

Justice System Sector Series 2013



Prosecutor's Guide to Safety and Economic Security for Victims of Violence Against Women



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This project was supported by Grant No. 2012-TA-AX-K031 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication/program/exhibition are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

About the Economic Security for Survivors Project and WOW

Recognizing that survivors' safety and their economic security are inextricably linked, the Economic Security for Survivors (ESS) Project promotes strategies that foster economic security within the justice system and in partnership with the non-profits that serve survivors. Established in 2010, the ESS project provides resources, education, training and technical assistance to transitional housing programs, direct service providers, state and local governments, and the Violence Against Women Act (VAWA) Services Training Officers Prosecutors (STOP) Grant Program. For more information, visit <http://www.wowonline.org/economic-security-for-survivors/>.

Wider Opportunities for Women (WOW) works nationally to build pathways to economic independence and equality of opportunity for America's women and girls. Since 1964, WOW has helped women learn to earn with programs emphasizing quality jobs, gender equity and economic security across the lifespan. Recognized nationally for its training models, technical assistance and advocacy, WOW redefines what women and families need to be economically secure throughout their lifetimes. WOW remains integrally involved in national policy debates, and works closely with state partners to advocate on the state level. For more information, visit www.wowonline.org.

About the Justice System Sector Series and the Prosecutor's Guide

In 2012, the ESS Project released the [Economic Security and Safety Guide for the STOP Grant Program](#). This document outlines strategies for the four STOP sectors (law enforcement, prosecutors, courts and victim advocates) to improve victim economic security through the 14 STOP program purpose areas (PPAs). Building on this tool, the ESS project is producing the *Justice System Sector Series* of guides for Law Enforcement, Prosecutors, Courts and Advocates. The goal of these Guides is to provide information and support to these key groups so that they may better support a victim's economic security. Based on research, model policies from leading organizations and focus group meetings with key stakeholders, these user-friendly Guides provide specific suggestions and tools to use to increase economic security within the existing job responsibilities of sector professionals at all levels.

The second installment in the series, the ***Prosecutor's Guide to Safety and Economic Security***, explores the role of the prosecution in assisting victims of domestic and dating violence, sexual assault, and stalking recover from violence and find future safety through economic security. It highlights how prosecutors can help victims rebuild their economic security both individually and in collaboration with other sectors and their communities. Checklists offer specific actions prosecution staff can take and **questions for prosecutors to ask victims** about their economic security. It also provides training guidelines, policy recommendations and a pocket guide to accompany trial notebooks. Because each jurisdiction is different, the recommendations may need to be tailored to accommodate the laws and unique needs of the community. The **primary audience** for this guide is prosecutors and their teams as well as prosecutor trainers. The **secondary audience** is STOP administrators, other justice system professionals and advocates.

This is a process. While economic security work has important impacts for individuals, it may take time to see larger systemic changes.

Executive Summary

The safety of victims of domestic violence, dating violence, sexual assault and stalking is inextricably linked to their economic security. The **Prosecutor's Guide** outlines the economic barriers facing victims and details the steps that each member of a prosecution team can take to address those issues whether by addressing economic needs during case intake, charging for economic crimes or requesting restitution for the full range of costs caused by the offender. In light of the frequency with which economic abuse and negative economic impacts on victims and their children appear alongside violence, such actions should not be viewed as providing an incentive for or conferring a benefit on victim witnesses to participate in the prosecution. They simply serve as another tool to allow victims to take part in the justice system and better permit prosecutors to uphold their objectives of keeping communities safer and holding offenders accountable. Rather than suggesting extra work, the recommendations in this Guide largely add an economic lens to activities that prosecutors already do.

Beyond the benefit to victims, considering economic security can make the prosecutor's case more effective, improve the success of the justice system and enhance community safety.

- Charging economic crimes and requesting restitution for every cost incurred will help prosecutors **hold offenders accountable**.
- Victims will be more likely to **participate in the prosecution** if their basic needs are met and to give honest testimony if protected from the offender's economic-based threats.
- Economic insecurity, dependence or abuse can **help judges and juries understand** why victims stay with an abuser, delay reporting an assault and recant or contradict previous statements.

***Economic security** means having the ability to meet basic needs and to save for emergencies and retirement.*

The Guide begins by explaining why **prosecutors must address victim economic security** and explores the costs associated with violence against women. For example, victims may experience:

- Debt from healthcare, damaged property and security/relocation costs
- Dependency on the abuser for basic needs
- Job loss or lost wages
- Unfinished education or training
- Eviction and damaged tenant history
- Loss of personal property

In addition, abusers often use **economic abuse** as a tool of power and control. Examples include the unauthorized use of finances, falsification of records and coercion into crime. These financial aspects of violence can thwart victims' ability to reestablish their life and move forward.

***Examples of Economic-Related Crimes:**
Destruction of Property
Electronic Surveillance
Forgery or Fraud
Theft or Identity Theft
Witness Intimidation*

Chapter Two details the specific steps prosecution teams can take in their casework from intake through sentencing. For example, prosecutors can:

- Collect and **present evidence** of the offender's economic impact;
- Identify and charge the offender for economic-based victim witness intimidation at all stages of the case; and

- **Request economic relief** that is enforceable and specific to the victim's needs, including restitution and protection orders.

In addition, victims will be more likely to participate in the investigation and trial if they are economically secure. The Prosecutor's Guide presents several ways that prosecutors can protect victims' employment, education or housing and incorporate economic security into safety planning.

Economic security is best supported through **collaboration among justice system professionals**. Chapter Three outlines several ways that the work of prosecutors overlaps with law enforcement, judges, parole and probation officers, civil attorneys, forensic nurse examiners and advocates, and how they can support one another in addressing victim economic security. Key recommendations include:

- Training law enforcement on the importance of economic security for victims and the need to **identify economic abuse** or crimes and to collect economic evidence;
- Helping judges to make informed decisions by including economic impacts and evidence in their portrayal of the crime; and
- Utilizing forensic nurse examiners as expert witnesses during trial to illustrate injuries or other health needs and to **estimate the cost and length of recovery**.

Chapter Four offers suggestions for prosecution offices as well as policymakers to create strong and **comprehensive policies and protocols** around economic security.

Key recommendations include:

- Updating protocol to ask all victims questions to assess their economic security and how it has been impacted by violence in intake and on the stand;
- If possible, engaging in vertical prosecution to address all crimes and impacts of violence; and
- Training prosecutors and victim witness specialists on how to fully obtain restitution for victims.

The appendices of the Prosecutor's Guide contain several resources to help inform the response to victims' economic security. The first two appendices present **training guidelines** and a case study. The **Prosecutor's Economic Security Pocket Guide** in Appendix C (see excerpt to the right) is a small, user-friendly tool that can accompany any case file or trial notebook. It consists of checklists for economic-related evidence and a worksheet to brainstorm possible costs associated with common crimes. Designed for **Services* Training*Officers*Prosecutors Grant Administrators**, the final appendix recommends ways to support victims' economic security within law enforcement by Program Purpose Area (PPA).

Examples of Economic-Related Crimes and Potential Associated Costs*

□

Economic-Related Evidence:

- Photographs of injuries and damaged property.
- Security camera footage from neighboring businesses or residences that may have captured injuries or property damage if they occurred outside.
- Property in the offender's possession at the time of arrest that belonged to the victim.
- Damaged or destroyed property's value or repair cost, with corroboration from the victim.
- Calls, emails, text messages and social media both at home and at work or school.
- Financial documents showing related costs of the violence (bills, bank statements, credit reports, invoices, receipts, canceled checks, stolen pay checks, etc.).
- Documentation of health care costs due to injuries from violence.
- Records of missed work or school (HR leave request forms, school attendance reports, security sign-in logs, etc.) as a result of the violence.
- Forensic accounting showing cyber-stalking/ electronic surveillance, online economic crimes and identity theft; monitoring from the offender's work and home technology; phone/ email spoofs, unauthorized GPS tracking and phone breaking on the victim's end.
- Protection measures taken by the victim (security systems, moving to another residence, changing phone numbers, etc.) and the costs of such measures (receipts, bills, bank statements, credit card reports, etc.).

Introduction to Victim Economic Security and Prosecution

Why Victim Economic Security Matters for the Prosecution

Economic insecurity makes victims of domestic and dating violence, sexual assault and stalking [more vulnerable](#) by limiting their ability to escape or recover from violence. Lacking resources or access to resources, many victims rightfully fear that leaving an abuser or reporting a crime will diminish their ability to care for themselves and their children. And beyond physical and emotional abuse, offenders also often **perpetrate economic crimes** that severely undercut the security of their victims, such as theft or fraud. The criminal justice system must view these financial issues as direct threats to victims' safety. Prosecutors, specifically, must also view a victim's economic insecurity as a significant obstacle to a victim's ability to participate in the prosecution of an abuser. For example, a victim witness may suddenly stop returning calls or appearing for meetings, causing frustration and impeding the progress of the case. If the prosecutor or the office's victim witness specialist or advocate asks about possible issues upfront, they might find that the victim is facing eviction, recently lost a job or no longer has a usable car due to the offender's actions. In short, victims will be **better able to participate in a prosecution** if their basic needs are met and **more likely to testify** on behalf of the state if protected from the offender's financial coercion.

The following are a few more of the positive outcomes that may result from prosecutors' support of or consideration to a victim's economic security:

- **Offender accountability.** Prosecutors can convict and hold offenders fully accountable by charging all economic crimes and requesting restitution for every cost incurred.
- **More convictions.** Prosecutors can use economic-based crimes and evidence to successfully try cases even if the victim is unable or unwilling to testify.
- **Informed judges and juries.** Economic insecurity, dependence and economic abuse can provide the context to help judges and juries understand why a victim stayed with an abuser, delayed reporting an assault or recanted or contradicted previous statements.
- **Strengthened future cases.** Restitution and civil protection orders (CPOs) can help support future cases against offenders by showing past economic abuse or control.
- **Increased reporting.** Victims are more likely to report additional crimes if they have trust in the justice system, which can be improved by prosecutors supporting their economic security.
- **Safer victims.** Economic security is a key to [fewer homicides](#), less violence and greater employment, which produce a safer and more stable community.

Economic security is not the work of direct services alone. Rather than require a new program or staff, it can be built into the work you already do.

Although addressing the economic needs of victims has historically been seen as the role of social service organizations, the justice system has unique abilities to identify these issues and respond to victims. From charging economic crimes to requesting enforceable restitution for losses related to the offender's actions, each member of a prosecution team has clear steps they can take to hold offenders accountable and advance a systems-wide approach to keeping victims safe and economically secure.

Why Economic Security Matters for Victim Safety

Domestic violence, sexual assault, dating violence and stalking occur across all income levels, races, ages and locations. Yet there is a significant connection between victim safety and economic security. [Low-income women](#) are more vulnerable to violence than middle-class women due to a lack of resources and opportunities. For example, [homeless women](#) are at higher risk for sexual violence, physical abuse and commercial sexual exploitation. Moreover, economic downturns make safety even more difficult for victims. One survey of domestic violence shelters revealed that [74% of victims](#) reportedly stayed with an abuser longer because of financial reasons.

In addition to the increased vulnerability caused by economic insecurity, violence itself causes massive financial challenges. Many victims of intimate partner violence, sexual assault and stalking experience financial consequences as a direct or indirect result of abuse, which has a lasting impact on their ability to recover from violence, leave an abusive relationship, care for their children, or be independent. Victims may experience:

- Job loss or lost wages
- Unfinished education or training
- Eviction and damaged tenant history
- Foreclosure or inability to pay off debt
- Damaged credit
- Loss of personal property or assets
- Inability to safely collect child support
- Dependency on abusers for basic needs.

Offenders also frequently perpetrate economic abuses, many of which are crimes, to intentionally cause the victim to be economically insecure and dependent.

How is Economic Abuse Used Against Victims?

Domestic and dating violence abusers use [economic abuse](#) to gain power and control over their victims and to prevent them from leaving. Because an abuser may have easy access to a victim's Social Security number, bank accounts and other personal financial information, victims are at great risk of **identity theft and fraud**. Moreover, abusers may **coerce victims into financial crimes** like theft, shoplifting or lying about finances out of a fear of violence and retribution by the abuser. Stalking and sexual assault offenders may also employ economic abuse. For example, victims of sexual assault by a coworker may experience missed days of work or promotions. Stalking victims may have to change bank accounts after the offender broke in to monitor their activity.

Additional examples of economic abuse include:

- Compromising credit
- Disrupting employment and/or school
- Destruction of property
- Undisclosed or forced bankruptcy
- Misrepresentation about finances, thefts, documents

*Success Story**

A Pennsylvania prosecutor recalled two domestic violence cases. In one, the victim was financially dependent on the abuser and feared her family would become destitute if he went to jail. As a result, she lied about the abuse and induced her children to lie.

They lost the case.

In the other, the victim was even more economically dependent on the abuser, but prior to the trial the prosecution team helped her find a place to live, start classes and obtain financial support. She felt independent and safe enough to provide honest testimony and they won the case.

**Robin Thompson, ESS Project Focus Group*

- Conversion by claiming the victim's possessions as one's own or misusing the victim's property
- Non-payment of debt when the abuser fails to pay or hides bills
- Commercial sexual exploitation
- Appropriation of personal possessions by the abuser, either stolen, pawned, hidden or misused

Economic abuse produces financial consequences that have a lasting impact on a victim's ability to heal and be safe. An abuser may destroy items essential to a victim finding or keeping a job (identification, phones, uniforms, cars) or an abuser may ruin a victim's credit to support their own lifestyle the result of which can make renting a home, applying for college, receiving loans and getting a job very difficult. Ultimately, economic abuse may create a situation in which the victim is unemployed, homeless or unable to collect child support or benefits. The abuser uses these tools to cause dependence to provide for basic needs. Still worse, coerced economic crimes like fraud can lead to a victim being arrested, and all of its costs, while the true offender is not held accountable (see page 11-12).

What is Violence Costing the Victim?

The examples below illustrate what the economic impact might look like within each crime. They are neither exhaustive nor exclusive to each type of abuse. There is **extensive overlap between the occurrences of** intimate partner violence, sexual assault and stalking, as well as similarities among the economic impacts that can take place in each. Such intersections further complicate victims' economic security.

For victims of **domestic and dating violence**, economic security can be the single greatest factor in deciding to exit their abusive relationship. Especially for those with children, victims may feel they must endure additional abuse in order to provide shelter and food for themselves and their children. Without the financial ability to leave an abuser and survive independently, a victim is at **greater risk of injury** and even **death**. Abusive partners frequently control resources such as vehicles, computers or phones that are necessary to escape and/or find work. They often also **control finances** like credit cards, access to bank accounts and the victim's paycheck. Lastly, domestic abusers may either prohibit or **interrupt work or school**.

For **sexual assault** victims, the economic impact of assault or rape is often devastating. Health care for an assault victim can be extremely costly and the full scope of **physical and mental health care** needs may not be fully known until long after the attack. Sexual assault victims may **wait months or years** to report the crime due to **trauma** or fear, reducing their chances of economic relief through the court. Beyond the costs of health care and property damage, sexual assault has long-term effects on employment and education. If the assault took place at work or school, the trauma may cause

The Impact of Violence Against Women

*Domestic violence victims on average **lose 7.2 days of paid work each year**, rape victims lose 8.1 days and stalking victims lose 10.1 days.*

*Rape can cost victims over **\$145,000** in health care, lost wages and justice system costs in a lifetime.*

***25% of victims** were **asked to resign or were fired** from their jobs due to stalking.*

***28% of housing denial cases** involved domestic violence victims who were denied housing because of violence committed against them.*

*Victims of sexual violence or stalking at school are more likely to **drop out** of high school or college.*

*Intimate partner physical assault, rape and stalking cost society more than **\$5.8 billion per year**.*

Over [2/3 of rapes](#) were committed by someone the victim knew.

Over 50% of assaults took place at or within 1 mile of the victim's home.

victims to **resign or drop out**. If the perpetrator was an authority figure or a colleague, the potential for **continued harassment** may increase emotional harm while decreasing productivity. Even if the crime took place outside work or school, the physical and mental health needs of victims may still result in the loss of a job or scholarship.

Stalking has severe and lasting economic impacts on victims. Most stalkers terrorize their victims in all aspects of their lives – at home, at work and in the community. Stalkers may gather information from victims' workplace, call or **threaten them at work**, wait at parking lots or bus stops, damage or destroy property, break into their car or home, or flood them with email or text messages at work. As a result, victims may be **forced to move**, change or leave jobs, purchase expensive security systems like surveillance cameras, change locks, cancel credit cards, break a phone contract and fix a stolen identity or bad credit scores. They may even have to completely **change identities**. All of these may carry a high financial cost.

25% of [victims stalked](#) through email or instant messaging, 10% with GPS, 8% with cameras or listening devices.

What does Economic Security Look Like for Victims?

Victims who are economically secure have a greater chance of achieving immediate and future safety. As defined by WOW, economic security means having the income, assets and access to services to meet basic needs (housing, food, transportation, childcare, healthcare, household supplies and taxes), participate in the workforce and build savings over the lifespan.¹



From WOW's [Living Below the Line](#) report:

- **60% of women** live in economic insecurity in the US, compared to 45% of men.
- **73% of Black women and 77% of Hispanic women**, who are more vulnerable to violence against women, are economically insecure.
- **81% of single mother families** live in economic insecurity in part due to the cost of child care.
- **31% of women** who work full-time still cannot meet the BEST standard of economic security.

WOW's [Basic Economic Security Tables \(BEST\)TM Index](#) finds that on average the greatest expenses for single adults are **housing** (\$642 per month) and **transportation** (\$516 per month). The greatest expenses for single parents are **childcare** (\$1,112 per month) and housing (\$803 per month). These expenses – housing, transportation and childcare – are often cited as the [most significant barriers](#) that victims confront when attempting to escape violence or rebuild their lives.

¹ See Appendix C for a more detailed discussion of economic security and WOW's findings.

Basic Economic Security Tables, 2013

(Workers with Employment-based Benefits)

US, Selected Family Types

Monthly Expenses	1 Worker, 1 Preschooler, 1 Schoolchild			2 Workers, 1 Preschooler, 1 Schoolchild	
	1 Worker	1 Worker, 1 Infant	1 Worker, 1 Preschooler, 1 Schoolchild	2 Workers	2 Workers, 1 Preschooler, 1 Schoolchild
Housing	\$642	\$803	\$803	\$642	\$803
Utilities	\$115	\$144	\$144	\$115	\$144
Food	\$264	\$379	\$572	\$484	\$765
Transportation	\$516	\$566	\$566	\$1,017	\$1,068
Child Care	\$0	\$621	\$1,112	\$0	\$1,112
Personal & Household	\$259	\$337	\$386	\$315	\$435
Health Care	\$161	\$329	\$480	\$374	\$540
Emergency Savings	\$76	\$122	\$154	\$112	\$183
Retirement Savings	\$87	\$87	\$87	\$102	\$102
Taxes	\$374	\$714	\$953	\$501	\$1,087
Tax Credits	\$0	-\$139	-\$267	\$0	-\$267
Monthly Total (per Worker)	\$2,494	\$3,963	\$4,990	\$1,831	\$2,986
Annual Total	\$29,928	\$47,556	\$59,880	\$43,944	\$71,664
Hourly Wage (per Worker)	\$14.17	\$22.52	\$28.35	\$10.40	\$16.97

Moreover, many victims are either [unemployed](#) or earning too little – women make up [two-thirds of minimum wage workers](#) and the average income is \$23,638 for female heads of household²– and [social supports often fail](#) to make up the difference. This common struggle to meet even basic needs is a significant issue for victims and their ability to maintain safety. Victims of any of these crimes may have to forgo basic needs to cover health care or relocation costs. Intimate partner victims may reconsider leaving an abusive partner if they cannot survive on only one wage. For victims with medical needs, work interruptions or criminal records, the lack of economic security may be an overwhelming obstacle to fully recover from violence.

While it is not the role of prosecutors and their victim witness specialists/advocates to help victims find better jobs, training or housing, it is in their best interest to address a victim's economic security in light of how much offenders abuse it to achieve control and how much it effects the prosecution's ability to hold offenders accountable. By making this a routine part of their work, prosecutors can get superior outcomes, better serve victims and their children, and achieve more justice. The following chapters will detail exactly how those working in prosecution teams can identify victim economic needs and promote economic security throughout the course of their casework.

² Calculated by WOW based on the American Community Survey.

Chapter 2: Addressing Economic Security within Core Responsibilities

From intake staff to the victim witness specialist to the prosecutor,³ each member of the prosecution team has an important role in addressing economic security to the benefit of both the victim and the state. Taking such actions will expand the scope and strength of the case against the perpetrator, thus **increasing the likelihood of a conviction** and more appropriate sentences. Intimate partner violence, sexual assault and stalking cases are complex and the suggestions in this Guide should not be taken as a complete list of how to prosecute these crimes. Rather, it focuses chiefly on the actions that directly or indirectly relate to economic security. This Guide contains recommendations for prosecutors to address and support economic security at every step of a case regardless of whether it goes to trial.

Pre-Trial

Case Screening

Economic considerations can greatly help **intake staff** when determining the viability of a case and the likelihood of the prosecution getting a conviction while simultaneously protecting the victim. Economic evidence and the victim's economic security will also influence the extent to which the victim will be needed or willing to testify if the case goes to trial. Though prosecuting an offender can help preserve a victim's economic security by providing access to economic relief and halting economic abuse, there are times when the opposite is true. Although a prosecutor can and often does proceed without the victim's cooperation, it is important to be aware of some economic reasons why a victim might not support the case. For example, a sexual assault offender may be in a position of power, which could cause the victim to **fear retaliation or job loss**. In domestic or dating violence cases, the victim may be financially dependent on the offender, may fear retaliation, deportation or legal involvement, and may fear losing child support if the offender goes to jail and cannot work. Additionally, [the most dangerous time](#) for a victim of domestic or dating violence is during separation. A victim who is trying to leave may fear that a trial could aggravate the abuser to inflict severe injuries or kill the victim.

• • •
1/3 of victims [opposed prosecution](#) because they depended on the abuser for housing and 1/4 because they were threatened.
• • •

Victim witness specialists may be able to mitigate these concerns by immediately connecting victims with community-based advocates and resources, and engaging in economic-based safety planning (see page 13). They can also educate victims about their legal rights and options to protect or access safe housing, employment or education. Specialists can inform victims about the ways that prosecution can further their protection, such as by requesting restitution and seeking relief related to housing or childcare. In some cases in which the victim's fear of retaliation is too great, the prosecution may consider proceeding without the victim by **relying on economic-based evidence** and other witness testimony. It can also be helpful to use economic-based coercion, dependency and [witness intimidation](#) to explain a victim's lack of participation.

³ The titles and responsibilities of each job within a prosecution team will differ by jurisdiction. Exact prosecutorial responses should be tailored to the unique organizational and legal capacities of the office. For simplicity and consistency, this Guide will use 'prosecutor' and 'victim witness specialist' for the positions that varies by state.

It is important to inquire about the economic impact of violence from the first intake interview. Victim witness specialists are key to making sure that all information concerning economic crimes, the financial impact of violence and economic barriers to cooperation are documented during case screening and available to prosecutors. When filling out forms such as for restitution, the prosecution may benefit from a facilitated process in which the attorney or victim advocate interviews the victims in person and fills out the forms with them. This step can expand the prosecutor's, and thus the court's, understanding of the case and lead to more complete evidence and additional options for economic relief.⁴

Recommended Economic-Related Questions to Ask Victims at Intake

- ☐ What out-of-pocket costs has the violence or abuse caused? (i.e. bills, security equipment, emergency contraception, replacing property, health costs, moving, etc.)
- ☐ Have you had to change your routine due to the offender's conduct?
 - ⇒ What are the costs associated with that change?
 - ⇒ Has it impacted your housing, employment or your or your child's school attendance?
- ☐ Do you feel unsafe at home?
- ☐ Does the offender have keys to your home, work or car?
- ☐ Do you have access to your bank account and other finances? Does the offender?
- ☐ Does the offender know the passwords to your bank accounts, home or work computer, or cell phone? Did the offender threaten or force you to reveal them?
- ☐ Has the offender taken any of your money? Your paychecks? Other personal items?
- ☐ Did the offender destroy anything that will keep you from going to work/school or paying bills?
- ☐ Has the offender forced you to miss work, leave your job or withdraw from school?
- ☐ Has the offender ever used finances to intimidate or threaten you?
- ☐ Did the offender lie to you about your credit, bankruptcy, taxes or bank accounts?
- ☐ Is the offender in a position of power over your job, school, scholarship or housing?
- ☐ Has the offender prevented you from gaining citizenship or a work visa?
- ☐ Has the offender forced you to commit any crimes, including economic crimes?
- ☐ Have there been any costs associated with overlapping victimizations? (Sexual assault or stalking within domestic violence, stalking following a sexual assault, etc.)
- ☐ Has the offender appeared repeatedly at the homes of friends, family, or neighbors? At your work, school or childcare provider? Across jurisdictions? What added costs did this cause?
- ☐ Are there police reports in other jurisdictions, regardless of resulting in a criminal or civil case?
- ☐ Is there anything that will keep you from cooperating with the investigation and trial?
- ☐ Do you need to notify your work or school that you may have to miss a few days for recovery or the case? With your consent, do you need my help in any way?

However, wrongfully charging or [prosecuting victims](#) themselves for acting in **self-defense**, for being **dually arrested** or for **coerced crimes** can also be extremely damaging to their safety and economic security. Therefore, prosecutors should not proceed in these cases unless it is clear that the defendant is not the primary victim of abuse. The short and long-term economic impacts of arrest on a victim include:

⁴ Information given to the victim witness specialist or prosecutor will be passed to the defense in discovery. [Community advocates](#) interviewing victims must [understand their roles](#) and that what they pass on will be shared.

- Attorney fees, court costs and bail
- Loss of custody and/or child support
- Eviction from housing
- Reduced credibility to request restitution, crime victim compensation and economic provisions within CPOs
- Loss of a job or a scholarship
- Loss of welfare and services eligibility
- Deportation or loss of visa
- Life-long barriers to work and housing from a criminal record, even without conviction

To prevent such harm, prosecutors must take steps to independently screen cases for the [predominant aggressor](#) and encourage law enforcement to do so as well. Among many other considerations during intake and analysis, prosecutors can **use economic-related indicators** such as economic threats, economic dependency, economic abuse, or prior court orders of restitution and economic relief to identify the predominant aggressor and make a charging decision.

Investigation

Prosecution teams who coordinate and collaborate with law enforcement can ensure that the necessary economic evidence is collected and documented, interviews are conducted with relevant parties, and all previous reports involving the victim or offender are obtained. Offices with **economic crimes units** or experts in topics like identity theft may also be able to [supplement the work of law enforcement](#). Having the proper evidence allows prosecutors to **charge the offender** with every crime perpetrated and **request restitution** for the costs incurred by the victim, which enables judges to grant appropriate relief. For example:

- Evidence of physical injuries can help victims get restitution for the immediate health care costs while keeping restitution open for associated long-term and future health care needs.
- Evidence of damaged, destroyed or stolen property can result in orders for the abuser to return or replace items that may be needed to maintain work, school or safe housing.
- Evidence of electronic surveillance can support relief requests for safety measures or moving costs, breaking a lease early, or changing banks and repairing credit.

Offices with law enforcement trainers should include economic impacts and crimes in core training so that officers see this as their responsibility.

Economic-Security Related Investigation Recommendations for Prosecution Teams

- ☐ Review the police investigative file early in the process to identify incomplete information or gaps in economic-based evidence that may be needed for trial (see page 17).
- ☐ Investigate the victim's economic security (see page 11 for questions) and costs of crimes in partnership with law enforcement to avoid duplicating efforts and re-traumatizing the victim.
- ☐ Interview people at work or school, neighbors, landlords and roommates who may know about the victim's economic situation or the impact of the crime (see page 29 for sample questions).
- ☐ Educate the victim on economic abuse and how to recognize and document it.
- ☐ Check 911 recordings for statements pertaining to costs/damages resulting from the violence, economic abuse or evidence of economic dependency.
- ☐ Look into past unreported incidences for evidence of crimes that may still be charged and/or to develop an accurate offender history.
- ☐ Obtain documentation of the victim's property that the offender had at the time of arrest.

Safety Planning

Prosecutors should take steps to protect the economic security and safety of victims from the initial arraignment through the conclusion of the case. When setting **pre-trial release conditions** for the offender, prosecutors can request a high bail or even to hold defendants without bail if there is evidence that the offender will try to endanger the victim's safety by interfering with the victim's economic security or by intimidating the victim, which is a separate crime. To determine this, prosecutors can look at past cases involving the defendant and evidence of stalking, economic abuse and coercion in the current case. The prosecution can also request that the judge issue a **criminal no-contact order** with

*Consistent risk markers for re-abuse, especially between arrest and trial, include abusers who are **unemployed** and **economically disadvantaged**.*

consideration of economic security. Not only can no-contact orders help keep victims safe from physical violence, they can address the costs of violence and allow them to continue to go to work or school uninterrupted by including specific economic provisions. For example, an order can remove an abuser from the home and turn it over to the victim or force the offender to turn over property like car keys. Prosecutors should ensure that the no-contact order specifies the victim's work, the victim or their children's school, childcare providers and anything else that may be necessary for maintaining economic security and safety.

When economic security is a standard part of pre-trial safety planning by prosecution teams, victims are more secure and more likely to be **willing and able to participate** in the case.⁵ Economic stability can also keep the victim safer from witness intimidation. Both victim witness specialists and community advocates can work to support the victim's legal and non-legal needs, including housing, education, childcare and employment accommodations. Offices can form partnerships to provide victims with clothing for the trial and access to public assistance like food stamps or utilities assistance. It is also easy, inexpensive and helpful to keep a number of bus passes or gas cards in the office to **improve the victim's mobility**.

Lastly, victims may fear repercussions from missing multiple days of work/school or from having a police presence at their home or work; prosecution staff can take simple steps to intervene with victims' school, landlord and/or employer. For example, prosecutors can communicate to an employer that the victim is cooperating with the justice system process and ask that the employer grant the victim time off to assist the state. This can also help explain the victim's previous behavior to reduce the chance that the victim is retaliated against with disciplinary actions or full job loss. Prosecutors can also try to minimize employment issues by scheduling their witness preparation and intake meetings around the victim's schedule as much as possible.

Success Story*

One Baltimore prosecution team partnered with a Section 8 Housing office and a moving company. When a woman and her son came to testify about domestic violence, the defense threatened that "if you put her on the stand, she will have nowhere to live by the end of the day." Little did they know a moving van was already at the house and she was set up with new housing by the trial's end.

**Gretta Gardner, ESS Project Focus Group*

⁵ Addressing economic needs falls in line with the prosecutor's duty to help the victim overcome many significant barriers to participating in the system and is **not conferring a benefit on the victim** to encourage cooperation.

Immigrant victims often stay in abusive relationships, avoid reporting crimes and go without care following an assault due to a fear of deportation. Additionally, immigrant victims may not be able to work legally and thus may be economically dependent on an abusive partner or employer. Prosecutors who sign off on **U and T visas** [certification forms](#) will encourage compliant victims to participate in criminal justice processes that can lead to restitution, protection from further harm, and an increased ability to support their own economic security through work. Utilizing U and T visas may also encourage additional victims to come forward, making it easier to prosecute a case and promote community safety.

Due to the complex issues of economic dependency and economic vulnerability in cases of domestic violence, sexual assault and stalking, it is necessary to consider **victim/witness economic intimidation** as a part of regular safety planning. Prosecutors should watch for such [witness intimidation](#) at all times in these cases and have [steps to address it](#) in place if it occurs. In addition to the examples of economic-based threats provided on page 13, offenders may engage in intimidation that indirectly affects the victim's economic security. For example, offenders may vandalize victims' cars to keep them from court, which also impedes victims' ability to get to work. Offenders may also use social media, or get friends to use social media, to harass the victim, including posting inappropriate photos or other material online, which may endanger the victim's employment and can be very costly to remove.

Pre-Trial Safety Planning: Recommendations to Support Victims' Economic Security

- ☐ Educate victims about the estimated timeline of the case and the need for their attendance at court proceedings so they can make work/school, transportation and childcare arrangements.
- ☐ Provide victims with information on shelters, pro bono legal services, medical services, community advocacy groups and victim/witness services through the prosecutor's office.
- ☐ Work with victims on any communication that will help keep them economically secure, such as with their [school](#), landlord, employer, etc., and able to participate in the justice system. Work with the victim advocate to determine whether your state allows victims to break a lease or take time off of work to deal with criminal or civil matters.
- ☐ Intervene with the landlord or connect the victim with help to move out of the home.
- ☐ Maintain the victim's privacy and limit any discrimination by not revealing specific crime details.
- ☐ Keep the victim's home address, work location and contact information off court documents.
- ☐ Comply with U and T visa certification requirements for immigrant victims who participate in the prosecution.
- ☐ Assess risk of and monitor the parties for economic-based witness intimidation.
 - ⇒ Preemptively remove the offender's access to the victim.
 - ⇒ If the offender engages in witness intimidation, charge it as a separate crime.
 - ⇒ Monitor contact and technology for economic-based threats and financial access.
 - ⇒ Consider forfeiture by wrongdoing.
- ☐ Share the history of violence, uncharged economic crimes and collected evidence of costs with civil courts to help secure CPOs with economic relief, consumer protections and other actions. These will make the victim more economically stable and able to assist with the criminal justice process.

Charging Crimes

Charging and presenting evidence for all criminal acts related to the abuse will strengthen the case so that the offender can be held accountable for the **full range of crimes**

perpetrated. This will also help ensure that the victim can access complete economic relief and restitution. In addition, economic-based crimes may be easier to prove and may provide clearer avenues for restitution for the victim. If there is insufficient evidence of battery, sexual assault or stalking, for instance, charging for an economic crime may still help the state get a conviction. Prosecution teams should always be in contact with the victim regarding filing charges, especially decisions not to file and to release the offender. Informing victims before their abuser is released will allow them to protect their safety by planning accordingly for any needed changes to their housing, childcare, work and transportation arrangements.

A joint property owner does not have the right to destroy the other owner's property interest. Do not let the argument that it is "marital property" keep you from charging for damages.

Crimes with economic impacts and/or links to economic abuse include, but are not limited to, the following (the specific statute may vary by location):

Crime	Impact on Economic Security
Breaking and Entering	Offenders can damage property or disable safety measures, leaving the victim vulnerable to theft or harm. Offenders may also increase the victim's and other dependents' anxiety/mental health care needs and require relocation.
Cyber-Stalking or Stalking with Technology	Offenders may force victims to replace phones or computers, pay for security measures, change passwords or banks, or repair credit. Offenders may stalk at work or school. They can be separate crimes from stalking (see page 8).
Destruction of Evidence	Offenders can destroy evidence of economic crimes or documentation of the cost of the abuse (bills, photos, messages, etc.). They can also destroy evidence of economic threats that may constitute witness intimidation.
Destruction of Property/ Property Damage	Offenders may damage or destroy property, leaving the victim to pay to replace. The offender's damage may also keep the victim from work or school if the item was a mode of transportation, a computer or identification.
Electronic Surveillance	Offenders can determine victims' location, identification and/or financial account information. Offenders can verify if victims call for help and then either destroy economic evidence or economically intimidate victims. It can involve cell phone hacking, GPS or other technology at home or work.
Forgery	Offenders can forge paychecks or tax forms and open bank accounts or credit cards in the victim's name.
Fraud	Offenders can commit benefit, tax, credit card, medical or employment fraud. Each can have lifelong impacts on a victim's credit that is costly to repair and can hinder getting a job, loan or home.
Harassment	Offenders can cause victims mental health costs and expenses for safety planning or changing a regular routine. It can take place at work or school and can result in their interruption.
Identity Theft	Offenders can cause long-term damage to victims' credit history, costs to change financial accounts and stolen resources.
Reckless or Negligent Injury	Offenders can cause costly physical and mental health care needs or inhibit victims from performing their jobs, resulting in lost wages or termination.

Strangulation	It often goes unrecognized and untreated by both the victim and first responders, resulting in costly health care needs or death. It is also a measure of increased risk and often leads to much more serious and costly harm.
Theft/ Robbery/ Larceny	Offenders may steal to get information or access to the victim with stalking, occur alongside a sexual assault or be used as economic abuse. In some economically abusive relationships, offenders may steal the victim's wages.
Trespassing	Offenders can trespass at the victim's home, work, extended property or the property of family or friends. It may require buying security equipment, relocating or lost wages.
Threats	Offenders can threaten to kill or severely harm the victim, themselves, family members or pets in order to get the victim to turn over financial documents, property or money. Minors may be especially vulnerable to threats.
Witness Intimidation or Threats	Offenders can threaten to get victims expelled/fired, to stalk them or to inflict costly harm to keep them from testifying or cooperating with police. Abusers can intimidate victim witnesses with economic threats to leave them destitute, destroy their property, not pay child support, disrupt school/work and interfere with immigration.

Plea Bargains and Negotiations

There are many ways prosecutors can enhance victim economic security during [plea negotiations](#).⁶ In fact, in some cases plea deals can provide the victim with better safety and may even be preferred by the victim. For instance, in sexual assault cases a plea can spare victims from the trauma of trial, which can cause additional mental health consequences, and limit the public exposure of testifying, which can lead to retaliation and discrimination. If dependent on the offender's income or child support, intimate partner violence victims may benefit economically if their abusers are out on bail and under supervision to protect their physical safety. In addition to the multitude of factors to consider when negotiating and deciding on plea terms, staff should describe each option to the victims, confer with them about their [economic and safety needs](#) and take their input into consideration.

Given the economic impact of these crimes, prosecutors should make efforts to **include restitution in every plea deal**. Victims may still benefit if the negotiations result in an offense reduction that upholds any economic-based crimes that can contain restitution or other economic relief. However, achieving justice and upholding the victim's long-term safety should always be the priority. Whenever possible, consider including [criminal protection orders](#) as part of plea bargains or direct the victim to petition for a civil protection order. Such orders can help victims to be safer if they include possession of a house or car, child support if there is a shared child, or an offender's removal from the workplace or campus if a colleague or fellow student. It is also important not to limit victims' ability to file civil charges that may be necessary for their economic security by prohibiting it in the deal. If relevant, prosecutors can also include job training or financial planning for the offender in diversion requirements in addition to violence counseling and/or substance abuse courses.

⁶ Prosecutors may need to include economic-based evidence in their discovery for the defense, especially if charging economic crimes. If there is any doubt that including economic evidence related to the victim will endanger the victim's safety, [file a motion](#) with the court and/or redact said information from the discovery files.

Trial

If the case goes to trial, try to proceed as soon as possible. Unnecessarily delaying domestic violence, sexual assault and stalking cases gives offenders additional opportunities to hide assets, tamper with evidence and intimidate or harm the victim, often causing economic implications. Holding trials without delay can help **prevent additional and escalating offenses**. It also allows victims to access restitution more quickly, limit the long-term impacts of debt and move on with their work and/or education faster. Furthermore, multiple court appearances can be costly in terms of transportation, childcare, lost wages and even lost jobs. Prosecutors should be aware of these financial impacts, and work with the victim and victim advocates to minimize and remedy these expenses.

● ● ●
[37 states](#) and territories require employers to give crime victims leave to take part in the justice system. **19 specify domestic and sexual violence victims.**
● ● ●

Evidence and Witnesses

Where possible, prosecutors may consider using **evidence-based prosecution** instead of relying on victim testimony to protect the victim from retaliation by the offender and the financial costs of the court process. Focusing on the economic aspects of the case may also allow prosecutors to maintain the strength of the case without the victim. While at times this strategy may be more difficult or require more prosecutorial resources, highlighting economic crimes or relying on economic evidence either alongside assault charges or when impossible to proceed with assault may be more straightforward and easier for the court to understand. In such a case, economic evidence may prove valuable in securing both a conviction and economic relief for the victim.

Regardless of the victim's involvement, the following evidence can be collected and presented to the judge and jury to illustrate the scope of the abuse as well as the impact it has had on the victim's life.

Recommended Economic-Related Evidence

- ☐ Photographs of injuries and damaged property.
- ☐ Security camera footage from neighboring businesses or residences that may have captured the offender's commission of injuries or property damage if they occurred outside.
- ☐ Property in the offender's possession at the time of arrest that belonged to the victim.
- ☐ Damaged or destroyed property's value or repair cost, with corroboration from the victim.
- ☐ Calls, emails, text messages and social media at home, work or school.
- ☐ Financial documents showing related costs of the violence (bills, bank statements, credit reports, invoices, receipts, canceled checks, stolen pay checks, etc.).
- ☐ Documentation of health care costs due to injuries from violence.
- ☐ Records of missed work or school (HR leave request forms, school attendance reports, security sign-in logs, etc.) as a result of the violence.
- ☐ Forensic accounting that uncovered cyberstalking/electronic surveillance, online economic crimes and identity theft; monitoring from the offender's work and home technology; phone/email spoofs, unauthorized GPS tracking and phone breaking on the victim's end.
- ☐ Measures taken by the victim to protect against violence or threats (security systems, moving residences, changing phone numbers, etc.) and their costs (receipts, bills, bank statement, etc.).

If victims take the stand, prosecutors should be sure to ask about the economic impact that the violence has had on all aspects of their and their children's lives. It may be beneficial to **subpoena victims** to appear in order to limit retaliation or witness intimidation from abusers,⁷ to allow victims to receive witness fees and mileage reimbursements, and to provide them with official documentation to give to their employer to secure time off for the trial. However, prosecutors must be careful when deciding what to do if the victim does not comply with a subpoena, especially if a result of the offender's abusive tactics. Punitive measures by a court or prosecutor against victims may diminish their safety and damage their economic security by putting them on the wrong side of the justice system (see page 11).

In addition to the victim's testimony, the prosecution may benefit from calling other **witnesses** to corroborate the victim's testimony and other evidence, establish the motive of the perpetrator and build a case for economic relief. Besides routine testimony about the history of abuse or harassment, they may testify to the victim's economic insecurity, as well as the full economic harm perpetrated by the offender. The following are just a few examples of economic-related inquiries that prosecutors can ask witnesses on the stand to provide critical context. For a more extensive list, see page 29.

- Employer and co-workers:
 - ⇒ Has the offender ever disrupted the workplace by appearing at the workplace, calling or sending emails, or engaging in harassing or threatening behavior?
 - ⇒ Did the abuse impede the victim's ability to work or decline performance? Has this resulted in a pay cut or demotion?
- Is the offender a co-worker or supervisor? Neighbors:
 - ⇒ Has law enforcement been called to or conducted investigations at the victim's residence? Has that put the victim at risk of eviction?
 - ⇒ Has there been property damage (broken windows or furniture, repair or maintenance workers present, etc.)?
- Roommate:
 - ⇒ Has the landlord or housing manager threatened you or the victim with eviction due to violence, missed or late bills, or the presence of law enforcement at the residence?
 - ⇒ Has the landlord or housing manager perpetrated or threatened violence or harassment?
- School affiliates (ex. teachers/professors, administrators, classmates, Resident Assistant):
 - ⇒ Has the victim's class-work, grades or attendance suffered since the assault?
 - ⇒ Is the victim's enrollment, school-based employment or financial aid at risk?
- Offender:
 - ⇒ Do you have access to the victim's bank accounts, paychecks or other personal data?
 - ⇒ How often do you contact the victim at work?
 - ⇒ Have you threatened to fire/expel/reprimand the victim for reporting a sexual assault?

The prosecution must plan strategically to mitigate unintended consequences. For example, involving the wrong witness could get the victim fired, evicted or harassed at school or work.

⁷ Witness intimidation is pervasive in many criminal cases, but it is particularly potent in domestic violence cases. Where there is [witness intimidation](#), the prosecutor may be able to [introduce statements](#) otherwise barred by the constitution. As an exception to [Crawford v. Washington](#), it may require a forfeiture by wrongdoing hearing.

It may also be necessary and valuable to utilize **expert witnesses**. Expert testimony may benefit the case by explaining to the judge or jury in unbiased terms the economic reasons why a victim is reluctant to appear or recanted initial reports. Such witnesses may also be able to present honest and realistic assessments of the short and long-term costs or economic impact of the offender's crimes. Possible expert witnesses may include the following:

- Experts on victim behavior and experiences in general, such as victim advocates
- Domestic violence and sexual assault advocates with economic abuse expertise
- Forensic nurse examiners
- Domestic violence or sexual assault investigators
- Economic security experts, such as economists, financial planners or economic justice advocates
- Economic crimes specialists or investigators

Presenting the Case

Because domestic and dating violence, sexual assault, and stalking cases are subject to many more prejudices, misconceptions and myths than other crimes, economic-related information can help explain the case and the victim's behavior to the judge and jury. For example, a sexual assault victim may refuse to testify against an employer or professor because of a justified fear of losing a scholarship or job and of damaging an academic or employment reputation. A domestic violence victim may **contradict or recant previous statements** out of fear of losing the abusers economic support. In such situations, the judge and jury may be more sympathetic and less likely to blame the victim if they understand the economic motivations behind such behavior. Intimate partner violence, sexual assault and stalking often involve a pattern of behavior designed to inflict fear and control rather than a single criminal incident. Thus, it is necessary to present the context of the complete and long-lasting impact of the crime on the victim.⁸

In addition to illustrating the economic costs and setbacks the victim has faced, prosecutors should also evaluate if and when they can **introduce prior bad acts** that are economic in nature. For example, the individual actions of a stalker on a college campus may not all be criminal, but they add up to a pattern of purposely escalating behavior with devastating implications, economic and otherwise. Prior actions can also include when abusers refuse to pay bills in the victim's name resulting in damaged credit or control the victim's employment, which can be a warning sign of escalation. Such acts can show motive, opportunity and intentionality. Presenting a case in a way that incorporates economic costs, evidence and crimes will also teach the judge and jury about the realities of economic abuse and the importance of victim economic security to prevent future crimes.

⁸ Frequently, the defense may allege that addressing economic needs is incentivizing the victim to cooperate. Prosecutors should be prepared and respond that it is their job to be a good advocate to victims, ensuring their ability to access justice, and that the economic components are a key part of the context of the crime.

*Success Story**

*A young man who stalked multiple women, including hacking into their phones and computers to obtain photos and then using those to blackmail them, was held without bail in Michigan. The judge explained that his decision was based on how the prosecutor contextualized the case. Instead of just providing a checklist of evidence, he illustrated the offender's negative **impact on the victims' lives** and used words like "weaponized photographs".*

**Rhonda Martinson, ESS Project Focus Group*

Post-Trial

Sentencing

Sentencing is one of the best opportunities for prosecutors to actively support victim economic security. Prosecutors can proactively request and negotiate restitution and other economic relief for victims. Not all damages are covered by CVC (see below); restitution must be actively pursued in conjunction. To accomplish this, prosecution teams can give victims advance notice of their rights under their state's [Crime Victim's Rights Act](#) to submit evidence of the physical, emotional and economic impact of the crime. The prosecution should help victims complete **Victim Impact Statements** and present them to the judge at the sentencing hearing. Other than restitution, economic relief can include rent/mortgage payments, use/transfer of personal property, insurance payments, support payments, transportation and stay away provisions for the workplace.

WOWs [research standards](#) can be used to help assign value to damages and determine restitution.

	<u>Restitution</u>	<u>Crime Victim Compensation (CVC)</u>
Process and Eligibility	<ul style="list-style-type: none">• Court-ordered payment from the offender after a guilty finding.• Can be issued even if there is a civil suit in progress or CVC has paid for other costs.• Can remain in effect even after the victim or offender dies.• States have acquired funds through: prison work program wages, inmate accounts or state payments to offenders, bond payments for the offender, federal tax returns, lottery winnings, gambling earnings or inheritances.	<ul style="list-style-type: none">• Government assistance program that must be applied for independently.• There may not be an arrest or prosecution of the offender.• Victim is often required to report the crime within a certain time-frame and cooperate with the investigation.• Must file an application within a certain timeframe.
Coverage	<ul style="list-style-type: none">• Can be ordered for a wider variety of losses associated with a crime.• Common uses includes: physical or mental health care, lost wages, lost or damaged property, expenses to participate in the justice system and other direct expenses.• Creative uses of restitution include: for future health needs, funeral expenses, crime scene clean-up, correcting a victim's credit history, insurance deductibles, credit card fees, prescriptions and more.• Does not cover pain or emotional distress.	<ul style="list-style-type: none">• All programs cover medical expenses and most cover counseling.• Very few cover property loss, funeral expenses or additional costs.• States specify a maximum benefit that can be paid for each claim, which varies by jurisdiction.

In addition, if the sentence does not include jail time, prosecutors should consider requesting that the court require offenders to take part in local programs to learn about the impacts of their abuse. Considering how offender's unemployment and economic disadvantage are [risk factors for reabuse](#), conditions may also include receiving job training or other services to improve their economic security.

Enforcement and Follow-Up

Though the current case may be over, prosecutors can still play a vital role in protecting the economic security of victims, principally through enforcement of court orders. Prosecutors should use all of the tools at their disposal to enforce these orders as they are not self-executing. Because the court is often the lead in enforcement efforts, prosecutors should meet with court personnel and develop a process to ensure that orders are enforced and that all facets of the system are working together to this end. Prosecutor's offices can stay informed about the status of the parties and remain a resource for probation/parole officers. Depending on the terms of the sentence, the enforcement of the court's orders may involve regular or periodic **compliance or review hearings**. The victim should not have the burden of monitoring compliance and reporting violations of court orders, including those with economic terms. This is the responsibility of those in the justice system, such as probation or the court, although the victim should be informed of how to file a report of a violation. Prosecutors should attend such hearings and be prepared to charge the offender when there are violations of economic-based orders.

Similarly, though civil protections orders (CPOs) are separate matters from the prosecution, prosecutors should work to enforce CPO violations by filing contempt actions directly or working with the courts to do so. In enforcing CPOs, the prosecution should make every effort to bring financial issues to the court's attention so that they are not minimized by the court. Prosecutors should carry out these enforcement duties by working closely with the victim and advocates.

Further actions that prosecution teams can take regarding economic security include **preserving the case files and evidence** for future use and to strengthen civil actions for the victim. Due to the nature of domestic violence, sexual assault and stalking crimes, offenders may continue to abuse or harass the same victim or may commit similar crimes against new victims in the future.

Prosecutors who address economic security issues, regardless of the outcome of that particular case, set the stage for economic-based **evidence and crimes to be introduced in subsequent trials** as previous bad acts or contextual evidence that may increase the likelihood of successfully prosecuting an offender and providing economic justice for a victim. In addition, prosecutorial casework around economic security can contribute to and strengthen civil actions for the victim, such as CPOs, dissolution actions, child support or custody determinations, unemployment compensation, employment discrimination or Title IX violation suits, school transfers, credit repair and many others.

Success Story*

A former prosecutor for a small Michigan county found a huge correlation between nonpayment of child support and domestic violence cases. In response, he made domestic violence cases a mission and single-handedly pursued them. As a result, over \$1 million in child support was collected for survivors in the next four years.

**Rhonda Martinson, ESS Project Focus Group*

Chapter 3: Working with Other Justice System Sectors

There is extensive overlap between the roles of prosecutors and other core justice system sectors in addressing victim economic security, and many ways that they can support each other in this work. If there are special prosecution units for domestic violence or sexual assault, they can focus on victim economic security and consult with local experts. Additionally, while some [multi-disciplinary teams](#) can help address economic security within specific cases pending in the criminal justice system, prosecutors can also take leadership roles within community task forces to raise economic issues to a wider range of people and agencies. Prosecutors will greatly benefit from active involvement in Coordinated Community Response (CCR) teams or other similar groups (i.e. Sexual Assault Response Teams, Domestic Violence Response Teams, etc.) in order to create a consistent and effective systems-wide response to economic issues within intimate partner violence, sexual assault and stalking. However, an office's lack of specific domestic violence or sexual assault units or engagement in local CCRs does not preclude individual prosecutors from still addressing economic security.

Prosecutors experienced with domestic violence, sexual assault and stalking cases also frequently have the opportunities and responsibility to train their fellow prosecutors and other actors in the justice system (law enforcement, judges and court staff, probation and parole officers, the civil bar and victim/witness personnel) about the economic factors and implications of these crimes. Other members of the community that may benefit from **prosecutor training on economic security** – alongside general training on violence and abuse dynamics – include direct service providers, physical and mental health providers, and the faith-based community. Moreover, prosecutors who engage in educating the greater population in general will create not only a more informed and safer community, but will reach potential jury pools, offenders and potential offenders, and the employers, coworkers and neighbors of both victims and offenders.

*Educating these groups
“can only serve to
[strengthen the
prosecutor’s ability to
handle these types of
matters if they, in fact,
enter the criminal
justice system.”](#)*

Working with Law Enforcement

- Prosecutors can use economic-related information and evidence from **law enforcement reports** when deciding if and how to proceed with a case, including requesting more appropriate sanctions for the offender and protection provisions for the victim.
- When available, prosecutorial investigators should partner with law enforcement to supplement each other's investigative work around economic issues.
- Prosecutors can cross- or team-train law enforcement on how to identify economic abuse and economic crimes and to use economic indicators when identifying the predominant aggressor.

Working with Forensic Nurse Examiners (FNEs)

- FNEs can inform prosecutors about the **cost and length of recovery** for physical injuries from sexual assaults.
- Prosecutors can rely on FNEs as expert witnesses during the trial to illustrate injuries or other health needs and to estimate the cost of recovery.

- Prosecutor-trained FNEs can screen for both sexual assault and [domestic violence cases](#) so that victims may be eligible for restitution for the compounding costs of both.

Working with the Court

- Prosecutors can help judges make more informed decisions by including economic impacts and evidence in their portrayal of the crime at all stages of the case.
- Prosecutors can work with judges to **create clear and specific orders** during sanctioning that are more enforceable, particularly economic relief orders.
- Prosecutors can advocate for judges to impose all fees and penalties that are available to benefit the victim, regardless of whether the offender has the immediate ability to pay.

Working with Probation and Parole Officers

- Prosecutors can be a source of information for those monitoring offenders after their release by educating probation and parole officers about the economic indicators to look out for and how offenders might be threatening the economic security of the victim anew.
- Prosecutors can attend probation and parole hearings to follow up on whether the offender has complied with economic relief ordered by the court.
- Prosecutors can use information from probation and parole officers about economic relief compliance when making charging decisions in a new case against the same offender.

Working with Civil Attorneys

- Creating a dialogue with a victim's civil attorney can help prosecutors to stay informed about any issues facing the victim that might affect the victim's participation and testimony.
- The victim will be **more likely to participate** in the prosecution if their basic safety and security needs such as food, shelter, transportation and health care are bolstered by civil attorneys.
- Civil attorneys can help the victim with **economic-related legal needs**, which prosecution teams may not be legally allowed to handle or equipped to handle due to understaffing or lack of vertical prosecution, such as Social Security, food stamps, immigration and housing matters.

If the jury is suspicious that victims have their own attorney, prosecutors can explain the unique and often dire economic needs of the victim.

Working with Advocates

- Victim witness specialists and community advocates can explain the justice system process to victims and what their possible expectations and economic remedies might be.
- Advocates can support the prosecution by walking victims through what economic evidence they might need to collect and what economic crimes to look out for.
- Advocates can help victims fill out forms for criminal justice matters, such as restitution and the Victim Impact Statement, as well as civil justice matters, such as Crime Victim Compensation and requests for CPOs.

Chapter 4: Policies and Protocols for the Prosecution

Policies and protocols are the foundation for ensuring equal and consistent consideration of economic security within domestic violence, dating violence, sexual assault and stalking cases. Considering the benefits to victims, prosecutors and the criminal justice system as a whole, **each office should incorporate practices** that promote economic security into existing policies. In addition, certain state or local policies may better allow prosecutors to address victim economic security.

Policy and Protocol Recommendations for Prosecutors, Advocates and Policymakers

- ☐ Incorporate economic abuse and impacts into intake, charging and sentencing protocols.
 - ⇒ Develop a model policy for prosecutors to identify and respond to economic crimes.
 - ⇒ Ensure that interview protocol incorporates questions that may reveal economic abuse.
 - ⇒ Include evidence collection and documentation of economic abuse and harm in protocol.
 - ⇒ Discourage dispositions that generally fail to identify repeat offenders and do not include monitoring the offender for economic-related court order compliance.
- ☐ Ensure that each victim has access to victim/witness specialists with the prosecution team to address the specialized and comprehensive economic needs of victims.
- ☐ Include the economic security and safety of the victim as a joint goal alongside the prosecution of the perpetrator.
- ☐ Review the laws surrounding filing fees for protection orders and make sure your jurisdiction is complying.
- ☐ Train prosecutors on how to fully obtain restitution for victims, including the development of forms and questionnaires for advocates within offices to fill out with victims.
- ☐ Train prosecutors on how abusers use economic threats to engage in witness intimidation and how it can be charged as a separate crime or used as the basis for a protection order.
- ☐ Create and disseminate toolkits for victim witness specialists that highlight community resources to provide economic support to victims.
- ☐ Collect data on the amount of restitution requested and awarded for these cases.
- ☐ Collect and share data on the number and scope of economic crimes committed by offenders.
- ☐ Incorporate economic indicators into assessments when making charging decisions for victims who were dually arrested or arrested for coerced economic crimes.
- ☐ Encourage prosecutors to explicitly state their reasons for why domestic violence, sexual assault and stalking cases are dismissed and/or why restitution is not requested.
- ☐ Establish guidelines on subpoenaing the victim to protect their jobs and expenses while allowing for proper consideration of punitive measures for non-compliance.
- ☐ Evaluate policies around filing charges against the victim for recanting statements or committing perjury due to threats or coercion by the offender, which are often economic in nature.
- ☐ Create an 'accountability manager' position within the court system to oversee the monetary aspects of court orders and assure their compliance by creatively using existing grants.
- ☐ Develop a system to identify domestic violence or sexual assault in case files to alert the office to unique needs of the case, including economic considerations, and to assist in coordination.

Whenever possible, prosecutors should engage in **vertical prosecution** and/or create [specialized units](#) to best address victim economic security and safety within domestic violence, sexual assault and stalking

cases. Considering the complex dynamics of such abuses, the multitude and variety of needs of most victims, and the potential for conflict between the victim and the prosecution, having a single prosecutor equipped and empowered to address all aspects of the case would be hugely beneficial to all parties. An office's ability to employ vertical prosecution may be complicated due to limited resources or jurisdictional issues of what cases local judges can hear. However, vertical prosecution creates opportunities for more efficient proceedings, addressing both economic and violent crimes, and encouraging victim cooperation, all of which can improve victim economic security.

Because most states have separate model policies for domestic/dating violence, sexual assault and stalking and because most prosecution offices separate protocols by crime, it is appropriate to also offer economic security-related policy recommendations for each crime.

Policy Recommendations Specific to Each Crime⁹

	Sexual Assault	Domestic/Dating Violence	Stalking
Standards	<ul style="list-style-type: none"> <input type="checkbox"/> Create a specialized sexual assault unit and train on the economic impacts. <input type="checkbox"/> Detail immediate economic costs in Victim Impact Statements, but also leave it open for future costs. <input type="checkbox"/> Train on the economic impact of sexual assault in which there often is not a relationship. <input type="checkbox"/> Explore the existence of hidden fees in SAFE exams. 	<ul style="list-style-type: none"> <input type="checkbox"/> Create a specialized domestic violence unit and train on the unique costs and economic dependency issues of abuse. <input type="checkbox"/> Favor prosecutorial discretion and specialized training over no-drop policies due to the economic motivations of victims. <input type="checkbox"/> Request economic relief and restitution for the impacts of abuse on victims' children. 	<ul style="list-style-type: none"> <input type="checkbox"/> Incorporate stalking and its unique costs into SA and DV units due to overlap. <input type="checkbox"/> Develop training on new electronic or cyber technology and how it is used to stalk victims. <input type="checkbox"/> Augment protocol to prosecute all crimes that constitute stalking, including economic crimes and those that impact the victim's financial status.
Data Collection	<ul style="list-style-type: none"> <input type="checkbox"/> Collect data on the cost and frequency of sexual assault for victims and the community over time. <input type="checkbox"/> Collect data on the cost and prevalence of sexual assault within an intimate partner relationship. 	<ul style="list-style-type: none"> <input type="checkbox"/> Include economic indicators in regular Fatality Review/ Safety Audits. <input type="checkbox"/> Determine the number of coerced economic crimes. <input type="checkbox"/> Collect data on the cost of DV coinciding with a sexual assault or stalking case. 	<ul style="list-style-type: none"> <input type="checkbox"/> Collect data on number and cost of stalking pre-trial as witness intimidation. <input type="checkbox"/> Collect data on the frequency and cost of stalking alongside sexual assault, dating violence and domestic violence.

Beyond training prosecutors on the economic aspects of abuse, prosecution teams can take additional steps to **motivate and encourage prosecutors** to adopt the best practices detailed in this Guide. For example, policymakers can have court clerks keep a list of all restitution requested for judges or have jurisdictions publish prosecution statistics. Each office can also post which attorney brought in the most restitution, provided the most economic relief to victims or identified the most economic crimes.

⁹ Not an exhaustive list or representative of full domestic violence, sexual assault or stalking policies.

Acknowledgements

Wider Opportunities for Women (WOW) thanks the many researchers, institutions and Economic Security for Survivors (ESS) project partners throughout the country that have participated in the discussion of enhancing survivors' safety and economic security through the work of prosecutors.

WOW hosted several focus groups to inform the content and tone of this report. Participants included Rhonda Martinson, Attorney Advisor, AEquitas; Gretta Gardner, Family Violence Director, Travis County Counseling and Education Services; Lynn Tepper, Sixth Judicial Circuit Judge, East Pasco County; Lindy Aldrich, Deputy Director, Victim Rights Law Center; Merry Wills, Federal Aid Administrator, Nebraska Crime Commission; and Debi Cain, Executive Director, Michigan Domestic and Sexual Violence Prevention and Treatment Board. Drafts were also reviewed by Meredith Larson, Grand Forks Assistant State's Attorney; David Martin, King County Senior Deputy Prosecutor; Sarah Gonzalez Bocinski, WOW ESS Project Manager; Matt Unrath, WOW National Program Director; Robin Runge, WOW Policy Director; Robin Hassler Thompson, WOW Faculty; and Abigail Headrick, WOW ESS Project Intern.

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Appendix A. Prosecutor Tools to Support Victim Economic Security

The Prosecutor's Economic Security Pocket Guide

The Prosecutor's Economic Security Pocket Guide is the perfect tool for any prosecutorial **case file or trial notebook**. In addition to highlighting the importance of considering victim economic security for prosecutors, the small and user-friendly brochure contains checklists for economic-related evidence and economic-related crimes. The list of crimes includes examples of costs incurred by the victim that may be eligible for restitution or CVC. This tool is not meant to be an exhaustive worksheet for prosecutors, victim witness specialists or intake staff, but rather serves to illustrate the vast extent of economic impacts that may exist and to encourage prosecution staff to think creatively about such costs. To access the full Prosecutor's Pocket Guide, see <http://www.wowonline.org/wp-content/uploads/2013/10/WOW-ESS-Prosecutors-Pocket-Guide.pdf>.

Economic-Related Evidence:

- ☐ Photographs of injuries and damaged property.
- ☐ Security camera footage from neighboring businesses or residences that may have captured injuries or property damage if they occurred outside.
- ☐ Property in the offender's possession at the time of arrest that belonged to the victim.
- ☐ Damaged or destroyed property's value or repair cost, with corroboration from the victim.
- ☐ Calls, emails, text messages and social media both at home and at work or school.
- ☐ Financial documents showing related costs of the violence (bills, bank statements, credit reports, invoices, receipts, canceled checks, stolen pay checks, etc.).
- ☐ Documentation of health care costs due to injuries from violence.
- ☐ Records of missed work or school (HR leave request forms, school attendance reports, security sign-in logs, etc.) as a result of the violence.
- ☐ Forensic accounting showing cyber-stalking/ electronic surveillance, online economic crimes and identity theft; monitoring from the offender's work and home technology; phone/ email spoofs, unauthorized GPS tracking and phone breaking on the victim's end.
- ☐ Protection measures taken by the victim (security systems, moving to another residence, changing phone numbers, etc.) and the costs of such measures (receipts, bills, bank statements, credit card reports, etc.).

Why Consider Economic Security?

- Victims will be more likely to **cooperate with the prosecution** if their basic needs are met and to **give honest testimony** if protected from the offender's economic-based threats.
- Economic insecurity, dependence on an abuser or economic abuse can **help judges and juries understand** why victims stay with an abuser, delay reporting an assault and recant or contradict previous statements.
- Prosecutors can **hold offenders accountable** by charging for all economic crimes committed and requesting restitution for every cost incurred.
- Prosecutors can rely on economic-based crimes and evidence to **successfully close cases** even if the victim is unwilling or unable to testify.
- Victims are more likely to **report additional or future crimes** if their trust in the justice system is improved by prosecutors recognizing and supporting their economic security.

To access the full Prosecutor's Guide to Safety and Economic Security for Victims of Violence Against Women, see: <http://www.wowonline.org/wp-content/uploads/2013/06/WOW-ESS-Prosecutors-Sector-Guide.pdf>



Economic
Security for
Survivors Project

2013

The Prosecutor's Economic Security Pocket Guide:

Checklists to Assess
Economic-based
Evidence, Crimes and
Restitution Requests



Sample Economic-Related Questions for Witnesses

Employer and co-workers:

- ☐ Has the offender disrupted the workplace by appearing at the workplace, calling or sending emails, or engaging in harassing or threatening behavior?
- ☐ Did the abuse impede the victim's ability to work or cause a decline in performance?
 - ⇒ Has this resulted in a pay cut or demotion?
- ☐ Did the offender cause the victim to miss days of work?
- ☐ Is the offender a co-worker or supervisor of the victim?
 - ⇒ If so, did that person threaten to demote, fire, reduce pay or otherwise negatively impact the victim?
 - ⇒ Did the employer take any action against the perpetrator?
- ☐ Does the offender have access to the victim's workspace or email?
- ☐ Does the offender control the victim's transportation to and from work?
- ☐ Does the victim have to work around the offender's schedule?

Neighbors:

- ☐ Has law enforcement been called to or conducted investigations at the victim's residence?
 - ⇒ Has that put the victim at risk of eviction?
- ☐ Has there been property damage (broken windows or furniture, repair or maintenance workers present, etc.)?
- ☐ Has the offender done anything to prohibit the victim from leaving the home?
- ☐ Does the offender translate for the victim?

Roommate:

- ☐ Has the landlord or housing manager threatened you or the victim with eviction due to violence, missed or late bills, or the presence of law enforcement at the residence?
- ☐ Has the landlord or housing manager perpetrated or threatened violence or harassment?
- ☐ Has the offender destroyed or damaged any property at the home?
- ☐ Has the offender done anything to affect the victim's ability to pay the rent or any of the other mutually-shared expenses related to housing?

School affiliates (ex. teachers/professors, administrators, classmates, Resident Assistant):

- ☐ Did the assault occur at school, on school property or at a school-sanctioned activity?
- ☐ Does the offender know how to access the victim's on-campus housing?
- ☐ Has the victim's class-work, grades or attendance suffered since the assault?
- ☐ Is the victim's enrollment, school-based employment or financial aid and/or scholarship at risk?
- ☐ What health care or economic support services has the school offered the victim?
- ☐ Have other students been harmed or impacted? Are other students aware of the assault?
- ☐ Has the victim been harassed or threatened for coming forward?
- ☐ Was anything related to the violence recorded or photographed that could be relevant to the case? Is there any record of the assault or incident on social media?

The Offender:

- ☐ Do you have access to the victim's bank accounts, paychecks or other personal data?
- ☐ How often do you contact the victim at work?
- ☐ Have you threatened to fire/expel/reprimand the victim for reporting a sexual assault?
- ☐ Do you have exclusive access to transportation, money or other resources?

Appendix B. Training Guidelines

Timing and Structure

- Training should be for both new and experienced prosecutors as well as investigators, victim/witness advocates, intake professionals, paralegals and others within prosecution teams.
- Prosecutor and advocate teams should facilitate the training, but it can also be conducted by coalitions, in-house training divisions in larger offices, taskforces and CCRs, and in partnership with law enforcement.
- Training should be visual and interactive, such as a PowerPoint presentation with embedded video, audio, case scenarios and mini-quizzes (depending on the length of the training).
- Training should include scenarios, both written descriptions to discuss and role-play.
- Training should include the elements of the Prosecutor's Guide, but should also include places to insert state-specific laws and information.
- Training should be designed to be either stand-alone units or smaller units that can be inserted into larger, existing national and state-wide prosecutor trainings.

Suggested Content

Prosecutors and those working in their offices must be trained on the economic dynamics of abuse, particularly the economic implications of abuse, and on what they can do to support victims beyond standard operating procedure. Trainings should feature the following topics:

- Numbers and figures on economic security needs (i.e. WOW's Basic Economic Security Tables Index) to demonstrate the economic reality facing victims in each jurisdiction or state
- Fundamentals of economic abuse
- Victim accounts of the economic impact of violence and how the prosecution helped support their economic security
- Checklists for prosecutors to address the economic security of victims (evidence, safety planning, charging decisions, restitution possibilities, etc.)
- Discussion of different economic-related crimes that can be charged
- Crime Victim Compensation, Protection Orders and Restitution
- Unique needs and prosecution strategies for victims and offenders from special populations:
 - ⇒ [Immigrants](#)
 - ⇒ [Lesbian, gay, bisexual, transgender and queer](#) (LGBTQ) individuals
 - ⇒ [Adolescents](#)
 - ⇒ [Elders](#)
 - ⇒ [American Indian or Alaska Native](#) individuals
 - ⇒ Those with mental health needs
 - ⇒ Those with substance abuse issues
 - ⇒ Those with existing criminal records
- Key special topics
 - ⇒ Marital or co-owned property
 - ⇒ Overcoming barriers and challenges

Appendix C. WOW's Economic Security Research

As defined by WOW, economic security means having the income, assets and access to services to meet basic needs, participate in the workforce and build savings over the lifespan. Basic needs consist of:

- Housing
- Food
- Transportation
- Childcare
- Healthcare
- Household supplies
- Taxes

This model differs from self-sufficiency in that it recognizes that living paycheck to paycheck makes families vulnerable to economic shocks and so it includes savings for emergency and for retirement, which are financial resources survivors often desperately need. WOW's [Basic Economic Security Tables \(BEST\)TM Index](#) measures the costs of basic needs and appropriate savings for more than 420 family types and suggests what it takes for families to be economically secure in their local communities.¹⁰ The BEST Index provides families, advocates, policymakers, service providers, researchers and other professionals a benchmark of economic security throughout a lifetime and across the generations. Moreover, the BEST provides a framework to understand the financial barriers survivors face in becoming independent or recovering financially from violence and helps **identify areas where financial support can have the greatest impact** on their economic security.

Basic Economic Security Tables, 2013					
(Workers with Employment-based Benefits)					
US, Selected Family Types					
Monthly Expenses	1 Worker	1 Worker, 1 Infant	1 Worker, 1 Preschooler, 1 Schoolchild	2 Workers	2 Workers, 1 Preschooler, 1 Schoolchild
Housing	\$642	\$803	\$803	\$642	\$803
Utilities	\$115	\$144	\$144	\$115	\$144
Food	\$264	\$379	\$572	\$484	\$765
Transportation	\$516	\$566	\$566	\$1,017	\$1,068
Child Care	\$0	\$621	\$1,112	\$0	\$1,112
Personal & Household	\$259	\$337	\$386	\$315	\$435
Health Care	\$161	\$329	\$480	\$374	\$540
Emergency Savings	\$76	\$122	\$154	\$112	\$183
Retirement Savings	\$87	\$87	\$87	\$102	\$102
Taxes	\$374	\$714	\$953	\$501	\$1,087
Tax Credits	\$0	-\$139	-\$267	\$0	-\$267
Monthly Total (per Worker)	\$2,494	\$3,963	\$4,990	\$1,831	\$2,986
Annual Total	\$29,928	\$47,556	\$59,880	\$43,944	\$71,664
Hourly Wage (per Worker)	\$14.17	\$22.52	\$28.35	\$10.40	\$16.97

For single adults, housing (26%) and transportation (21%) account for the largest portions of their expenses. For single parents, the greatest expenses are **childcare** (22%), **housing** (16%) and **transportation** (11%), all three of which are often cited by victims as the most significant barriers they face when attempting to escape violence or rebuild their lives.

¹⁰ The BEST is currently available for the US as a whole, 24 states and the DC Metro Area, and WOW is continually developing new data and reports. Please visit www.basiceconomicsecurity.org to access data for your jurisdiction.

Unfortunately, **45% of Americans** are unable to meet the BEST benchmark (see tables below) due to a lack of jobs that provide such an income. Women are more likely to be economically insecure – women make up two-thirds of workers earning minimum wage, which falls severely short of economic security – with single mothers being the most vulnerable. Even when social supports such as child care, housing and medical assistance are available, they often fail to make up the difference. For survivors who may have experienced job interruptions or losses in addition to costs from their victimization, safety and security may be even harder to attain. Survivors often consider these financial realities and their and their ability to provide for their family when deciding whether to leave an abusive relationship.

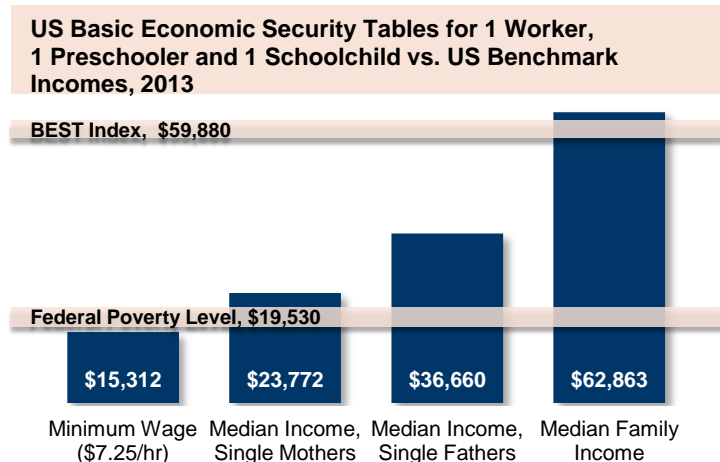


Figure 2 Economic Security and Insecurity Rates, by Race/Ethnicity, 2011

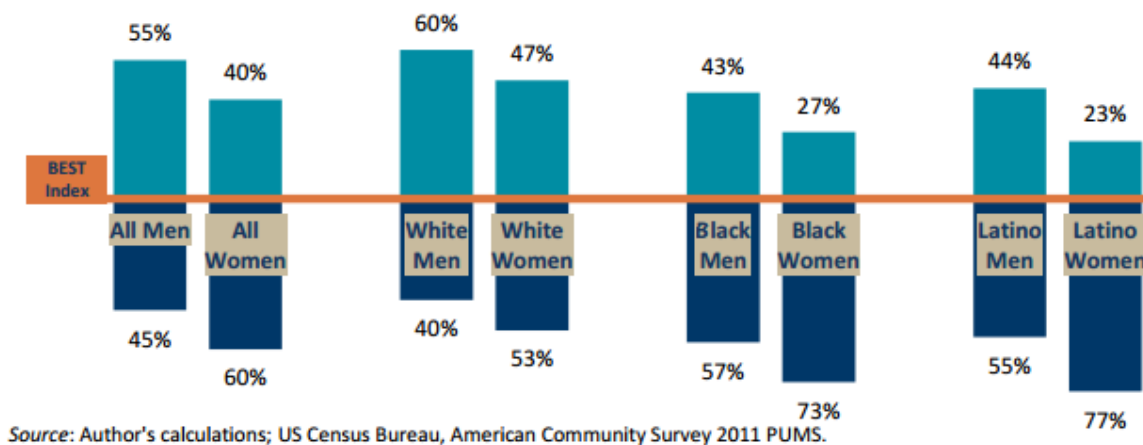
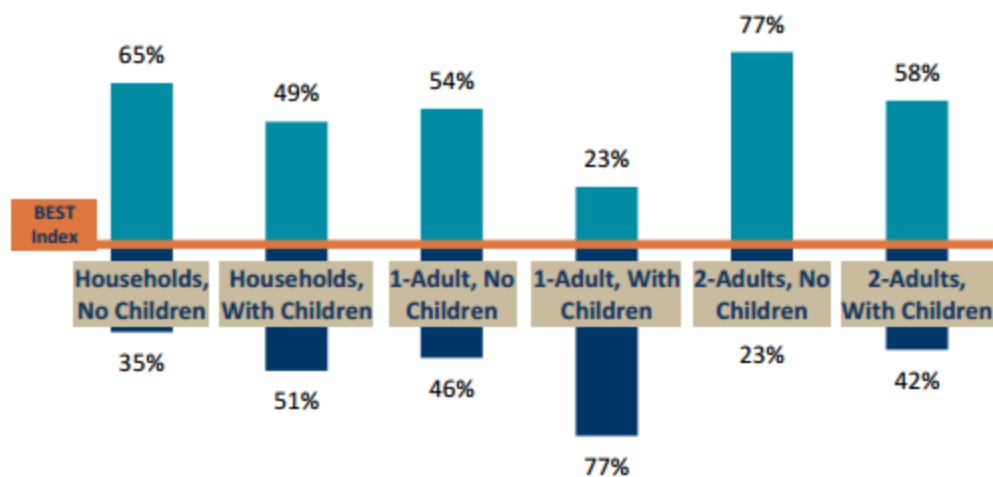


Figure 3 Economic Security and Insecurity Rates, by Presence of Children, 2011



Appendix D. Recommendations for STOP Administrators by Program Purpose Area

Program Purpose Area 1: Training

- ☐ Train prosecutors and coordinated community response teams or local task forces on how to fully obtain restitution for victims. This should include the development of forms and questionnaires for advocates to ask victims for details and receipts on how the perpetrator impacted their financial well-being. Examples include destroyed private property, missed work, and physical and mental health injuries.
- ☐ Train prosecutors on how economic threats by an abuser often constitute witness intimidation, another domestic violence crime with which the abuser could be charged and which constitute grounds for a protection order; understand how these threats may endanger the victim and undermine a successful prosecution.
- ☐ Create training and resource toolkits for advocates within prosecution teams that highlight community resources that provide economic help such as job training and other employment assistance, “time banks” and other innovative local programs, social services, educational opportunities, etc.
- ☐ Incorporate economic abuse and financial ramifications into the training programs, seminars, and conferences already in place or planned for prosecutors so that they are able to see the intersection between domestic and sexual violence and economic abuses.
- ☐ Inform all stakeholders of the existence of national, state and local resources that may support a victim’s economic security, such as job-sharing, scholarships, child support enforcement tools, transportation assistance, women’s entrepreneurship opportunities and other *non*-criminal justice system-based resources.
- ☐ Provide regular and ongoing updates on economic security and safety issues to subgrantees. In many states this is done in coordination with state coalitions.
- ☐ Fund prosecutor’s offices to update their restitution forms to cover all possible economic impacts of the violence. Encourage prosecutors and victim witness specialists to work with the victim to fill out the form.

Program Purpose Area 2: Specialized Units

- ☐ Make sure there is a person within each specialized domestic violence or sexual assault unit that has expertise on economic security and safety; if possible, fund a full- or part-time position.
- ☐ Invite economic crimes experts to attend unit meetings or join the unit. Engage in brainstorming as to how to make the domestic or sexual violence unit more effective with economic security and safety issues.
- ☐ Focus unit activity on successful restitution requests, orders and collection.
- ☐ Consider coordinating with human trafficking or sex trafficking specialists and units within the department to ensure there is shared expertise within the domestic violence and sex crimes unit on trafficking as these issues can overlap.
- ☐ Conduct specific unit training on economic security and safety. Sample topics include:

Administrator Tip:
Require or make it a special condition in the subgrantee funding contract that all units funded by STOP show how they collaborate on economic safety and security matters.

- Enhancing evidence collection such as photographing the destruction of property, utilizing forensic accounting, documenting violence and harassment at the workplace and the home.
- Assessing the level of danger to the victim and children by taking into account what, if any, types of economic abuse and control the batterer carried out against the victim and incorporating that into requests for bail and court-ordered conditions of release. This should include stay away orders for the victim and the victim's workplace.
- Using evidence of economic abuse and intimidation (the threat of poverty) of the victim and the children to explain why a victim may have remained in or returned to an abusive situation. Without access to income, no credit history, loss of job and other economic problems, leaving an abusive partner is extremely difficult.
- Exploring how providing for a survivor's economic security can make it easier for her to participate fully in the investigation and prosecution of the perpetrator.
- Examining how witness (victim) intimidation can include economic threats and hence endanger a victim as well as undermine a prosecution.

Program Purpose Area 3: Policies, Protocols, Orders and Services

- ☐ Encourage the review and, if needed, the revising of existing domestic violence, sexual violence, dating violence and stalking policies and procedures within prosecution offices. Make sure policies and procedures include the economic security and safety of the victim and her children and the prosecution of the perpetrator for these crimes as joint goals.
- ☐ Fund and support the development of a model policy for how prosecutors can best recognize and respond to economic crimes and intimidation.
- ☐ Incorporate evidence collection and documentation of economic abuse and financial harm into protocols. This should include photographing the destruction of property, utilizing forensic accounting, and documenting violence and harassment at the workplace, not just in the home.
- ☐ Ensure that interview protocols incorporate questions that might reveal the occurrence of economic abuse, such as:
 - Do you have access to your bank account? Have you been denied access to a shared bank account?
 - Has your partner taken out any credit cards in your name?
 - Has your partner forced you to sign financial documents like credit card applications, loan applications or tax returns that you did not understand or did not want to sign?
 - Does your partner deny you access to something that is yours, such as your car, ATM card, paycheck, or welfare benefits?
- ☐ Disseminate and encourage the use of tools created by Wider Opportunities for Women to demonstrate during trial and sentencing the wage earnings that a victim would need to make in order to be economically secure. These tools can also be used to help assign a monetary value to some of the damages or to determine restitution.

Administrator Tip:
Consider hosting meetings of key stakeholders to review state and local policies and procedures.

Program Purpose Area 4: Data Collection and Communication Systems

- ☐ Promote the expansion of data collection to include economic crimes committed by offenders of domestic and sexual violence, stalking and dating violence.

- ❑ Track and connect previous convictions or arrests involving economic crimes such as destruction of property. Linking prior arrests will demonstrate a pattern of control that the abuser had over the present victim and possibly previous victims.
- ❑ Fund a pilot project that would direct prosecution teams within a city, county or region to collect and share data on types of economic crimes that abusers commit against victims. This data would also be useful for the STOP Implementation Plan, would help evaluate programming in different jurisdictions, help states to compare work across jurisdictions to measure effectiveness and would aid in the development and dissemination of best practices.

Administrator Tip:
Fund one-time data system enhancements to implement needed upgrades, especially if there are leftover or returned grant funds.

Program Purpose Area 6: Stalking

- ❑ Educate prosecutors to understand the large, lasting and devastating impact that stalking can have on a victim's life, including her health, finances and safety.
- ❑ Monitor prosecutors to ensure they tailor responses to stalking and violence to the survivor's context, including specific intersections of culture, ethnicity, economic status and lives of those who are being assisted.
- ❑ Develop stalking training programs that reflect today's realities of increasingly intrusive and efficient electronic and cyber technologies and how they are used to stalk and terrorize victims. Make sure that prosecutors and advocates understand and know how to identify and assist victims to be safer from these intrusions.
- ❑ Ensure that the immediate economic impacts are included in victim impact statements and computed into requests for restitution. For instance, note the costs to a victim who was cyber-stalked and had to buy a new computer, smartphone, spyware, or hire an expert for repairs.
- ❑ Augment policies and protocols to make sure that all crimes that constitute stalking are investigated and prosecuted. Economic crimes, as well as other crimes that impact a survivor's financial well-being, include stalking at work that leads to being reprimanded or fired. Any of these could be included when charging stalking.

Program Purpose Area 7: Native Victims

- ❑ Create training programs and information regarding economic security and safety for native survivors in Indian country and tailor it to prosecution both on and off reservations.
- ❑ Consider both the unique and common economic crimes that are suffered by Native and non-Native populations and the solutions needed to create or enhance safety and economic security.
- ❑ Convene a forum, meeting or other kind of gathering in partnership with tribal representatives or host a webinar to explore the issues facing Native women in your jurisdiction and what the STOP Grant Program can do to support this work.
- ❑ Incorporate the issues facing Native women who are victims of violence against women crimes in all training modules and protocols developed and funded under STOP. Include relevant information regarding prevalence of these crimes within your jurisdiction.

Administrator Tip:
Include American Indian and Alaska Native representatives in Implementation Plan development and execution.

Program Purpose Area 8: Multidisciplinary Efforts

- ☐ Add economic security and safety to the agenda of each CCR meeting to create a forum to discuss how to better support survivors and how to investigate and prosecute perpetrators for economic abuse and crimes. Highlight the connections between economic security and physical safety.
- ☐ Invite people or agencies who work on economic issues, such as local workforce boards, chambers of commerce, unions, child support collections, insurance, transportation, tax and other accounting services and housing, to attend CCR meetings.
- ☐ Encourage CCRs to focus on workplace safety from violence in all areas of domestic, sexual, dating violence and stalking. Develop policies for [employers](#) to address these issues.
- ☐ Cross-train CCR team members on economic security and safety or develop modules for sector training on economic security and safety that helps each team member understand the roles that others play. For example, develop a protocol and training around restitution for survivors or focus on how perpetrators carry out economic crimes against victims such as stealing or forging credit cards/applications, destroying property, stalking and stealing public benefits.

Program Purpose Area 10: Older and Disabled Victims

- ☐ Integrate training materials to educate law enforcement and prosecutors on how to recognize and investigate abuse and methods of control of older and disabled individuals, including economic abuse and the unique impacts that crimes may have on their financial well-being. Materials should illustrate how different economic abuse might look when it is perpetrated against an elder or disabled person. Include costs of crimes such as additional health care costs and access to benefits that are incurred because of this population's vulnerabilities and needs. (This training could be part of efforts described above in Program Purpose Area 1).
- ☐ Share resources like WOW's [Getting Started Handbook](#) to help determine what types of jobs an elder or disabled woman may be interested in as well as capable of performing. These tools maybe particularly helpful to community based advocates and those who work in prosecutor's offices.

Administrator Tip:
Invite experts on disability and elder issues to participate in STOP planning efforts as well as to become members of local and state CCR teams.

Program Purpose Area 11: Immigrant Victims

- ☐ Develop training for all persons who work or come in contact with immigrants. Elements of this training should include:
 - The rights and remedies that immigrant victims of violence have under the law and ways to connect them to an immigration specialist;
 - The impact that economic security has on immigrants and their needs in that area;
 - How to articulate economic abuse within the VAWA self-petitioning process; and
 - Information on specific vulnerabilities and issues that immigrants face, including unique or different cultural contexts and needs, so that all staff can effectively and safely assist them.

- ❑ Include issues surrounding which services are available to undocumented persons in prosecutor training. For instance, victims are entitled to services at domestic violence or rape crisis programs even if they are not documented. Prosecutors should understand their obligations regarding reporting of undocumented persons to federal immigration authorities.
- ❑ Develop training to heighten prosecutor's level of understanding about the burdens and challenges victims face by seeking help from or working with the criminal justice system. This includes knowledge of the constellation of very fragmented services that victims need to survive, such as telephones, transportation, access to services for obtaining a protection order or other services (attending hearings, child care), obtaining time off from work, or possessing a driver's license (which one cannot get without a valid immigration document).

Administrator Tip:
Invite representatives from immigrant advocacy organizations to participate in the STOP Implementation Planning effort, local and state CCR teams and throughout STOP programming.

Program Purpose Area 13: Special Victim Assistants

- ❑ Provide training to prosecutors and whoever has the responsibility of protection order enforcement on all aspects of economic safety and security issues so they may be effectively enforced through contempt actions if violated.
- ❑ Make sure that the economic and financial issues are enforced and not minimized by prosecution.
- ❑ Review both the law and practice surrounding filing fees for protection orders and include a section on the VAWA certification requirements regarding victims not paying for protection orders.
- ❑ Ensure that both the requested relief and the related enforcement is carried out consistent with regards to that survivor's needs and culture by working closely with the survivor and others who are familiar with her context and needs.