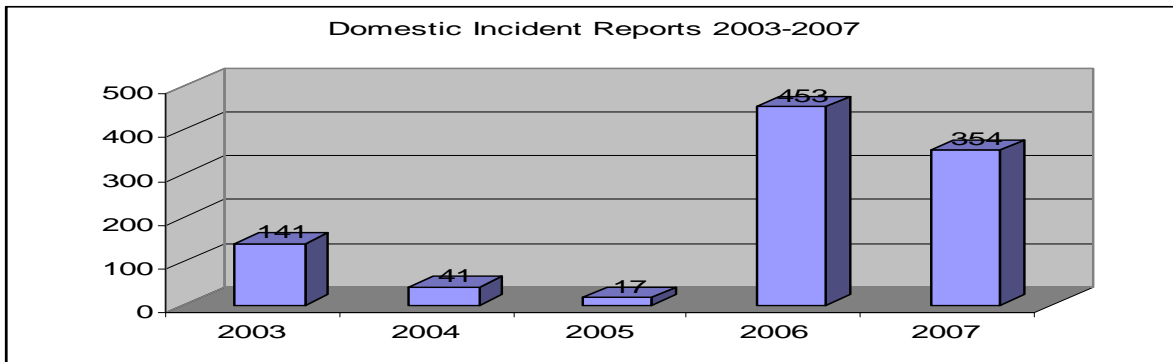
The hotline (1-800-593-5322) is operated by ACCORD Corporation in collaboration with Regional Action Phone, Inc. and is staffed 24 hours a day by trained operators. The hotline is utilized by victims of domestic violence seeking safety and information and by police, hospital staff and area professionals assisting victims in accessing services. The chart below demonstrates the steady use of the domestic violence hotline over a five year period.



Source: ACCORD Corporation

B. NYS Domestic Incident Reports

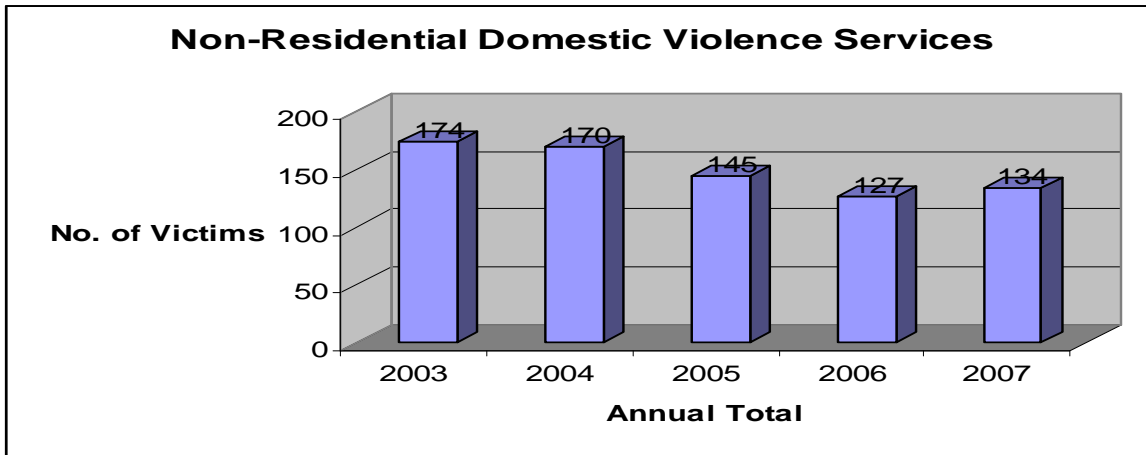
Law enforcement agencies complete a written report for all domestic incidents they respond to. When completing reports and providing victims with a copy, the law enforcement agency refer the victim to ACCORD's Victim Services or to the Crime Victim Advocate at the District Attorney's Office. The Domestic Incident Report (DIR) is a valuable tool for tracking and prosecuting criminal cases. The following chart depicts the number of DIR's that the District Attorney and ACCORD Corporation receive annually from law enforcement agencies. The increase in reports received during 2006 and 2007 is attributed to the Victim Response Team's protocol development and training efforts.



Source: Allegany County District Attorney's Office & ACCORD Corp

C. Non-Residential Domestic Violence Services

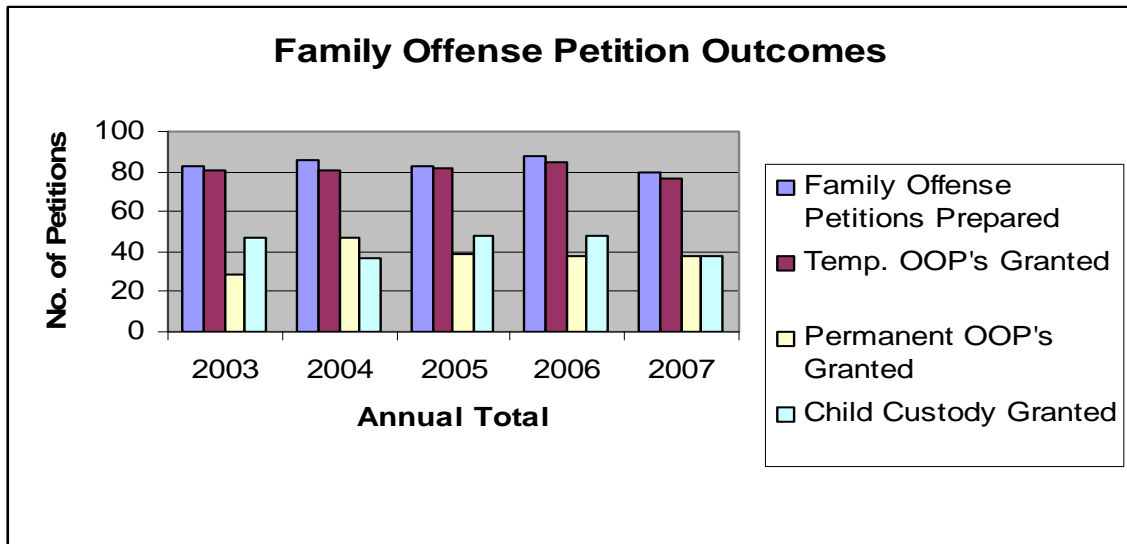
Services include support and information, referrals, risk assessment, safety planning, case management, family offense petition preparation and advocacy with courts, law enforcement, the district attorney, health providers and social service agencies. The impact of domestic violence on the community as a whole is extremely difficult to measure due to the complexity of the problem. However, the measurement of services required by victims escaping an abusive partner provides an indication of the resources required to combat the problem. The chart below illustrates, on average 150 victims annually receive non-residential services in an attempt to achieve a healthy and non-violent lifestyle. With the passage of the new Family Access Law in 2008, ACCORD is anticipating an increase in the number of victims served in future years.



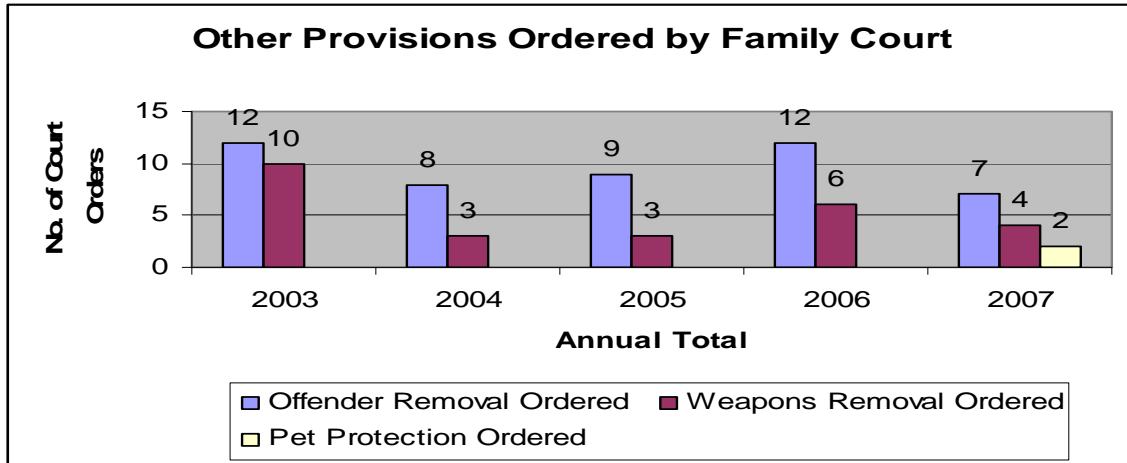
Source: ACCORD Corporation

D. Court Response

ACCORD assists victims of domestic violence with preparing and filing a family offense petitions with the Allegany County Family Court. If the request for an order of protection is granted by the court, the judge will order the offender to stay away from the victim or to follow a course of conduct when interacting with the victim. Orders of protection may include temporary custody, weapons removal, pet protection, and instructions to retrieve personal property, referrals for specialized services and the removal of the offender from the family residence. Typically, family offense petitioners are 90% female and 10% male. On average ACCORD prepares 84 family offense petitions annually with Allegany County Family Court granting 81 temporary orders of protection and 38 permanent orders of protection. The court granted child custody in 44 orders, weapons removal provisions in five orders, removal of the offender from the family home in 10 orders and pet protection in two orders (the pet protection provision was enacted in 2006). In addition, about five violation petitions are filed annually. Of the 420 family offense petitions prepared over the five-year period, the recidivism rate is 3.8% (cases where the petitioner filed more than one time against the same person) and in 4% of the cases, reciprocal family offense petitions were filed (petitioner files against respondent/respondent files against petitioner.) Annually, 44% of family offense petitions are withdrawn by the petitioner. The following charts demonstrate surprising similarities from year to year.



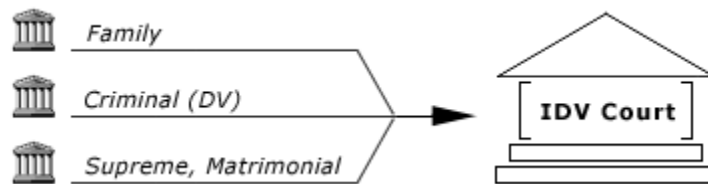
Source: ACCORD Corporation



Source: ACCORD Corporation

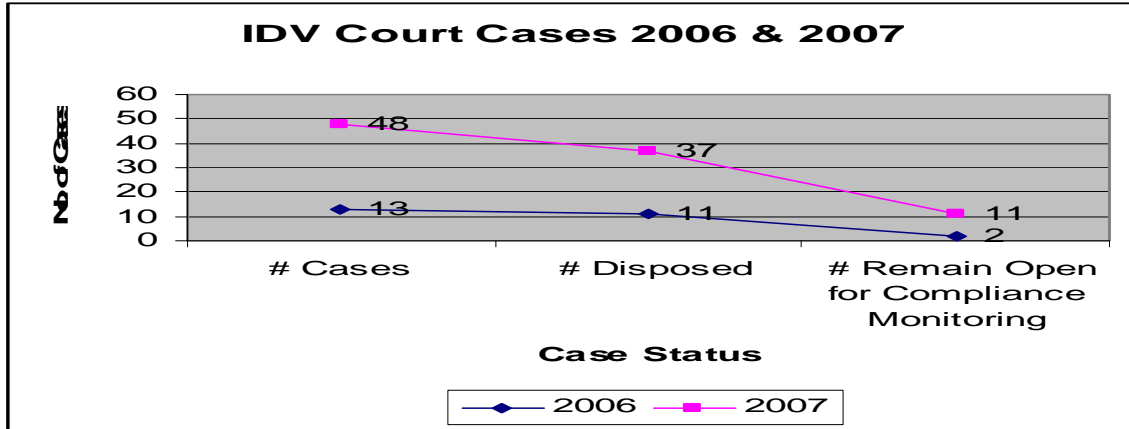
E. Integrated Domestic Violence Court

Integrated Domestic Violence (IDV) Courts serve families by allowing a single judge to hear multiple case types - criminal, family and matrimonial - which relate to one family where the underlying issue is domestic violence.

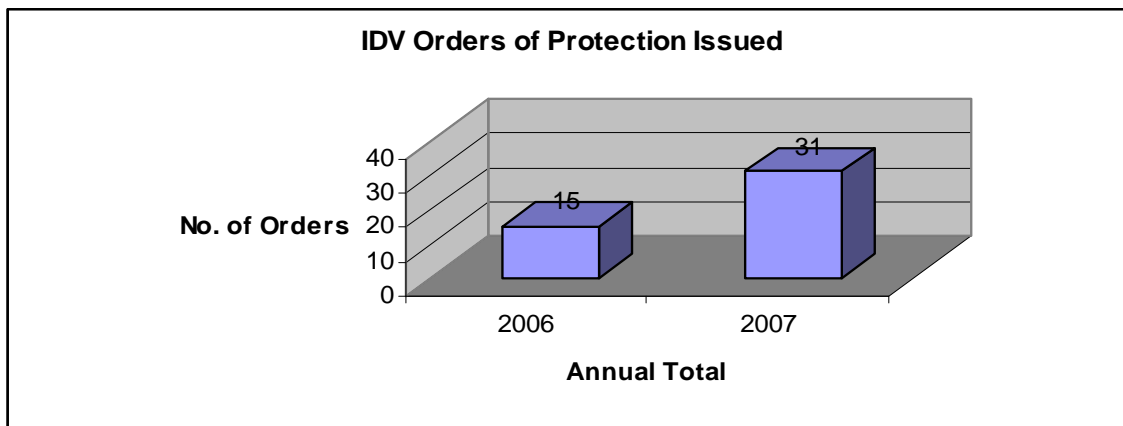


Dedicated to the “one family - one judge” model, IDV Courts respond to a historic problem in the court system, which requires domestic violence victims and their families to appear in different courts before multiple judges to address their legal issues. By connecting one judge with one family, IDV Courts promote informed judicial decisions and greater consistency in court orders to reduce court appearances. IDV Court offers enhanced services to victims and promotes offender accountability.

In November 2006, Allegany County’s IDV Court was established and began hearing domestic violence cases. In support of the IDV Court philosophy ACCORD and the Allegany County District Attorney’s Office provide advocacy services to victims to assist victims with the safest judicial intervention possible. The following charts illustrate case activity for the IDV Court since its inception in 2006.



Source: NYS Integrated Court System & Allegany County IDV Court



Source: Allegany County IDV Court

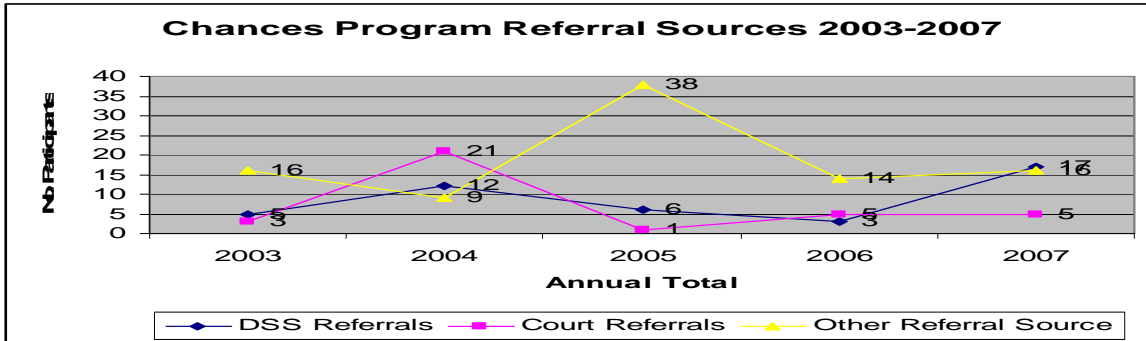
F. Domestic Violence Support & Education: Chances Program

Chances is an 18-week domestic violence educational program for survivors of domestic violence. Victims participating in Chances learn to identify forms of abuse, explore safety issues, and most importantly, learn to heal from the devastating effects of domestic violence. By learning the signs of abuse victims can avoid potentially abusive relationships in their future. The women's group meets weekly and male victims are offered the same program material during individual sessions. Domestic violence victims are referred to the Chances program by local courts, the Department of Social Services (DSS) and a variety of human service providers. On average the program receives 9 referrals from DSS, 7 referrals from the court and 19 referrals from other sources and serves approximately 30 victims of domestic violence each year. Although outcomes for participants vary, on average 31% of the program participants obtain fulltime employment, 13% enroll in college or a vocational program, 24% obtain custody of their children and 45% separate from their abusive partner.

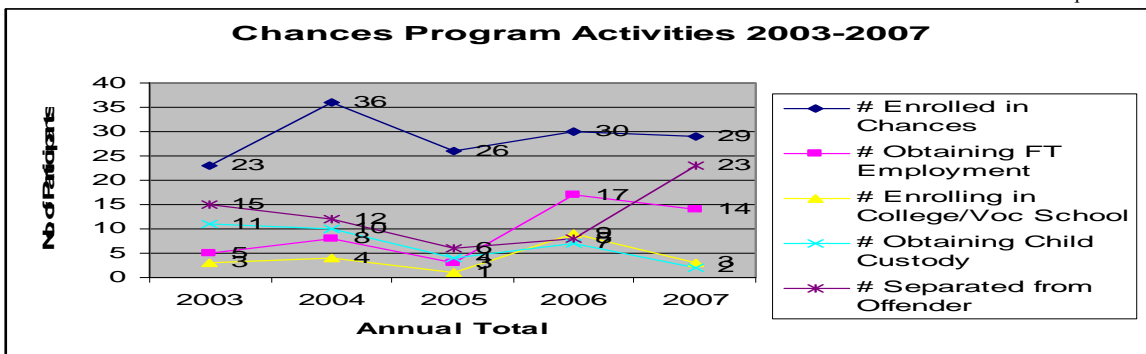
Chances participation surveys reveal that:

- ❖ 100% of the Chances program participants feel that enrollment in Chances helped to alleviate feelings of fear

- ❖ 67% of the Chances program participants feel that enrollment in Chances helped to alleviate feelings of guilt
- ❖ 67% formed lasting relationships with other program participants



Source: ACCORD Corporation



Source: ACCORD Corporation

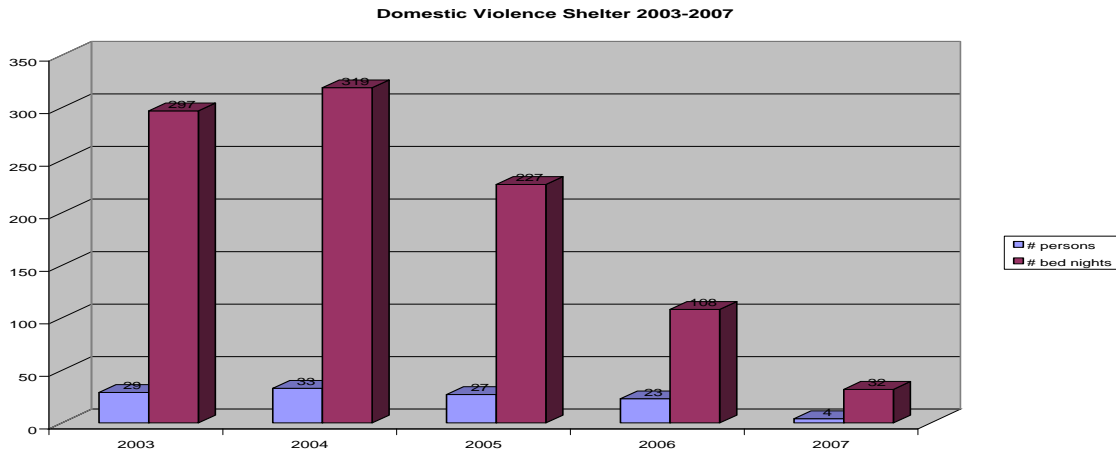
G. Domestic Violence Shelter

ACCORD's Domestic Violence Shelter has a six-bed capacity and is located in a secure and confidential location. Victims of domestic violence can access the shelter when their personal safety is at risk and they have no other safe place to go. Services include risk assessment, safety planning, transportation, advocacy, goal planning and assistance with securing permanent housing.

Shelter survey results concluded:

- ❖ 100% of shelter residents report that the shelter was comfortable and shelter staff are friendly, helpful and responsive to their needs
- ❖ 100% of shelter residents felt that their personal privacy was respected while residing in shelter
- ❖ 100% of shelter residents developed a personal safety plan
- ❖ 100% of shelter residents said they would refer a friend or family member in need to ACCORD

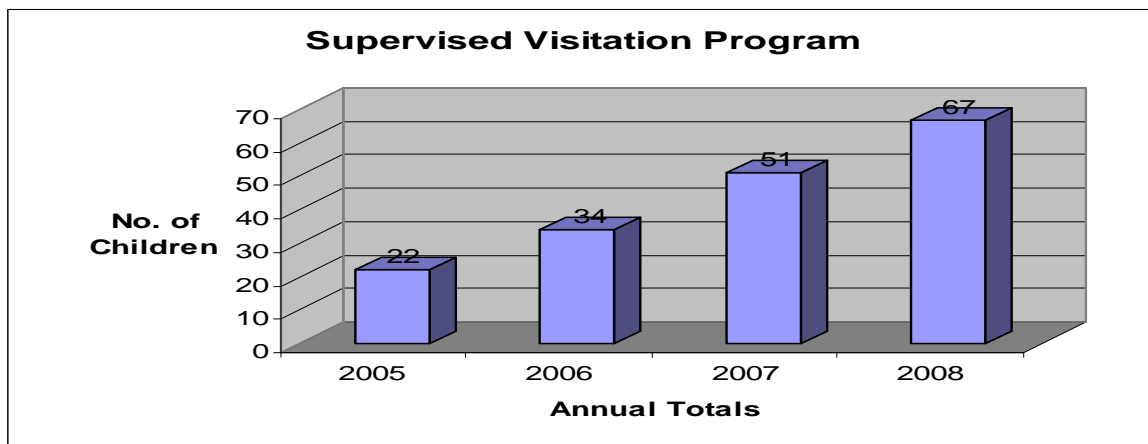
The following chart shows the number of residents and bed nights for shelter services over a five-year period. The decrease in the shelter occupancy rate can be attributed to improved mandatory arrest laws, firearm seizure, and removal of the offender from the family home, increased support from family and friends and enhanced prevention efforts.



Source: ACCORD Corporation

H. Supervised Visitation Services

With financial support from the Federal Community-Based Child Abuse Prevention Grant Program of the NYS Office of Children & Family Services, ACCORD provided supervised visitation services to families in conflict. Referrals came from the Allegany County Supreme Court, Family Court and the Integrated Domestic Violence Court. Supervised visitation sessions were provided at no cost to families in a secure, home-like facility with trained staff. Visitation sessions were designed with safety in mind to avoid custodial and non-custodial parental contact. This service provided optimal safety to victims of domestic violence and their children and was a great benefit to children who are victims of child abuse and neglect. Funding for ACCORD's Supervised Visitation Program ended in August 2008 and currently there is no other state-accredited supervised visitation service in the county. The following chart illustrates the continual need for safe visitation services for children.



Source: ACCORD Corporation

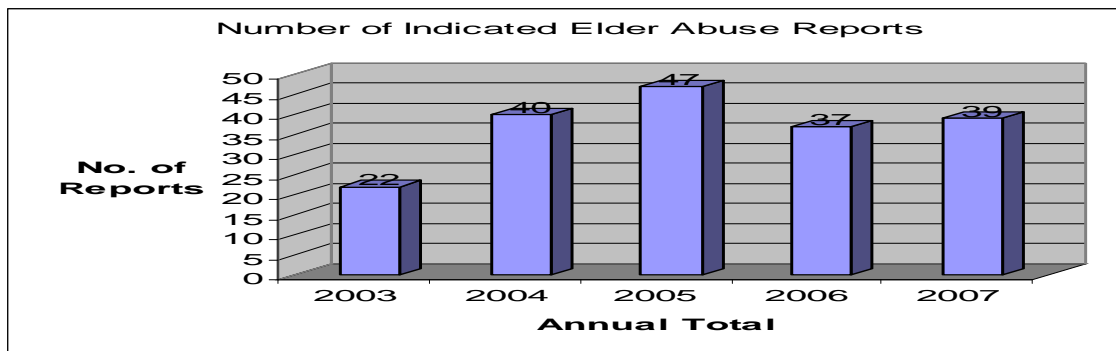
I. Rehabilitative Services for Batterer's

In 1996, the Allegany County Batterers Program (ACT) was established to work with domestic violence perpetrators. In 2007, the long-established facilitator of the ACT Program retired. As a result, a new batterer's group was formed and several domestic violence offenders enrolled over the next year. After closely monitoring the new

program, Victim Response Team members identified the new batterer’s program did not provide mental health evaluations and progress reports to the court judges. The Allegany County District Attorney’s Office discontinued funding support for the program and researched other rehabilitative options for batterers. The Executive Committee of the ACCODV met and developed a proposal for a new batterer’s program through a collaborative partnership between the Allegany County Probation Department and the Allegany County Sheriff’s Department. This has been submitted to the Allegany County District Attorney and is anticipated to begin in December 2008. Currently, male domestic violence offenders have the option of utilizing the existing batterer’s program or Catholic Charities batterer’s program located in Cattaraugus County. Female domestic violence offenders can access a special female domestic violence intervention program sponsored by the Wyoming County Chemical Abuse Treatment Program.

J. Elder Abuse

According to the National Center on Elder Abuse, data on elder abuse in domestic settings suggest that 1 in 14 incidents, *excluding* incidents of self-neglect, come to the attention of the authorities. Current estimates put the overall reporting of financial exploitation at only 1 in 25 cases, suggesting that there may be at least 5 million unreported financial abuse victims each year in the nation. Elderly battered women are uniquely vulnerable to domestic violence and statistically are more likely to feel obligated to traditional beliefs that prevent them from leaving an abusive spouse or identifying themselves as a victim. The Elder Abuse Prevention Committee focuses on public awareness and preventive strategies to protect the vulnerable elderly population. Committee members evaluate reported cases of abuse and identify approximately 37 cases of elder abuse in Allegany County each year. Consistently, financial abuse of the elderly ranks high among the reported cases and the Elder Abuse Prevention Committee is planning to offer local financial institutions training to combat this problem. The Allegany County Department of Social Services Adult Protection Unit, Office for the Aging, local health care providers, law enforcement agencies and ACCORD work cooperatively to protect and serve the elderly population.

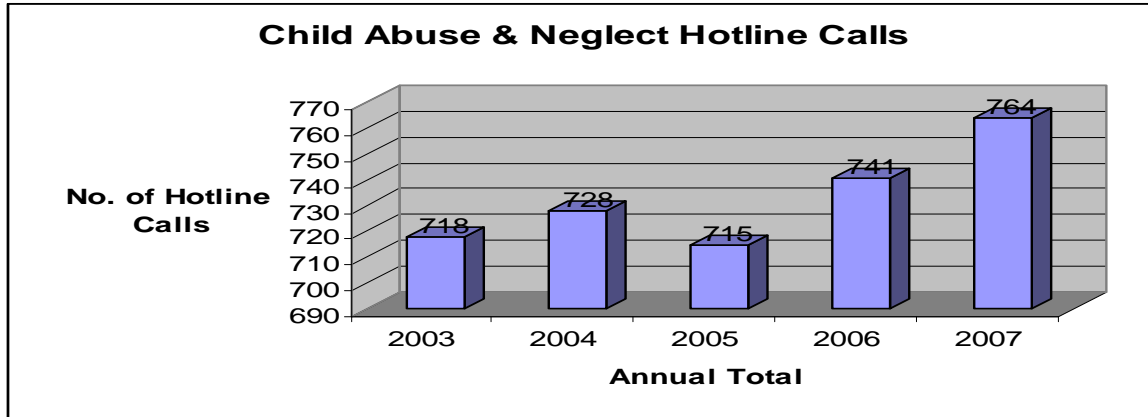


Source: Allegany County Department of Social Services

K. Child Abuse and Neglect

According to Prevent Child Abuse New York, between 50-70 percent of men who abuse their female partners also physically abuse their children. Children living in homes with domestic violence suffer harmful consequences, even when they are not directly targeted for abuse. These children face danger of getting caught in the middle of a domestic

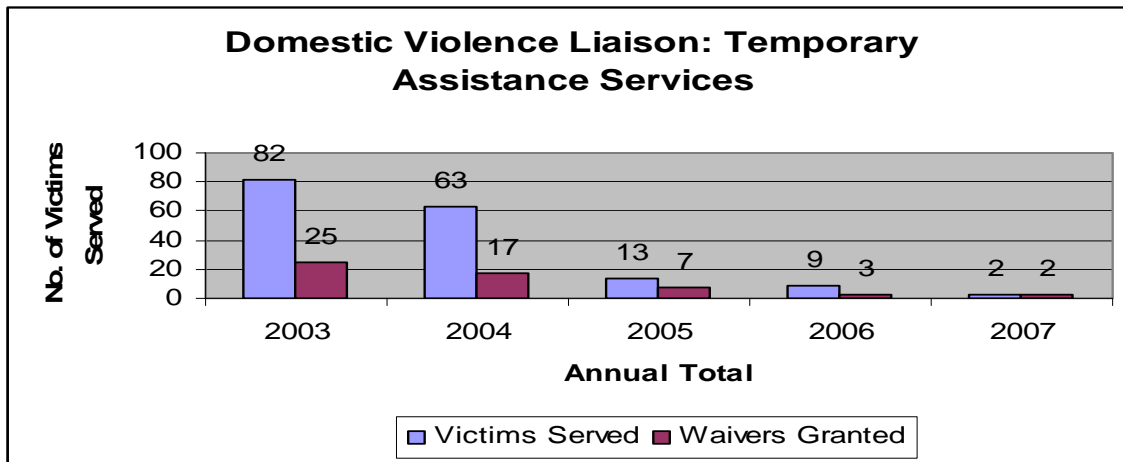
dispute, of being injured and danger of being killed. Children of domestic violence are stressed and fearful. They often blame themselves for the violence. The Allegany County Department of Social Services Child Protection Services (CPS) responds to 733 child abuse and neglect hotline calls annually. The following chart illustrates the consistent number of reports received year to year by CPS.



Source: Allegany Data Reserve/Allegany County Dept. of Social Services

L. Domestic Violence Liaison Services

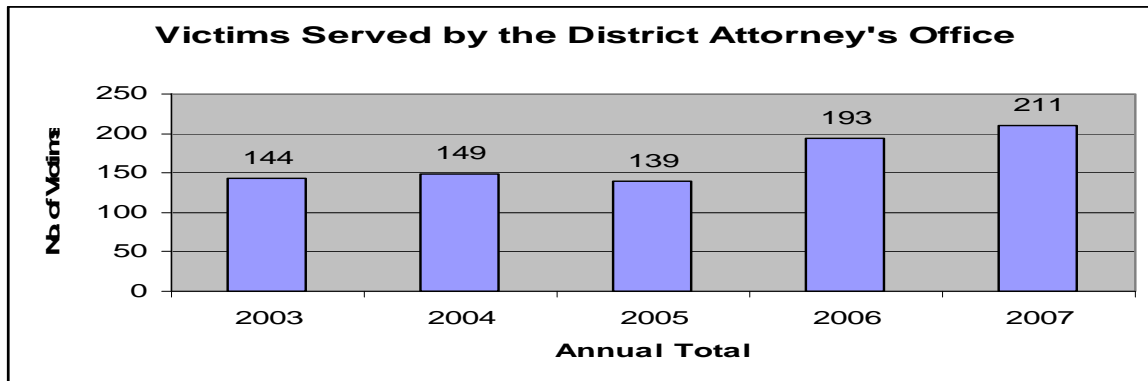
In 1997, the New York State Welfare Reform Act mandated counties in NYS to screen public assistance recipients for domestic violence, make referrals for services, and assess cases to determine if waivers are necessary to prevent a safety risk. The Allegany County Department of Social Services Domestic Violence Liaison screens suspected cases of domestic violence and links victims with services.



Source: Allegany Data Reserve/Allegany County Dept. of Social Services

M. Crime Victims Services

In 2000, the Allegany County District Attorney's Office secured funding from the New York State Crime Victims Board to support a Crime Victims Advocate to work with victims of a crime. The advocate works from the District Attorney's Office and assists victims with obtaining criminal orders of protection, preparing Crime Victim Board restitution requests, accompanies victims to court appearances and prepares victims for Grand Jury and trial. On average, the District Attorney's Office serves 167 victims of domestic violence annually. The Crime Victims Advocate makes regular referrals to ACCORD's Victim Services for victims of domestic violence. Victims of sexual assault are referred to Cattaraugus Community Action for services.



Source: Allegany County District Attorney's Office

IV. Victim Characteristics

Domestic violence affects people of all ages, gender and socioeconomic classes. Rural battered women face a lack of resources, isolation, small town politics and poor or little transportation. The act of leaving homes, land and animals can be an emotionally wrenching experience. Domestic violence victims served by ACCORD are statistically:

- ❖ Female
- ❖ Between 24-44 years of age
- ❖ Married
- ❖ A four person family
- ❖ Have a high school education or less
- ❖ Are employed
- ❖ Have an income of \$10,000 or less annually
- ❖ Rent their home

(Source: ACCORD ORS Database)

Victims of domestic violence are your neighbors, co-workers, friends and family members.

V. Conclusion

The Allegany County Consortium on Domestic Violence is proud of its accomplishments over the past fourteen years. Consortium members are committed to working together with the community to provide effective solutions to help end domestic violence in Allegany County. The five-year profile identifies the need for rehabilitative services for batterers and stopping the multi generational cycle of domestic violence. As professionals we must reach out to the children living in homes with domestic violence and witnessing the violence. As the population of elderly citizen's increases in our community we must increase supportive and preventive services to adequately serve the abused and neglected elderly victims. Community awareness on elder abuse issues and the development specialized services for the abused elderly population will continue to be a focus of the Elder Abuse Prevention Committee. The five-year profile identifies a consistent number of domestic violence victims presenting each year. Our rural community offers limited resources to victims after they leave an abusive relationship. As a community we must support victims and help them reestablish their lives by developing training and employment opportunities, transportation and safe and affordable housing.

The financial cost domestic violence has on our community is unknown. However, costs associated with police and court interventions, medical care, loss of employment and job absenteeism represent a fraction of the expense that domestic violence takes its toll on our community's resources. Community members and professionals must hold offenders accountable for the crimes they commit. The Victim Response Team will continue to work with law enforcement and prosecution to strengthen offender accountability. Domestic violence is a cycle that can only be broken through the efforts of the entire community.