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“...The Good Fight”



Oregon Department of Justice Domestic Violence Prosecutor Newsletter



SPOTLIGHT: The Center Against Rape and Domestic Violence (CARDV) Expands to Provide Post-Crises Support to Victims in Linn and Benton Counties

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It's an exciting day when one of our residents leaves shelter to move into her own place. Typically she will have come into shelter with two or more children and will have left all her belongings behind. While in shelter she established a safety plan, found childcare or enrolled her children in school, acquired household goods and furniture from Vina Moses and Benton Furniture Share. She begins her new life with a tenuous new-found confidence and full of hope for a brighter, safer future for herself and her children.

As she and her children settle into their busy new life, she has little energy left for anything but the day-to-day challenges immediately facing her. Nobody needs to tell her that her life, as well as the lives of her children, has been irrevocably changed. But she doesn't have the luxury of time or money to help her sort through her conflicting feelings. She tells herself that she's safe now, and that's all that matters.

After a while the memories of the old violent life weave themselves into the fabric of her being – no longer dictating the course of her actions, but no longer identifiable as the cause of her startle response to a loud noise or her vague feelings of anxiety either.

It's likely that her children have internalized the effects of domestic violence as well. Even if children have not experienced violence directly, children who witness abuse display the same emotional responses as children who have been physically abused. Adults who were raised in violent homes exhibit lower self esteem, higher levels of post traumatic stress disorder and depression than the general population. There is an increased likelihood of alcohol or other drug addiction. And there is a stronger inclination to commit suicide.

Without a doubt, domestic violence inflicts life-long injuries. Which is not to say that domestic violence survivors and their children are damaged beyond healing. On the contrary –

survivors are among the strongest, most resourceful, creative, compassionate, and caring people on our planet.

This is CARDV's goal for our new Advocacy Center: to give survivors that long-term support so they can have a partner on that rocky road to healing.

CARDV has been providing crisis response services to survivors of sexual and domestic violence in Linn and Benton Counties since 1981. Our services include 24-hour hotline, two emergency safe shelters, hospital and on-scene response with law enforcement, legal advocacy, support groups, and community education.

The CARDV Advocacy Center, scheduled for completion in April 2012, will be located across the street from Lincoln School on South Third Street in Corvallis. It will share the site with Willamette Neighborhood Housing's affordable housing development, where ten of the units will be reserved for survivors of domestic violence.

CARDV's Advocacy Center will offer those on-going services that CARDV's emergency safe shelters are unable to: providing long-term support beyond the crisis stage of domestic and sexual violence.

A survivor of domestic violence had to endure her abuse in isolation. She deserves all the support she can get as she creates a new life for herself and her children.

-Mary Zelinka

Advocacy Services Manager

Center Against Rape and Domestic Violence





OF NOTE:

A column featuring DV cases tried by local prosecutors so we can learn from each others' accomplishments, strategies, and, trial challenges.

State v. Blaylock

Prosecuted by Patrick Flaherty, Deschutes County DA, and Kandy Gies, Deputy DA

Lori "Woody" Wright was only 48 years old when her husband, Steven Blaylock, murdered her, concealed his crime, and then dumped her body in the North Santiam river.

Up until her murder, Ms. Wright had been a longtime employee at St. Charles Medical Center and had an excellent work history. By all accounts, she was an extremely reliable person. Therefore, her extended absence beginning in late October, 2010 quickly drew the attention of friends and co-workers; after leaving work on October 26, 2010, no one other than her husband had seen her. After multiple people (not including her husband, who never reported her disappearance to the authorities) contacted police to report Ms. Wright missing, the Bend Police Department responded to the Wright/Blaylock home on a welfare check.

When police initially contacted the defendant, he told them that Ms. Wright had attacked him on October 27, 2010. He claimed that he had slept in his truck that night and then came home from work the next evening. The defendant told police that Ms. Wright had changed the locks on the doors and he was not able to enter their home. However, the defendant went on to explain to police that he watched the World Series game with his wife on October 28, 2010 and that she became upset with him when he won a \$2.00 bet he had made with her. The defendant claimed that Ms. Wright became so upset over losing the bet she walked out of their house and never returned. The defendant was unable to keep his multiple stories straight when talking to police investigators and Ms. Wright's friends.

Eventually, the defendant was arrested. Upon learning that the police had found a suicide note he had written, the defendant agreed to show police where he had dumped his wife's body. In the note, the defendant admitted that he had "lost it" and that Ms. Wright's body could be found in the North Santiam river. Between November, 2010 to the present day, Search and Rescue teams from Linn, Marion, and Deschutes County, as well as the Bend Police Department, and a dive team have searched the N. Santiam river many times. The search effort has also included a cadaver dog. While some of Ms. Wright's clothing was located on the river

bank, tragically, her body has never been located.

While the last attack on Ms. Wright was obviously the most vicious, it was not the first time that the defendant had physically harmed his wife. Lori's friends told authorities that the defendant had strangled her on more than one occasion, one time to the point of unconsciousness.

The Bend Police Department and the Deschutes County District Attorney's office led a multi-agency collaborative investigation that included the Oregon State Police Forensic Lab, Deschutes County Sheriff's Office, Redmond Police Department, Linn County Sheriff's Office, Marion County Sheriff's Office, Oregon State Medical Examiner, and the United States Forest Service.

There are a number of lessons that can be learned from this case:

- This murder was a Domestic Violence murder. This was not the first Domestic Violence incident between the defendant and victim. Many friends and co-workers had urged the victim to seek help. And the victim had tried to convince the defendant to seek marriage counseling. While tragic, this information was useful at trial;
- It is possible to successfully prosecute a "no body" murder case without being able to prove the specific manner of death. A thorough voir dire examination to determine that jurors understood that the prosecution does not have to prove how or why a defendant killed his victim was essential;
- Special jury instructions on motive and manner of death were drafted and were very helpful to assist the jury accurately understand and apply the law;
- If you don't have a SMARTBOARD, you need one. It is a great tool for trial as it helps organize a complicated case with numerous exhibits.

For more information on the history of this case and trial take a look at some of the news articles featured in the links below:

- "Police find clothing of missing Bend woman, Lori 'Woody' Blaylock"

http://www.oregonlive.com/pacific-northwest-news/index.ssf/2010/11/police_find_clothing_of_missing_bend_woman_lori_woody_blaylock.html

- "Blaylock guilty of murder"

<http://www.bendbulletin.com/article/20111110/NEWS0107/111100420/>

- "Blaylock Murder Case: A Look Back"

<http://www.ktvz.com/news/29800153/detail.html>



Have Fun, Do Good!

Fundraisers and Events Supporting Local DV Agencies—Take your pick!

- **Womenspace Holiday Market 2011 Gift Wrap Booth, Nov. 19–Dec. 23:**

Saturday Market Holiday Market 2011 at the Lane Co. Fairgrounds Exhibit Hall:

This is our 9th year gift wrapping at the Holiday Market! Bring us your Holiday Market purchases or outside gifts you would like to have wrapped. All proceeds benefit Womenspace, Inc.

2011 Gift Wrap Flyer: <http://www.womenspaceinc.org/wp-content/uploads/2011/11/Womenspace-Holiday-Market-2011-Gift-Wrap-Flyer.pdf>

- **Cool December Night, Wed., December 7th:**

-Hosted by the YWCA

Spend a special, festive night with current and former YWCA staff, volunteers, clients and others as we hear stories and hope and inspiration and help others - just in time for the holidays.

For information visit: <http://www.ywca-pdx.org/cooldecemberevening.html>

- **SANTA Brunch, Sunday, December 11th :**

-Hosted by MOMS Club of West Linn at West Linn High School, activities include:

Photos with Santa, music and dance performances, holiday buffet, silent auction, crafts, gingerbread houses, letters to Santa, coffee peppermint shakes, and much more! All proceeds to benefit Clackamas Women's Services.

Tickets are \$10 in advance or \$12 at the door. For more information visit: <http://www.cwsor.org/events.htm>

- **International Day to End Violence Against Sex Workers, Saturday, December 17th:**

- Hosted by the Portland Women's Crisis Line

Time: 7pm - 10pm; Location: Red and Black Café, 400 SE 12th, Portland, OR

We invite you to an evening of remembrance and healing. We will have community speakers, an open mic, and screening of the film A Safer Sex Trade. We will also make origami cranes to remember victims. Please bring new/used tents, sleeping bags and flashlights for Our Mother's House.

This year, in Portland, Oregon, we want to highlight the inordinate violence that transworkers face while in the sex industry. Please join us at the our events in solidarity against violence.

For information visit:

<http://pwcl.org/calendar/event/international-day-to-end-violence-against-sex-workers/>

- **Womenspace Black & White Gala – Saturday, February 18, 2012:**

Join us for our 35th year celebration!

<http://www.womenspaceinc.org/2011/11/events/>





The History of National Stalking Awareness Month



In January 2004, the National Center for Victims of Crime launched National Stalking Awareness Month (NSAM) to increase the public's understanding of the crime of stalking. NSAM emerged from the work of the Stalking Resource Center, a National Center program funded by the Office on Violence Against Women, U.S. Department of Justice, to raise awareness about stalking and help develop and implement multidisciplinary responses to the crime.

In 2003, the Stalking Resource Center received a call from Debbie Riddle, the sister of Peggy Klinke, who had been murdered by a stalker in California several months earlier. Riddle wanted to transform her family's painful tragedy into a force for good. She particularly wanted to help improve law enforcement's response to stalking and save lives.

Riddle's call set into motion a series of events that produced a concurrent Congressional resolution on stalking; a national program on Lifetime Television, hosted by Erin Brockovich, featuring Peggy Klinke's story; and a Lifetime video, "Stalking: Real Fear, Real Crime," to train law enforcement about the crime. In July 2003, the National Center for Victims of Crime, in partnership with

Representative Heather Wilson (R-NM) and Lifetime Television, told Peggy's story at a Congressional briefing on Capitol Hill.

The briefing focused on strategies for strengthening law enforcement's response to stalking. Featured speakers included Diane Stuart, former director of the Office on Violence Against Women, U.S. Department of Justice; Tracy Bahm, former director of the Stalking Resource Center, National Center for Victims of Crime; and Mark Wynn, former police officer and stalking expert. Susan Herman, former executive director of the National Center for Victims of Crime, moderated the briefing.

That same day, Representative Wilson introduced a Congressional resolution to support National Stalking Awareness Month. The following January, the National Center for Victims of Crime launched the first observance of National Stalking Awareness Month and supported communities across the nation in planning the event. In 2009, The National Center for Victims of Crime launched a new Web site, <http://stalkingawarenessmonth.org>, devoted to this annual observance. Check it out! Information by: www.ncvc.org/src www.ncvc.org

Startling Statistics about Stalking

- 3.4 Million people over the age of 18 are stalked each year in the U.S.
- 46% of stalking victims experience at least one unwanted contact per week.
- 3 in 4 stalking victims are stalked by someone they know.
- 30% of stalking victims are stalked by a current or former intimate partner.
- 11% of stalking victims have been stalked for 5 years or more.
- 78% of stalkers use more than one means of approach.
- Weapons are used to harm or threaten victims in 1 out of 5 cases.
- Intimate partner stalkers frequently approach their targets and their behaviors escalate quickly.
- 76% of intimate partner femicide victims have been stalked by their intimate partner.
- 89% of femicide victims who had been physically assaulted had also been stalked in the 12 months before their murder.
- 54% of femicide victims reported stalking to police before they were killed by their stalkers.

Navigating Stalking Laws

As many prosecutors, officers, and advocates well know, Oregon's laws governing Stalking Protection Orders (SPOs) and the crime of Stalking are often confusing. However, a recent Oregon Supreme Court ruling in *State v. Ryan* has provided some much-needed clarity. In *Ryan*, the Court reversed a previous Court of Appeals ruling which held that in order for a Violation of Stalking Protection Order to be criminally punishable based on communicative contacts those communications must make it "objectively reasonable for the victim to believe that he or she is being threatened with imminent and serious physical harm," and must be "objectively likely to be followed by unlawful acts". The Supreme Court ruling strengthens the

power of SPOs, provides clarity to the statutes language, and will enable prosecutors to go forward on many more Violation of Stalking Order cases. However, the Stalking statutes and Violation of Stalking Protection Order statutes can still be a bit difficult to understand. To assist prosecutors and those in the criminal justice system in navigating these statutes, a "Stalking Flowchart" is available by request and serves as an excellent guide through the civil and criminal stalking statutes.

To receive an electronic version of this resource e-mail your request to erin.greenawald@doj.state.or.us.



Media Advocacy: Return on Investment

Gabby Santos, Program Coordinator for Underserved Communities, Oregon Coalition Against Domestic and Sexual Violence

Evaluating violence prevention education can often seem like measuring the unmeasurable. This is particularly true when quantifying change from mass media efforts. We feel pretty confident, though, in saying that public commentary and follow up inquiries from the public in response to media prevention efforts are strong indicators that change is in motion. Our recent collaboration with KATU, a Pacific Northwest television station, demonstrates how media advocacy can play an important role in reaching communities.

Last summer, the Coalition met Deborah Knapp from KATU's Family Matters, a show that promotes the safety and well-being of families through health education. It was an opportunity to advocate for coverage beyond 'naming the violence,' all while developing a mutually rewarding relationship with new community partners. Our vision was to produce a 30-minute Domestic Violence Awareness Month (DVAM) special that reframed traditional media messages around domestic violence. We wanted to make sure that the bigger picture, one that educates about the more subtle forms of abuse and the importance of societal accountability, was not overshadowed by and narrowed down to the typical black eye images and offender profiling that is so often used for purposes of shock value. True violence prevention media advocacy is one that advances the landscape of solutions, not only the portraits of the problem.

Several months later and over a series of contacts we developed a program that captured the realities of the social and health disparities brought on by domestic violence and the overall culture of silence that enables it. A profound hope for safety and social change was also placed at the heart of our message. The result was an investment that uplifted survivor voice as a call to action for healthier relationships and healthier communities. 'Domestic Violence: Behind Closed Doors' aired on October 1st to mark the beginning of DVAM 2011.

The 30-minute DVAM Special was aired twice that month, reaching 'about 100,000 households per show with an average of

2.5 viewers per household,' reported KATU Television and General Manager, John Tamerlano. That's approximately 500,000 viewers. Additionally, the Coalition and KATU Family Matters staff received a number of follow up inquiries and appreciations about the show from community members across Oregon. The KATU domestic violence resource webpage continues to receive hits from various parts of the Pacific Northwest. These are all positive indicators of change in motion.

The Center for Disease Control recommends 7-9 times of "doses" in order to affect changes in attitudes and behaviors, the idea of sprinkling over time vs. a one-time event. Media advocacy helps drive the required frequency to reach this goal. As advocates for social change, we must work to set safer media agendas to help shape healthier debates. The return on investment here includes healthier influences across communities, from public service announcement to compelled viewer, from weblink to hotline caller, from article to critical thinker.

The Coalition thanks KATU Television and the entire production crew of Family Matters for being champion allies who invest in change.

Watch the uploaded four-part series of the archived Family Matters DVAM Special, "Domestic Violence: Behind Closed Doors," by following the link: <http://www.katu.com/familymatters>.

For more information about this article or for technical assistance regarding media advocacy, contact Gabby Santos at gabby@ocadsv.org.

UPDATE: The Restraining Order Notification Project Completes First Year of Service

In our December 2010 newsletter issue we announced the beginning of an exciting new project developed to enhance victim safety around the state by providing notification during one of the most dangerous times for a victim...when a protection order is served. The "restraining order notification project" has now been in effect for one year in many counties and the number of participants is increasing every month.

The project works like this:

The petitioner of the protection order provides an email

address or cell phone number on the new Confidential Information Form (CIF). This service is optional, not required. Petitioner would then be notified as soon as the information is entered into the Law Enforcement Data Systems (LEDS) by the Sheriff's Office. Additional messages will be sent out to petitioner when there has been a modification to the expiration date entered into LEDS and 30 days prior to the expiration of an active protection order.

There are currently 24 counties participating in the program. The total number of notifications since the project began is 2,600. That averages out to almost 8 notifications a day!



LOCAL TRAINING OPPORTUNITIES

January 9-15 in Portland, OR:

"4th Annual Northwest Conference Against Trafficking & Film Festival" - hosted by Soroptimist International Northwestern Region's Northwest Coalition Against Trafficking

For information visit: <http://nwcat.org/annual-conference-2012/>

February 23-25 in in Seattle, WA:

"Q&A for Advocates National Institute"

10th Annual National Institute for building strategies for advocacy and organizing in response to abuse in Lesbian, Bisexual, Trans, and Gay communities - hosted by The Northwest Network

For information visit: http://nwnetwork.org/event-registration/?regevent_action=register&event_id=73

Whenever you are asked if you can do a job, tell 'em, 'Certainly I can!' Then get busy and find out how to do it."

In any moment of decision, the best thing you can do is the right thing. The worst thing you can do is nothing.

- Theodore Roosevelt

NATIONAL TRAINING OPPORTUNITIES

December 6 (webinar, 2:00 pm ET):

"National Stalking Awareness Month 2011" - hosted by the Stalking Resource Center, in partnership with the U.S. Department of Justice, Office on Violence Against Women.

For information visit:

<https://www.surveymonkey.com/s/Q35SV5N>

December 8 (webinar, 2:30-4:40 pm ET):

"Competent Representation in Domestic Violence Cases" - hosted by the Muskie School Continuing Legal Education Series.

For information visit:

http://www.ethics4lawyers.org/index.php?option=com_content&view=article&id=60&Itemid=64

December 13 (webinar, 2:00-4:00 pm ET):

"Immigration Remedies and Tips for Advocates Working with Battered Immigrants" - hosted by the U.S. Department of Homeland Security, the Family Violence Prevention and Services Program, U.S. Department of Health and Human Services and the National Resource Center on Domestic Violence.

For information visit: http://www.ncdsv.org/images/DHS-FVPSA-NRCDV_ImmigrationRemediesAdvocatesWkgBatteredImmigrants_12-13-2011.pdf

January 17 (webinar, 3:00-4:30 pm ET):

"Mandatory Reporting and Confidentiality" - Center on Victimization and Safety, Accessing Safety Initiative.

For information visit:

<https://veracvs.ilinc.com/perl/ilinc/lms/event.pl>

INFO, INFO, INFO: RESOURCE IDEAS FOR THE DV DDA

Check out the variety of interesting websites and tools available to you completely free!

Illinois Coalition Against Domestic Violence Video Lending Library:

A library of over 200 videos available to the public. The videos cover an unlimited number of DV related topics and trainings tailored to all areas of DV professionals including law enforcement, advocates, prosecutors, and general outreach. Take advantage of this fantastic resource.

http://www.ilcadv.org/resources/lending_library/Video%20Catalog%20fy09.pdf

DV Resources Available from the DOJ:

Strangulation resource material:

This brand new comprehensive training video features national experts on the subject of strangulation from detection through prosecution of strangulation cases. It's a "must-do" training for any professional who works with victims of Intimate Partner Violence.

Other resources:

A three part video series on Domestic Violence.

- "Power and Control: Domestic Violence in America"
- "Domestic Violence Law Enforcement: It Started in Duluth"
- "Domestic Violence and Health Care: Best Practices in Action"

New DV Video Resource:

"Telling Amy's Story" is based on a timeline of events leading up to a Domestic Violence homicide that occurred in central Pennsylvania in 2001.

"The more that you read, the more things you will know. The more that you learn, the more places you'll go."

-Dr. Seuss



BOOT CAMP II: Prosecutors Around the State Train for the Fight Against DV at the Second Annual Domestic Violence Boot Camp

On October 26-28, the Oregon Department of Justice hosted its 2nd annual Domestic Violence “Boot Camp” in Newport. For three days, twenty-one prosecutors from eighteen Oregon counties attended this fantastic intensive trial advocacy course designed for prosecutors of all levels of experience.

Course topics included:

- Approaching a Domestic Violence case in a non-traditional way
- Creativity in motions practice
- Crawford and forfeiture by wrongdoing
- Community collaboration efforts (“Justice Jammers”)
- Jury Selection lecture and practical exercise
- Ethics issues in Domestic Violence cases
- Victims’ rights
- DV court and how it can work for your county
- Working with recanting, minimizing, and non-participating victims
- Tips of the trade: Training local law enforcement

The conference faculty and presenters included veteran prosecutors and allied professionals from around the state:

- Judge Sheryl Bachart, Lincoln County
- Deborah Bridges, Yamhill County Victim’s Assistance Program director
- Jennifer Gardiner, Marion County Deputy District Attorney
- Erin Greenawald, Senior Assistant Attorney General (DV Resource Prosecutor), Oregon Department of Justice
- Amy Holmes-Hehn, Multnomah County DV Team leader
- Dave Hopkins, Lane County Deputy District Attorney
- Drew Moore, Lincoln County Deputy District Attorney

- Sarah Sabri, Lane County Deputy District Attorney
- Rebecca Shaw, Crime Victim’s Assistance Program/Oregon Department of Justice
- Michael Slauson, Senior Assistant Attorney General, Criminal Justice Division, Oregon Department of Justice
- John Wentworth, Clackamas County DV Team Leader

This year’s “Boot Camp” provided an opportunity for Domestic Violence prosecutors from around the state to exchange ideas, problem-solve, and establish cross-jurisdictional connections that will be invaluable in the future. As one conference attendee commented,

“This course was highly recommended to me by another prosecutor who attended last year, and I would make the same recommendation to anyone who is considering attending. Having attorneys from all over the state give presentations is a great idea because it shows a wide range of perspectives and different philosophies. I will definitely use all of the resources provided. Thank you for giving us a better understanding of this topic which I believe is one of the biggest turmoils that families continue to face (yet is never discussed in the media).”

— If you are interested in receiving information on the conference or on any of the resources provided, please contact Erin Greenawald at erin.greenawald@doj.state.or.us.

**The Boot Camp “mascot” reminds
DV prosecutors to be fearless!**





THE DV PROSECUTOR'S TOOLKIT: USING A DV EXPERT

- By Erin Greenawald, DV Resource Prosecutor, DOJ

Domestic Violence is complicated. At the risk of understatement, the DV "dynamic" is often very difficult for a lot of people, even very educated, intelligent people, to understand. Consequently, myths and misconceptions about Domestic Violence and DV victims and survivors are perpetuated.

This basic lack of understanding and the perpetuation of myths and misconceptions can make Domestic Violence cases extremely challenging. They are challenging to investigate, prosecute, and prove at trial. Fortunately, Oregon has a tireless, talented, and ambitious group of Domestic Violence prosecutors who capably handle these challenging cases everyday. And luckily, today's prosecutors have more and more "tools" at their disposal to help them in pursuit of holding offenders accountable; prosecutors now receive better police investigations, are assisted by wonderful advocates, are aided by improvements to the law, and benefit from the evolution of administrative support that recognizes the importance and need for consistent DV prosecution.

However, a prosecutor's "toolkit" can never be too full. Another "tool" that a prosecutor should consider using is the DV "expert"—a qualified professional who can assist the prosecutor in trial preparation, provide relevant trial testimony, or provide information at sentencing or dispositional hearings.

In Oregon, expert testimony can be admitted in court: "[i]f scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education may testify thereto in the form of opinion or otherwise." (Oregon Evidence Code 702)

Granted, the use of a Domestic Violence expert is not without some difficulties. In 2000, the Oregon Court of Appeals issued its ruling in *State of Oregon v. Ogden*, 168 Or App 249 (2000). *Ogden* was a Domestic Violence case where the defendant was charged with and convicted of four counts of Coercion. During trial, the prosecutor offered expert testimony regarding the behavior of women in abusive relationships to rebut the defendant's challenge to the victim's credibility (i.e., if she was so abused, why would she continue to have contact with him?). At trial, neither the prosecutor or the expert ever used or referred to Battered Women's Syndrome.¹ Despite that, on appeal the defendant argued that evidence of "BWS" was irrelevant because the state had not established that the victim suffered from "BWS." Surprisingly, the court of appeals reversed the defendant's

convictions.

Nonetheless, *Ogden's* ruling has recently been tempered. Subsequent rulings on the admissibility of expert testimony in child sex abuse cases like *State v. Perry*, 347 Or 110 (2009) have diluted the impact that *Ogden* may have had in the past. In *Perry* (which, notably, was filed the same day as *State v. Southard*, 327 Or 127 (2009)), the state used an expert to explain delayed disclosure of a sex abuse victim to rebut allegations of fabrication. In that case, the Supreme Court ultimately decided that the expert testimony satisfied the *Brown/O'Key* (scientific validity cases) and was admissible.

The reasons for which a prosecutor would use an expert in a DV case are similar enough to why a prosecutor would use an expert in a child sex abuse case that the ruling in *Perry* should now make it possible for DV prosecutors to begin, once again, to offer such testimony at trial. Indeed, a trial judge in Klamath county recently ruled in the State's favor on such a motion (to the shock and disbelief of defense counsel).²

Certainly not every DV case will need an "expert." But sometimes, having an expert's testimony is invaluable and could be the piece of the puzzle the jury (or judge) needs to find a defendant guilty. (Or is, to continue the "tool" metaphor, another way to put the "screws" to the defendant.) Every county in Oregon probably has a person with the requisite education, training and/or experience who could be qualified as an expert on DV issues. A prosecutor simply has to identify the issues in her particular case to determine who the "right" expert would be.

The bottom line is that offering expert testimony is not so difficult or complicated that it should be avoided; the ultimate payoff in terms of offender accountability and victim safety far outweigh whatever problems there might be.

¹"Battered Women's Syndrome" has been in declining use since 1996. That year, the U.S. Department of Justice released its report entitled "The Validity and use of Evidence Concerning Battering and Its Effects in Criminal Trials." The report concluded that "BWS" was no longer useful or appropriate in that it did not reflect the "breadth of empirical knowledge concerning battering and its effects."

² If you would like a copy of the State's motion (to admit DV Expert Testimony) and memorandum in support please contact Erin Greenawald at erin.greenawald@doj.state.or.us



When Caring too Much Can Hurt....Compassion Fatigue

What is "Compassion Fatigue"?

Most of us are familiar with the concept of burnout, especially as it pertains to work. Too much work, stress, long work hours, and limited enjoyment can lead us to burning out on a particular job or type of work. Compassion fatigue (also referred to as Secondary or Vicarious Trauma) differs from this, in that it is actually the emotional state of the helping person that becomes affected. As we use empathy and open our hearts and feelings to others, we can be deeply affected by the trauma which they are experiencing. Over time we can reach a point of emotional fatigue which may affect our ability to be compassionate in all areas of our lives, not just our professions.

Compassion Fatigue is the emotional residue of exposure to working with the suffering, particularly those suffering from the consequences of traumatic events. Professionals who work with people, particularly people who are suffering, must contend with not only the normal stress or dissatisfaction of work, but also with the emotional and personal feelings for the suffering. The result can be a state of tension and preoccupation with the individual or the cumulative trauma of clients, as manifested in one or more ways including re-experiencing the traumatic event, avoidance/numbing of reminders of the event, and persistent arousal. Although similar to critical incident stress (being traumatized by something you actually experience or see), with Compassion Fatigue, you are absorbing the trauma through the eyes and ears of your clients. There are human costs associated with Compassion Fatigue.

What are the risk factors?

- 1.) Exposure to the stories (or images) of multiple trauma victims;
- 2.) Your empathic sensitivity to their suffering; and
- 3.) Any unresolved emotional issues that relate (affectively or symbolically) to the suffering seen.

Vicarious trauma and compassion fatigue impacts service providers in the following ways:

- Coping mechanisms become overwhelmed;
- Reduces effectiveness of caregiver;
- Helplessness;
- Detachment from co-workers not involved in the work;
- Detachment from family and friends;
- Shortened tenure as service provider.

What are the signs or symptoms of compassion fatigue/vicarious trauma?

Vicarious trauma reactions resemble first-hand reactions and responses to traumatic stress including:

- Sleeping problems;
- Nightmares;
- Intrusive thoughts, memories and flashbacks;
- Hyper-vigilance;
- General anxiety and anxiety attacks;
- Isolation and disconnection
- Substance abuse and high risk behaviors;
- Changes in appetite and sex drive;
- Irritability and depression;
- Cynicism, negativity, and apathy about life and the world.

Compassion Fatigue Prevention Steps:

- Pre-incident training – have an idea of what to expect;
- Pre-incident preparation – become involved with the organizations and agencies involved in crisis response and learn their culture, policies and procedures;
- Set personal and professional boundaries and stick to them.
- Take days off;
- Accept duties within the scope of your experience and training;
- Develop connections with other response professionals who are able to provide appropriate support;
- Take advantage of opportunities for formal intervention during and after the interaction;
- Advocate for establishing formalized systems of promoting self-care within your work environment if these do not exist;
- Pay attention to physical needs;
- Make sure you are asking for and accepting care from your social support network;
- Participate in events that provide meaning and a sense of completion to your response efforts.

Remember to take care of yourselves during the holiday season.

Sources: Figley, C. (1995). *Compassion Fatigue*. Bristol, PA; <http://fcpei.denverda.org/> ; <http://www.newhopenow.org>



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**SEEN. HEARD. NOTED. AND
QUOTED:**

There is no job more interesting than the one that we do. And as they say, truth is stranger than fiction. So, if you have a funny or disturbing anecdote you'd like to share, send it my way!

They Did What?!

Union Co., Oregon:

Probation officer at a DV PV hearing, details the long list of noncompliance on behalf of the probationer. He and prosecutor urge the court to revoke the probation, and give a lengthy jail sentence. As part of the rationale for the recommendation, the prosecutor tells the court that the facts of the underlying crime justify that disposition:

Prosecutor: "This was an extremely violent incident, your honor. Mr. Offender, drunk and high, came back to the apartment and saw his girlfriend talking to a guy friend. Enraged, he began destroying things: punching holes in the walls and doors, breaking fixtures, a lamp, and the mirror and a window in the bathroom. He then grabbed his girlfriend, hurled her to the floor, bit her

nose, twisted her arm, then tried to force it through the railing in an apparent attempt to break it. Fortunately, she broke free. When the next-door neighbor heard the commotion and opened his door, Offender hit him with a chair, injuring him."

Judge: "Mr. Offender, do you have anything to say in response, before I pass sentence?"

Offender: "Yeah. There's no window in the bathroom!"

Multnomah Co., Oregon:

Portland police raided a home and found a meth lab, over \$4,000 in cash, a shotgun, pills and heroin.

The raid happened after a neighbor turned in a flyer advertising "heroin for sale" at the home.



'Tis The Season for Giving



This holiday season consider donating to one of the many shelters around the state that provide support for women and victims of Domestic Violence. Below is a list of shelters that have holiday gift giving programs and/or year-around "wish lists" of items that are needed at the shelter and are listed on their websites. Monetary donations can usually be made online at the shelters' website as well.

- **Columbia County - Women's Resource Center:** www.noexcuse4abuse.com
- **Coos County—Women's Safety & Resource Center:**
<http://www.womensafety.org/pics/Needs%20List%2008.pdf>
- **Lincoln County - My Sister's Place:**
<http://www.mysistersplace.us/page5/>
- **Benton/Linn County—Center Against Rape and Domestic Violence (CARDV):**
<http://cardvservices.org/>
- **Lane County—Womenspace:**

<http://www.womenspaceinc.org/support/>

- **Marion County—Mid-Valley Women's Crisis Service:**

<http://www.mvwcs.com/community/wishlist.html>

- **Polk County—SABLE House:**

<http://www.sablehouse.org/index.php/donate/our-wish-list>

- **Yamhill County—Henderson House:**

<http://www.hendersonhouse.org/?page=wishlist>

- **Portland-Metro—Bradley Angle:**

<http://bradleyangle.org/donate/wish-list/>

- **Clackamas Women's Services:**

http://www.cwsor.org/wish_list.htm

- **Portland-Metro—Domestic Violence Resource Center:**

<http://www.dvrc-or.org/domestic/violence/resources/C26/>

- **Portland-Metro—NAYA Family Center Healing Circle:**

<http://www.nayapdx.org/donate/wish-list.php>

- **Portland Women's Crisis Line:**

<http://pwcl.org/donate/wish-list/>

- **Raphael House of Portland:**

http://raphaelhouse.com/events/raphael_house_special_events/2011-holiday-program/

- **Portland YWCA :**

http://www.ywca-pdx.org/wish_list.html

- **Crook , Deschutes & Jefferson Counties—Saving Grace:**

<http://www.saving-grace.org/Support+Us/WISH+LIST/default.aspx>

- **Jackson County—Community Works:**

<http://www.community-works.org/donate.shtml>