

CHALLENGES IN LOUISIANA’S EFFORTS TO ADDRESS  
DOMESTIC VIOLENCE



PERFORMANCE AUDIT SERVICES  
ISSUED DECEMBER 16, 2021

**LOUISIANA LEGISLATIVE AUDITOR  
1600 NORTH THIRD STREET  
POST OFFICE BOX 94397  
BATON ROUGE, LOUISIANA 70804-9397**

**LEGISLATIVE AUDITOR**  
MICHAEL J. "MIKE" WAGUESPACK, CPA

**FIRST ASSISTANT LEGISLATIVE AUDITOR**  
ERNEST F. SUMMERVILLE, JR., CPA

**DIRECTOR OF PERFORMANCE AUDIT SERVICES**  
KAREN LEBLANC, CIA, CGAP, MSW

**AUDIT TEAM**  
EMILY DIXON, CIA, CGAP, CRMA, MBA  
KRISTEN JACOBS, CIA, CGAP, MA  
ALISON CHAPMAN, MA

**FOR QUESTIONS RELATED TO THIS PERFORMANCE AUDIT, CONTACT  
EMILY DIXON, PERFORMANCE AUDIT MANAGER,  
AT 225-339-3800.**

Under the provisions of state law, this report is a public document. A copy of this report has been submitted to the Governor, to the Attorney General, and to other public officials as required by state law. A copy of this report is available for public inspection at the Baton Rouge office of the Louisiana Legislative Auditor and online at [www.la.la.gov](http://www.la.la.gov).

This document is produced by the Louisiana Legislative Auditor, State of Louisiana, Post Office Box 94397, Baton Rouge, Louisiana 70804-9397 in accordance with Louisiana Revised Statute 24:513. Five copies of this public document were produced at an approximate cost of \$7.75. This material was produced in accordance with the standards for state agencies established pursuant to R.S. 43:31. This report is available on the Legislative Auditor's website at [www.la.la.gov](http://www.la.la.gov). When contacting the office, you may refer to Agency ID No. 9726 or Report ID No. 40210012 for additional information.

In compliance with the Americans With Disabilities Act, if you need special assistance relative to this document, or any documents of the Legislative Auditor, please contact Jenifer Schaye, General Counsel, at 225-339-3800.



LOUISIANA LEGISLATIVE AUDITOR  
MICHAEL J. "MIKE" WAGUESPACK, CPA

December 16, 2021

The Honorable Patrick Page Cortez,  
President of the Senate  
The Honorable Clay Schexnayder,  
Speaker of the House of Representatives

Dear Senator Cortez and Representative Schexnayder:

This report provides the results of our performance audit examining how Louisiana is addressing the problem of domestic violence. The purpose of the audit was to identify challenges the state faces in its efforts.

Overall, we found Louisiana faces multiple challenges, including gaps in services for victims, insufficient and inflexible funding, inconsistent implementation of strategies to protect victims, lack of oversight for intervention programs for perpetrators, and lack of training for certain entities involved in addressing domestic violence.

We found Louisiana does not have enough domestic violence shelter beds and support services to meet the needs of all victims. For example, central Louisiana has no domestic violence shelter, and shelters across the state had an average of 2,659 unmet requests per year. In addition, only 10 percent of domestic violence funding comes from state sources in Louisiana, unlike other states. Service delivery for domestic violence victims could be improved with more funding, consistent funding levels, and more flexibility in how funds can be spent.

We also found that laws intended to protect victims, such as the issuance of protective orders, are not consistently implemented across the state. For example, protective orders may not always be served to abusers for a variety of reasons, and according to the Supreme Court and sheriffs, not all sheriff's offices submitted proof of service to the Louisiana Protective Order Registry, as required by state law. We found, too, that not all sheriff's offices have developed policies and procedures for the firearm relinquishment process, as required by state law.

In addition, while state law requires domestic violence training for law enforcement, others – such as judges and district attorneys – are not required to have training. We found as well that the Louisiana Commission on Law Enforcement has not completed a domestic violence awareness training program required for law enforcement officers. Because domestic violence is

The Honorable Patrick Page Cortez,  
President of the Senate  
The Honorable Clay Schexnayder,  
Speaker of the House of Representatives  
December 16, 2021  
Page 2

a complicated, dynamic issue, education on current best practices could improve how the judicial branch and law enforcement protect victims and hold perpetrators accountable.

We also found that intervention programs aimed at perpetrators have no oversight or consistency across the state because no entity is responsible for monitoring these programs. Nor does the state mandate that intervention programs follow standards that would help ensure consistency and accountability.

Additionally, although state law requires that public schools provide education on dating violence for students and employees, we found not all public schools meet these requirements. Awareness efforts in public schools could be strengthened to help better identify and prevent domestic violence incidents.

The report contains our findings, conclusions, and recommendations. I hope this report will benefit you in your legislative decision-making process.

We would like to express our appreciation to the numerous stakeholders involved in domestic violence prevention for their assistance during this audit.

Respectfully submitted,



Michael J. "Mike" Waguespack, CPA  
Legislative Auditor

MJW/aa

DOMESTICVIOLENCE



# Louisiana Legislative Auditor

Michael J. “Mike” Waguespack, CPA



## Challenges in Louisiana’s Efforts to Address Domestic Violence

December 2021

Audit Control # 40210012

### Introduction

We reviewed challenges Louisiana faces in its efforts to address domestic violence.<sup>1</sup> We conducted this audit because, in 2017, Louisiana had the second-highest rate of female homicide in the nation and the fifth-highest in 2018,<sup>2</sup> with approximately 60% of female homicide victims killed by intimate partners in each year. The COVID-19 pandemic exacerbated domestic violence, as abuse victims were often trapped in homes with their abusers during stressful times caused by self-isolation, quarantine measures, and job loss. For instance, according to the East Baton Rouge Parish District Attorney, domestic violence-related deaths in East Baton Rouge Parish increased 375%, from four deaths in 2019 to 19 in 2020.<sup>3</sup>

**Domestic violence**, sometimes called intimate partner violence, is the willful intimidation, physical assault, battery, sexual assault, and/or other abusive behavior as part of a systematic pattern of power and control perpetrated by one intimate partner against another.

**Source:** National Coalition Against Domestic Violence

Victims of domestic abuse come from all backgrounds, communities, education levels, economic levels, ethnicities, and religions. Abusers use coercive control that may include a combination of abusive tactics, such as isolation, degradation, manipulation, physical and sexual abuse, threats, and punishment.<sup>4</sup> Domestic violence also affects children, as exposure to violent and hostile environments have long-term effects, such as greater risks for serious health problems, depression, substance abuse, tobacco use, and unintended pregnancies. Children who witness domestic violence are also three times as likely as their peers to engage in violent behavior.<sup>5</sup>

Multiple entities in Louisiana are involved in addressing domestic violence. For example, the Department of Children and Family Services (DCFS) and the Louisiana Commission on Law Enforcement (LCLE) administer federal grants to service providers; law enforcement responds to calls and is often the first point of contact in domestic violence cases; and the judicial system prosecutes cases and issues protective orders. In addition, the Domestic Violence Prevention

<sup>1</sup> For this report we are using the term domestic violence to represent domestic violence, domestic abuse, intimate partner violence, family violence, dating violence, and similar terms.

<sup>2</sup> Violence Policy Center, [“When Men Murder Women: An Analysis of 2017 Data,” September 2019](#) and [“When Men Murder Women: An Analysis of 2018 Data,” September 2020](#)

<sup>3</sup> [“Domestic Violence Annual Report 2020,” Hillar C. Moore, III, East Baton Rouge District Attorney’s Office](#)











<sup>4</sup> [“Who is Doing What to Whom? Determining the Core Aggressor in Relationships where Domestic Violence Exists,” National Coalition Against Domestic Violence](#)

<sup>5</sup> [“Domestic Violence and Children,” National Coalition Against Domestic Violence](#); [“Connecting the Dots: An Overview of the Links Among Multiple Forms of Violence,” Centers for Disease Control and Prevention, July 2014](#)

Commission,<sup>6</sup> created in August 2014, has several responsibilities, including assisting local and state leaders in developing and coordinating domestic violence programs, conducting a continuing comprehensive review of domestic violence programs to identify gaps in services, and developing a statewide needs assessment. Louisiana also has a domestic violence coalition, the Louisiana Coalition Against Domestic Violence (LCADV), which is the federally-designated statewide coalition of shelters, non-residential programs, and individuals working to end domestic violence. For a description of each of the entities involved with domestic violence, see Appendix C.

Victims of domestic violence may receive services from various entities. LCADV and local domestic violence shelter providers maintain 24-hour crisis hotlines. Shelters provide emergency housing and other services, such as crisis intervention, counseling, legal intervention, transportation, and services for children. Entities such as shelters, law enforcement, and district attorneys also link victims with additional available services. Additionally, some perpetrators receive domestic violence intervention programming that can be ordered by the courts. Exhibit 1 provides an overview of victim services and what entities may provide them.

### Exhibit 1 Examples of Domestic Violence Victim Services

	<b>24-hour hotlines</b> – operated by LCADV and local domestic violence shelter providers		<b>Legal advocacy, including help with filing protective orders and linking to legal service</b> – provided by shelters and district attorneys
	<b>Immediate assistance, such as meals, clothing, medical care, supplies for children</b> – provided by shelters and law enforcement		<b>Employment assistance, including helping find employment or job training</b> – provided by shelters
	<b>Emergency and transitional housing, including assistance with utility bills or deposits</b> – provided by shelters		<b>Transportation, such as to work, to move out, or to other services</b> – provided by shelters
	<b>Crisis intervention and group counseling</b> – provided by shelters		<b>Linkage to service providers, such as food stamps or shelter providers</b> – provided by law enforcement, district attorneys, shelters
	<b>Services for children, including counseling, child care assistance, assistance with school supplies or tutoring</b> – provided by shelters		<b>Domestic violence awareness training</b> – provided by shelter providers, law enforcement agencies, district attorneys

**Source:** Prepared by legislative auditor’s staff using information provided by DCFS and other stakeholders.

For this review, we interviewed multiple stakeholders, including domestic violence service providers, LCADV, DCFS, LCLE, the Louisiana Department of Health, law enforcement entities, judicial branch entities, and legislators. In addition, we reviewed national best practices and Louisiana-specific reports. We also surveyed the domestic violence coalitions in each state, all 16 domestic violence shelter providers in the state, and 18 school systems in the state.

The objective of this audit was:

<sup>6</sup> Louisiana Revised Statute (R.S.) 46:2145

**To identify challenges Louisiana faces in its efforts to address domestic violence.**

Our results are summarized on the next page and discussed in detail throughout the remainder of the report. Appendix A contains LCLE management's response and other stakeholder responses, and Appendix B contains our scope and methodology. Appendix C describes the entities involved with domestic violence issues across the state, and Appendix D shows the number of individuals who received shelter- and non-shelter-based services. In addition, Appendix E summarizes the types of federal and state funding sources for domestic violence services, and Appendix F describes the different types of protective orders issued in Louisiana.

## **Objective: To identify challenges Louisiana faces in its efforts to address domestic violence.**

Overall, we found that Louisiana faces multiple challenges in its efforts to address domestic violence. These challenges include gaps in services for victims, insufficient and inflexible funding, strategies to protect victims not being consistently implemented, lack of oversight for intervention programs for perpetrators, and lack of training for certain entities involved in addressing domestic violence. Specifically, we found the following:

- **Lack of domestic violence shelter beds and support services to meet the needs of all victims is an ongoing challenge in Louisiana.** More funding, consistent funding levels, and more flexibility in how funds can be spent could help improve service delivery to victims. For example, there is no domestic violence shelter in central Louisiana, and shelters across Louisiana had an average of 2,659 unmet requests for shelter per year during federal fiscal years 2015 through 2020. In addition, unlike other states, only 10% of domestic violence funding comes from state sources.
- **State laws intended to protect victims, such as the issuance of protective orders, are not consistently implemented across the state.** For example, protective orders may not always be served to abusers for a variety of reasons, and according to the Supreme Court and sheriffs, not all sheriff's offices submitted proof of service to the Louisiana Protective Order Registry (LPOR), as required by state law. In addition, not all sheriff's offices have developed policies and procedures for the firearm relinquishment process as required by law.
- **While state law requires law enforcement training on domestic violence, other entities involved in addressing domestic violence are not required to have such training. For example, there is no requirement for judges and district attorneys to receive domestic violence training.** In addition, LCLE has not completed a domestic violence awareness training program required by state law for law enforcement officers. Because domestic violence is a complicated, dynamic issue, education on current best practices could improve how the judicial branch and law enforcement protect victims and hold perpetrators accountable.
- **Intervention programs for perpetrators, which aim to protect victims and prevent future abuse, have no oversight or consistency across the state.** Unlike domestic violence shelters, which must follow standards and be inspected by DCFS, Louisiana has no entity responsible for oversight and monitoring of intervention programs for perpetrators of domestic violence and does not mandate that these programs follow standards that would help ensure consistency and accountability.
- **Awareness efforts in public schools could be strengthened to better identify and prevent domestic violence incidents.** Although state law requires that public schools provide education on dating violence for students and employees, not all

Louisiana public schools meet these requirements. As a result, all students may not receive dating violence education or learn how to report instances of dating violence.

Our findings and our recommendations are discussed in more detail in the sections below.

---

**Lack of domestic violence shelter beds and support services to meet the needs of all victims is an ongoing challenge in Louisiana. More funding, consistent funding levels, and more flexibility in how funds can be spent could help improve service delivery to victims.**

In fiscal year 2020, Louisiana had 16 domestic violence shelters, with a total of 386 shelter beds across the state, and 36 associated offices that offered non-shelter services to victims, such as advocacy, counseling, and crisis intervention.<sup>7</sup> Emergency services, such as safe housing, and supportive services that assist in gaining independence are important because the time immediately following someone leaving an abusive relationship is the most dangerous. Many victims have no support system or financial resources and fear homelessness, losing custody of their children, or additional threats from their abuser.<sup>8</sup> In federal fiscal year 2020, Louisiana domestic violence providers served 2,212 individuals through shelter-based services and 12,031 individuals through non-shelter-based services. Appendix D shows the number of individuals served through shelter-based services and non-shelter-based services.

According to Amnesty International's 2019 report on domestic violence in Louisiana, there is a high demand for limited services, as shelters are often at capacity, services are over-subscribed, and providers have to turn people away every day.

Source: "[Fragmented and Unequal: A Justice System that Fails Survivors of Intimate Partner Violence in Louisiana, USA.](#)" Amnesty International, October 24, 2019

**Gaps in victim services available, such as emergency shelter beds, transportation, housing, and legal advocacy, make it difficult for domestic violence service providers to meet the needs of all victims.** For example, there are not enough shelter beds, as domestic violence shelters had an average of 2,659 unmet requests for shelter beds per year during federal fiscal years 2015 through 2020.<sup>9</sup> In addition to shelter services, domestic violence service providers offer counseling for victims; support programs that assist victims in obtaining needed medical, legal, and other services; and educational programs to increase community awareness of domestic violence. Stakeholders, including shelter providers, consistently stated that housing and

---

<sup>7</sup> Domestic violence offices include those open full time, part time, or by appointment that contract with DCFS and are funded, at least in part, through Family Violence Prevention and Services Act and Temporary Assistance for Needy Families funds.

<sup>8</sup> "[Fragmented and Unequal: A Justice System that Fails Survivors of Intimate Partner Violence in Louisiana, USA.](#)" Amnesty International, October 24, 2019

<sup>9</sup> According to [LCADV's 2017 Statewide Needs Assessment](#), the quantity of emergency shelter beds is insufficient to meet the existing needs for immediate shelter.

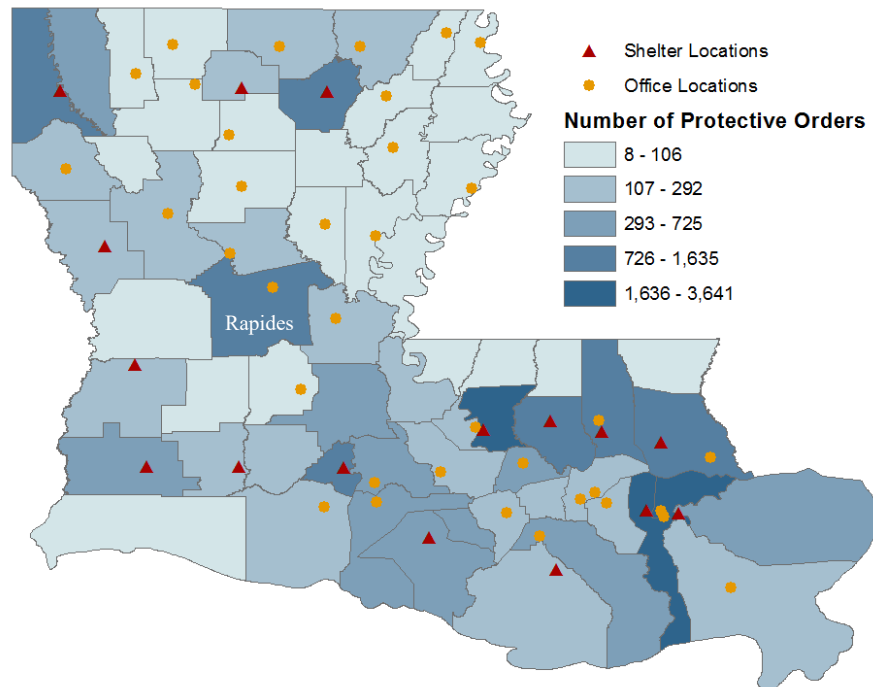
transportation are significant gaps in domestic violence services available. In our survey of domestic violence shelter providers, 14 (87.5%) of 16 providers stated that housing for victims is a challenge in addressing domestic violence. In addition, 11 (68.8%) stated transportation for victims and legal advocacy for victims are challenges.

A domestic violence program provider can serve multiple parishes, which can be challenging for victims to access services, especially in rural areas and for victims who lack transportation. For example, one program provider serves 12 parishes, but only one of these parishes has a shelter. While this program provider also has 10 satellite offices, the offices are often shared spaces open only one day per week. In addition, there are no domestic violence shelters in central Louisiana, even though Rapides parish had 849 protective orders issued in the parish in calendar year 2020, the tenth-highest number in the state. Exhibit 2 shows the number of protective orders by parish and the locations of domestic violence shelters and offices for calendar year 2020.

“Finding safe housing for the women and their children as well as stable financial support once they leave our shelters is an ongoing concern. Affordable, safe housing is hard to find in the rural areas we serve and a majority of the time we have to send survivors to other areas.”

**Source:** Legislative auditor domestic violence shelter provider survey, July 2021

**Exhibit 2**  
**Number of Protective Orders by Parish and Domestic Violence Shelter and Provider Office Locations**  
**Calendar Year 2020**



**Source:** Prepared by legislative auditor’s staff using information provided by the Louisiana Protective Order Registry and based on survey responses from all 16 domestic violence shelter providers.

**Domestic violence stakeholders and survey responses from shelters stated that funding is a major challenge in providing services to victims of domestic violence, including the need for more funding, consistent funding levels, and more flexibility in spending funds.** DCFS contracts with shelter providers through its Family Violence Prevention and Intervention Program that is funded through federal grants. These domestic violence shelters are funded by a combination of federal grants (administered by DCFS and/or LCLE), state funds, local funds, and private funds. In addition, other entities, such as law enforcement agencies, district attorney offices, and non-profit organizations receive federal grants, administered through LCLE, for domestic violence initiatives. Stakeholders noted three challenges in providing victim services with domestic violence funding:

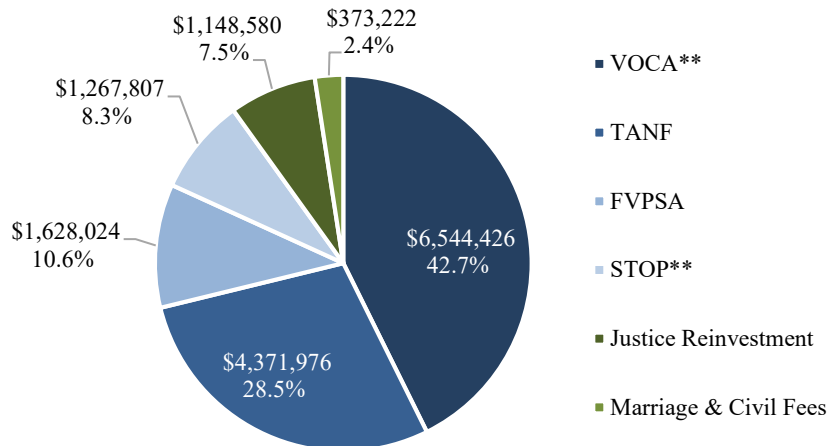
- *A need for more funding.* Domestic violence service providers stated that it is hard to pay its employees, often whom provide direct victim services, a competitive, living wage. For example, combined amounts from Temporary Assistance for Needy Families (TANF) and Family Violence Prevention and Services Act (FVPSA) grants going to domestic violence services have remained consistent at \$6 million since 2011. However, according to DCFS, this amount will increase to \$7 million for fiscal years 2021 and 2022.
- *A need for more predictable funding.* Federal grants, particularly Victims of Crime Act Program (VOCA), fluctuate from year to year, making it difficult for providers to maintain budgets and plan for future years. For example, VOCA funding for domestic violence increased 79.1%, from \$7.6 million in federal fiscal year 2017 to \$13.6 million in federal fiscal year 2018, but then decreased 38% in federal fiscal year 2019 to \$8.4 million.
- *A need for more flexible funding.* Federal grants often have limitations on how dollars can be spent. For example, FVPSA caps administrative costs at 5%; however, the grant also has administrative requirements, such as data collection and monthly reporting. In addition, VOCA and STOP Violence Against Women (STOP) funds cannot be used to build new shelter facilities.

**In Louisiana, only 10% of domestic violence funding comes from state sources, which can be more flexible and predictable than the approximately 90% of funding that comes from federal grants.** As shown in Exhibit 3 on the next page, approximately \$13.8 million (90.1%) of the \$15.3 million in annual domestic violence funding administered by the state came from federal grants in 2020. While domestic violence shelter providers may secure funding from local governments, non-profit organizations, and private donors, the majority of their budgets come from federal grants. According to our survey of domestic violence shelter providers, an average of approximately 40.6% of their budgets are funded through federal FVPSA and TANF grants, while an average of approximately 28.6% of their budgets are funded through federal VOCA and STOP grants. Other states often use a combination of state general funds and dedicated fees, and some states dedicate more state funds to domestic violence services than Louisiana. State funds can be more flexible and predictable than federal grants. For example, beginning in 2020, funds from the Justice Reinvestment Initiative (JRI) have been awarded for flexible housing assistance for domestic violence victims.



Appendix E summarizes the types of federal and state funding sources for domestic violence services received from 2016 through 2020.

**Exhibit 3**  
**2020 Domestic Violence Funding\***



\*Based on state or federal fiscal year (FFY) 2020

\*\*Estimated totals based on historical average percent of federal award spent on domestic violence. LCLE has not yet disbursed all of the FFY 2020 grant award amounts.

**Source:** Prepared by legislative auditor's staff using information from LCLE and DCFS.

We surveyed other state domestic violence coalitions, and seven (77.8%) of those nine states reported having state funds dedicated to domestic violence services, with approximately 10% to 70% of domestic violence services funding coming from state funds.<sup>10</sup> In addition, other states use state funds for domestic violence services; for example, \$4.5 million (57.2%) of Utah’s \$7.9 million in services funding was from state general fund dollars in fiscal year 2020, and \$9.8 million (84.5%) of New Mexico’s \$11.6 million services budget was from state general funds in fiscal year 2017. Georgia also allocates state funds for domestic violence services, which has provided the state with flexibility to pay for expenses that federal grants do not cover, such as administrative costs including salaries for executive directors and housing assistance such as mortgage payments for victims.

**Matter for Legislative Consideration 1:** The legislature may wish to consider more consistent and flexible funding for programs that address domestic violence so that providers are better able to address gaps in services.

<sup>10</sup> Florida, Illinois, Maine, Pennsylvania, Texas, Washington, and Wyoming



**State laws intended to protect victims, such as the issuance of protective orders, are not consistently implemented across the state. For example, protective orders may not always be served to abusers for a variety of reasons, and according to the Supreme Court and sheriffs, not all sheriff's offices submitted proof of service to the Louisiana Protective Order Registry (LPOR),<sup>11</sup> as required by state law. In addition, not all sheriff's offices have developed policies and procedures for the firearm relinquishment process as required by law.**

State laws related to protective orders and the relinquishment of firearms are intended to help protect victims. Protective orders are issued by judges and require one person to stay away from another person, with the intent to prevent abuse and enhance safety of the individual seeking protection.<sup>12</sup> While protective orders cannot guarantee victim safety, research has shown that these orders generally deter repeated incidents of physical abuse.<sup>13</sup> Serving a protective order to the individual whom the order is against is an important component of holding perpetrators accountable and provides legal ramifications if the perpetrator violates the order.

Since 1996, federal law prohibits individuals from possessing a firearm if they have a final protective order against them<sup>14</sup> or have been convicted of a domestic violence misdemeanor. In 2014, Louisiana passed a similar state law that prohibits firearm possession due to domestic violence.<sup>15</sup> Research<sup>16</sup> indicates that an abuser with access to a gun is five to eight times more likely to kill their female victim. According to the Violence Policy Center, in 2018, firearms were the weapon most commonly used by males to murder women, and the number of women shot and killed by intimate partners was four times higher than the total number murdered by male strangers using all weapons combined.<sup>17</sup> Evidence also indicates that firearm possession prohibitions are effective in reducing domestic violence homicide rates.<sup>18</sup> Ensuring that firearm possession prohibitions are consistently enforced is important, as access to firearms makes domestic violence situations significantly more dangerous.

---

<sup>11</sup> The Louisiana Protective Order Registry (LPOR) is a statewide registry established by R.S. 46:2136.2 for temporary restraining orders, protective orders, preliminary injunctions, permanent injunctions, and court-approved consent agreements that are issued to prevent domestic abuse.

<sup>12</sup> R.S. 46:2135 and 46:2136

<sup>13</sup> [University of New Hampshire Carsey Institute, "Civil Protective Orders Effective in Stopping or Reducing Partner Violence," Spring 2011](#)

<sup>14</sup> According to 18 USCA 922, an individual is prohibited from possessing a firearm if they have a final order of protection against him/her that meets certain requirements; have been convicted of a domestic violence misdemeanor; or have been convicted of a crime punishable by imprisonment for a term exceeding one year.

<sup>15</sup> Act 195 of the 2014 Regular Legislative Session

<sup>16</sup> ["Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study," American Journal of Public Health, August 2003](#); ["Guns and Violence Against Women: America's Uniquely Lethal Intimate Partner Violence Problem," Everytown for Gun Safety, April 2021](#)

<sup>17</sup> ["When Men Murder Women: An Analysis of 2018 Homicide Data," Violence Policy Center, September 2020](#)

<sup>18</sup> ["Domestic Violence and Firearms: Research on Statutory Interventions," Battered Women's Justice Project, April M. Zeoli, November 2018](#)

**According to stakeholders, protective orders are not always served to abusers for a variety of reasons. In addition, according to the Supreme Court and sheriffs, not all sheriff's offices have been sending proof of service to LPOR as required by law.**<sup>19</sup> In Louisiana, there are several types of protective orders that victims can petition a judge to order. Temporary restraining orders are issued at the beginning phase of a victim getting court-ordered protection. These orders are issued before a formal court hearing and are intended to last until the court hearing, usually 21 days. Protective orders are granted for a certain time period by a judge after a formal hearing or trial. These orders may include various provisions, such as firearm prohibitions, and some provisions may never expire. After a judge issues an order, the parish's sheriff's office physically serves the order to the individual whom the order is against. Once served, state law requires sheriff's offices to transmit proof of service to LPOR, a statewide registry for temporary restraining orders, protective orders, preliminary injunctions, permanent injunctions, and court-approved consent agreements that are issued to prevent domestic abuse and to aid law enforcement, prosecutors, and the courts in handling such matters. See Appendix F for information on the different types of protective orders issued in Louisiana.

In the 2018 Regular Legislative Session, the legislature passed a bill that requires sheriff's offices to submit proof of service to LPOR.<sup>20</sup> According to legislative testimony, the impetus for the bill came from victims and advocates reporting that law enforcement could not always enforce protective orders because they could not always verify proof of service. However, we found that not all sheriff's offices are submitting proof of service to LPOR, and, as a result, the registry does not contain all orders served statewide.<sup>21</sup> According to the Louisiana Supreme Court, which administers LPOR, it is aware that some sheriff's offices are not sending proof of service to LPOR and has sent reminders to these offices. Inputting proof of service into LPOR is important, as stakeholders use the database to look up protective orders and whether they have been served and are thus enforceable. Serving temporary restraining orders, for example, is particularly important because they not enforceable unless they are served to the abuser, and if not served, the court hearing for a final protective order may be dismissed. Temporary restraining orders are issued during one of the most volatile and dangerous times in a domestic violence case, which is when the victim leaves the abuser.

There are many reasons why law enforcement may not be able to successfully serve a protective order, such as the individual fleeing or intentionally evading service, dismissal of charges, the expiration of temporary orders, or inefficient processes between agencies. For example, some clerks of court mail protective order paperwork to sheriff's offices, which can be time consuming. Act 317 of the 2014 Regular Legislative Session amended state law to allow protective orders to be transmitted electronically, such as through fax or email, which should make transmitting orders more efficient and timelier. One sheriff's office stated that sometimes by the time it receives temporary restraining order paperwork, the order is already expired and cannot be served. The Louisiana Sheriffs' Association is currently working with the Supreme Court to improve the process for reporting to LPOR and the overall completeness and accuracy of the registry. In addition, while the Supreme Court collects information on the total number of

---

<sup>19</sup> Louisiana Code of Civil Procedure, Article 1292, which went into effect in August 2018

<sup>20</sup> House Bill 207 of the 2018 Regular Legislative Session

<sup>21</sup> According to the Louisiana Sheriffs' Associations, some sheriff's offices were sending proof of service to clerks of court rather than to LPOR.

protective orders by parish and the total number served in LPOR, no one uses this data to monitor whether all orders are served or as a way to identify best practices to improve the number of orders served successfully.

**Louisiana has strong laws to prohibit certain individuals from possessing firearms; however, these laws may not always be enforced across the state. For example, not all sheriff's offices have developed policies and procedures for the firearm relinquishment process as required by law.**

Act 367 of the 2018 Regular Legislative Session mandates that individuals prohibited from possessing firearms due to a domestic violence conviction or protective order must transfer all firearms to the sheriff within 48 hours after the judge's order.<sup>22</sup> Individuals have the option of surrendering their firearms to the sheriff's office, transferring them to a third party, or legally selling them. The sheriff of each parish is responsible for oversight of firearm transfers in their parish.<sup>23</sup> In addition, state law mandates that the sheriff, clerk of court, and district attorney of each parish shall develop forms, policies, and procedures regarding firearm transfers no later than January 1, 2019.

Multiple stakeholders stated that the way judges and prosecutors handle protective orders and domestic violence crimes can be inconsistent. For example, several stakeholders said that district attorneys often plead down cases to a lesser charge that does not prohibit firearm possession, and that judges in some areas are hesitant to grant protective orders if the accused is a hunter because they do not want to make them relinquish their firearms.

Source: LLA interviews with domestic violence stakeholders, April through July 2021

We contacted 16 sheriffs across the state<sup>24</sup> and found that, while most sheriffs had firearm relinquishment forms, they did not always have policies and procedures on how to receive or transfer firearms. Specifically, five (31.3%) provided copies of the policy, five (31.3%) stated they had policies but did not provide copies, four (25.0%) did not have policies, and two (12.5%) were unsure whether they had policies. In addition, the Louisiana Domestic Violence Prevention Commission recommended in its 2019 Annual Report that data be collected and analyzed statewide to monitor the consistent implementation of the firearm transfer law. However, we found that not all sheriff's offices kept statistics regarding the number of firearms they had collected or assisted in transferring or selling. Of those that did keep statistics, the East Baton Rouge Sheriff's Office reported 400 relinquishments during 2020 and 2021, Rapides Sheriff's Office reported approximately 46 relinquishments since 2018, and Ascension reported 79 relinquishments during 2019 through 2021.

State law **prohibits the possession of a firearm** if someone:

- has a final protective order against them and there is a believable threat to the physical safety of a family/ household member or dating partner, and the defendant was notified about the state and federal firearm laws
- has been convicted of domestic abuse battery, 2nd offense battery of a dating partner, or a crime of violence, including domestic abuse aggravated assault
- violated a protective order if the violation involves battery or a crime of violence

Source: R.S. 46:2136.3 and 14:95.1

<sup>22</sup> If an individual does not have any firearms, they sign a form stating they do not possess any firearms.

<sup>23</sup> Title XXXV of the LA Code of Criminal Procedure, Articles 1001 - 1004

<sup>24</sup> We selected a cross-section of sheriff's offices across the state, including urban and rural parishes, those with the highest numbers of protective orders, and those with the fewest protective orders.

The Lafourche Parish Sheriff's Office (LPSO) has led the way in developing thorough processes to enforce firearm relinquishment laws. According to LPSO, Lafourche Parish has had no domestic homicides at the hands of an abuser since 2009. LPSO works closely with the Bureau of Alcohol, Tobacco, Firearms and Explosives to address federal firearm prohibitions and has notified local gun dealerships of the process of reporting prohibited individuals when they attempt to purchase a firearm.

**Matter for Legislative Consideration 2:** The legislature may wish to urge the Supreme Court to work with the Domestic Violence Prevention Commission to use the data collected in the Louisiana Protective Order Registry to identify best practices and strategies to improve the number of protective orders successfully served.

**Matter for Legislative Consideration 3:** The legislature may wish to consider a mechanism to ensure that the sheriffs in each parish comply with state law requirements in the Louisiana Code of Civil Procedure, Article 1292 regarding transmitting proof of serving a protective order to LPOR.

**Matter for Legislative Consideration 4:** The legislature may wish to consider a mechanism to ensure that the sheriffs in each parish comply with state law requirements in Title XXXV of the Louisiana Code of Criminal Procedure, Articles 1001 – 1004 regarding the relinquishments of firearms.

---

**While state law requires law enforcement training on domestic violence, other entities involved in addressing domestic violence are not required to have such training. For example, there is no requirement for judges and district attorneys to receive domestic violence training. In addition, LCLE has not completed a domestic violence awareness training program required by state law for law enforcement officers.**

Training on evidence-based practices in responding to domestic violence is important for both law enforcement and the judicial branch, as both entities are heavily involved in domestic violence cases. Current best practices include victim-centered and trauma-informed approaches that aim to minimize additional trauma associated with the criminal justice process by providing support and empowering victims. However, while state law requires that law enforcement receive training on domestic violence, not all entities involved in addressing domestic violence, such as judges and district attorneys, are required to have such training.

**State law requires the Peace Officer Standards and Training Council (POST)<sup>25</sup> to develop a domestic violence awareness training program that each officer must complete on and after July 1, 2018; however, LCLE has not yet completed this training program.** Act 495 of the 2018 Regular Legislative Session amended state law<sup>26</sup> to require POST to develop a domestic violence awareness training program to include seven specific areas (see text box), and that each peace officer<sup>27</sup> shall complete the program. The law also directs POST to develop rules for the training program and create and maintain a list of peace officers who have successfully completed it. According to LCLE, law enforcement officers also receive at least seven hours of domestic violence training as part of the 496 minimum basic training hours required, and they must complete a minimum of 20 hours of in-service training hours annually, which may or may not include domestic violence training.

State law requires that a **domestic violence awareness training program** include all of the following:

1. Dynamics of domestic violence
2. Predominant aggressor determination
3. Neurobiology of trauma and implications for victim communication
4. Strangulation response and investigation methods
5. Evidence-based investigation methods
6. Protection order enforcement and the Louisiana Protective Order Registry
7. Applicable state and federal domestic violence laws

**Source:** R.S. 40:2405.8(E)

When asked what the state's biggest challenges or gaps are in addressing domestic violence, one domestic violence shelter/service provider responded, "Consistent training for law enforcement. We work in two separate parishes with completely different responses and protocols for domestic violence."

**Source:** Legislative auditor survey of domestic violence shelters/service providers, July 2021

LCLE has not yet completed a domestic violence awareness training program as required by Act 495. While LCLE has created some domestic violence course content such as a module on the dynamics of domestic violence and a module on the protective order registry, this content does not include all of the topics required by state law. For example, the training does not include strangulation or implications for victim communication. In addition, according to LCLE, the neurobiology of trauma is included in sexual assault in-service training, but not as part of the domestic violence modules. As

LCLE has not completed the development of a domestic violence awareness training program, it has not developed a process to maintain a list of all law enforcement officers who have completed the training program as required by law. Domestic violence training is important for law enforcement, as domestic violence calls are common and responding can be dangerous for law enforcement officers. In addition, law enforcement is often the first point of contact in domestic violence cases, arriving in emergency situations, making arrests, and collecting evidence.

<sup>25</sup> LCLE carries out the staff functions of POST. POST is responsible for developing and evaluating the curriculum of mandatory basic training courses, developing and monitoring ongoing in-service training courses, firearms training, and other advanced training for law enforcement agencies in the state.

<sup>26</sup> R.S. 40:2405.8

<sup>27</sup> In addition to state and local law enforcement agencies, peace officers also include sheriffs' deputies responsible for inmates, military police officers within the state Military Department, security personnel employed by the state Supreme Court, and security personnel employed by a state court of appeal. (R.S. 40:2402).



According to LCLE, funding has been a challenge in creating a domestic violence awareness training program. While the legislation included a fiscal note that estimated a cost of \$28,000 to develop and implement an interactive video training module, the legislature did not allocate the funds to cover the cost. LCLE funds training initiatives through residual or unspent VOCA grants and received \$90,288, including a \$18,250 match, for domestic violence training during fiscal years 2017 through 2019. According to LCLE, the funding to develop the remaining domestic violence modules was approved in June 2021.

**While judges and district attorneys may attend domestic violence training, state law does not require such training for these entities.** The Louisiana Supreme Court and the Louisiana District Attorney's Association provide training on domestic violence for judges and district attorneys, funded through STOP and VOCA grants. However, these trainings are not mandatory, and judges and district attorney staff may choose not to participate. In addition, a thorough understanding of the dynamics of domestic violence is important for judges, as they may encounter domestic violence cases in a variety of situations, such as protective order requests, child custody cases, or criminal cases. One judge we spoke with stated that, in a given week, 30% to 50% of the cases he sees are related to domestic violence.

Louisiana does not have a standardized policy on court handling of domestic violence cases, nor any best practice guidelines for judges. Not requiring domestic violence training or not having standard guidance or policies for judges and district attorneys can lead to court officials interpreting the law in different ways, often leading to inconsistent applications of the law which can affect victim safety.

**Source:** "Fragmented and Unequal: A Justice System that Fails Survivors of Intimate Partner Violence in Louisiana, USA," Amnesty International, October 24, 2019

The development of comprehensive guidance for judges regarding domestic violence is one way to improve consistent applications of the law and may improve victim safety. For example, Louisiana Appleseed,<sup>28</sup> in conjunction with the Louisiana Bar Foundation, created a domestic abuse summary document for judges that summarizes key domestic violence related laws. In addition, the Louisiana Supreme Court provides the judiciary a LPOR Quick Reference Guide that outlines Louisiana's civil domestic abuse, dating violence, stalking and sexual assault laws, including LPOR mandatory forms and reference to firearm prohibitions. In addition, the Louisiana District Attorney's Association maintains a detailed domestic violence prosecution manual that outlines best practices for victim-centered prosecution. Other states have developed more comprehensive guides for domestic violence for judges. For example, the Supreme Court of Washington State developed an in-depth domestic violence bench guide for education in the area of domestic violence for judges and other court personnel. In 2021, the Louisiana Supreme Court developed a similar guide for juvenile judges that includes guidance for child abuse cases, but not for domestic violence.<sup>29</sup> In its 2019 Annual Report, the Louisiana Domestic Violence and Prevention Commission stated that consistent implementation of the law is important for both reducing firearm-related domestic violence homicides and implementation of Gwen's Law.<sup>30</sup>

---

<sup>28</sup> Louisiana Appleseed is part of a national network of 16 public interest law centers.

<sup>29</sup> ["Louisiana Child in Need of Care Benchbook for Juvenile Judges," Louisiana Supreme Court, Louisiana Judicial College, and Pelican Center for Children and Families, 2021](#)

<sup>30</sup> Louisiana Code of Criminal Procedure Article 313, referred to as "Gwen's Law," allows for a contradictory bail hearing prior to setting bail for a person charged with domestic violence-related crimes.

Going forward, the Commission intends to create a statewide teaching protocol to address the disparity in case handling of Gwen's Law.

Stakeholders we interviewed or surveyed also expressed the need for domestic violence training for judges, district attorneys, and law enforcement. Our survey of domestic violence shelter providers found 15 (93.8%) of 16 respondents stated that domestic violence training for law enforcement is a challenge for the state to address domestic violence; 14 (87.5%) reported domestic violence training for judges as a challenge; and 11 (68.8%) reported that training for district attorneys as a challenge. In addition, 13 (81.3%) providers reported that in their area, training for judges was not sufficient, and 11 (68.8%) stated that training for district attorneys and law enforcement was not sufficient.

**Matter for Legislative Consideration 5:** The legislature may wish to urge the Louisiana Supreme Court or another entity to create in-depth domestic violence guidance for judges.

**Recommendation 1:** POST should complete a domestic violence awareness training program to include all requirements in state law.

**Summary of Management's Response:** LCLE disagrees with this recommendation and states that, although state law required it to complete a Domestic Violence Awareness Training Program, the mandate was unfunded. LCLE was able to utilize other sources of funding and is in the process of completing the training program. See Appendix A for management's full response.

**Recommendation 2:** POST should develop a process to maintain a list of all law enforcement officers who complete the domestic violence awareness training program as required by state law.

**Summary of Management's Response:** LCLE disagrees with this recommendation and states that POST currently has the ability to maintain a list manually and is in the process of modifying its ability to electronically track all courses within a curriculum. POST is able to verify officers have completed statutorily-required training. See Appendix A for management's full response.

**Intervention programs for perpetrators, which aim to protect victims and prevent future abuse, have no oversight or consistency across the state. Unlike domestic violence shelters, which must follow standards and be inspected by DCFS, Louisiana has no entity responsible for oversight and monitoring of intervention programs for perpetrators of domestic violence and does not mandate that these programs follow standards that would help ensure consistency and accountability.**

Programs designed for perpetrators of domestic violence are specialized for individuals who have committed domestic violence and typically use group education or intervention models to achieve the goals of victim safety and offender accountability.<sup>31</sup> There are various domestic abuse intervention program (DAIP) models across the nation, also called “batterer intervention programs,” including the nationally-recognized Duluth Model. In Louisiana, a judge can order the completion of a DAIP, and participants are required to pay for the cost of the programming unless the court determines inability to pay. According to our survey of domestic violence shelters and service providers, 12 (75.0%) of 16 stated that batterer intervention programming (or DAIPs) is a challenge the state faces in addressing domestic violence, and LCADV confirms there is no infrastructure to ensure offender accountability for DAIPs.

**A court-monitored domestic abuse intervention program** is a program comprised of a minimum of weekly in-person sessions occurring over 26 weeks that follows a model designed specifically for perpetrators of domestic abuse. The offender's progress in the program shall be monitored by the court.

**Source:** R.S. 14:35.3(B)(3)

**DAIPs in Louisiana are not mandated to follow minimum program standards.**

According to the National Online Resource Center on Violence Against Women, standards are important for promoting consistency amongst DAIPs and for helping hold programs accountable. In 1997, LCADV developed state standards for DAIPs; however, these standards have never been codified and DAIPs are not required to implement them. Conversely, in our survey of domestic violence coalitions in other states, six (60%) of 10 states reported having DAIP standards. Nationwide DAIP standards include best practices for intervention methods, as well as inappropriate and potentially harmful intervention practices. For example, best practice interventions typically utilize a group education or instruction model, while traditional methods of couples counseling is considered inappropriate because it may expose a domestic violence victim to a heightened risk of abuse or retaliation. According to LCADV's 2012 report to the legislature, nearly half of the domestic abuse intervention program providers in Louisiana it surveyed reported using inappropriate interventions, such as anger management and individual counseling.

---

<sup>31</sup> [Louisiana Coalition Against Domestic Violence, “Findings and Recommendations Relative to the Status of Domestic Abuse Intervention Programming in Louisiana,” February 2012](#)



**Because there is no regulatory entity responsible for DAIP programs, there is no centralized list of DAIP providers statewide and nothing to hold providers accountable for providing effective programming.** DCFS is responsible for oversight of domestic violence shelters and has developed standards for shelters and a quality assurance process that involves periodic inspections to ensure shelters are complying with standards. In comparison, state law does not designate an entity to oversee DAIPs. A report from LCADV found that courts, prosecutors, and correctional offices did not always maintain a list of programs and recommended that the state study the effectiveness of services that are designed to hold batterers accountable and are identified as DAIPs. State law<sup>32</sup> requires DAIP program providers to have experience working directly with domestic abuse perpetrators and domestic abuse victims; experience facilitating batterer intervention groups; and training in the causes and dynamics of domestic violence, characteristics of batterers, victim safety, and sensitivity to victims. However, without a responsible entity, there is no one to ensure that DAIP programs meet these requirements or follow standards if they are mandated in the future, and there is no statewide list of approved or certified DAIPs for courts to refer to when ordering individuals to receive DAIP services. A certification or registration of programs that comply with standards would allow courts across the state to only make referrals to certified programs in their areas that demonstrate the ability to meet minimum state standards.

In 2012, LCADV made several recommendations to the legislature to improve DAIPs across the state, including:

- Developing a domestic abuse intervention program association, imbedded within LCADV, that would define best practices and monitor program quality
- Codifying state standards for DAIPs and require compliance with these standards
- Developing a uniform referral process for use by courts and other referral sources that includes a certification process based on state standards

**Matter for Legislative Consideration 6:** The legislature may wish to require that DAIP programs follow statewide standards.

**Matter for Legislative Consideration 7:** The legislature may wish to designate an entity responsible for oversight of DAIP programs, such as a commission, to improve consistency, collect data, and determine the effectiveness of the state's DAIP programs.

---

<sup>32</sup> R.S. 14:35.3. Court-ordered DAIPs must be weekly in-person sessions occurring over 26 weeks that follows a model designed specifically for perpetrators of domestic abuse.

**Awareness efforts in public schools could be strengthened to better identify and prevent domestic violence incidents. Although state law requires that public schools provide education on dating violence for students and employees, not all Louisiana public schools meet these requirements. As a result, all students may not receive dating violence education or learn how to report instances of dating violence.**

Dating violence is defined as a pattern of behavior where one person threatens to use, or actually uses, physical, sexual, verbal, or emotional abuse to control his or her dating partner. According to the Centers for Disease Control and Prevention, about one in eight female and one in 26 male high school students report having experienced physical dating violence. Research<sup>33</sup> has shown that violence in adolescence may lead to more severe forms of violence in adult relationships, and evidence<sup>34</sup> shows that adolescents who undergo a school-based prevention program exhibit increased knowledge of and more appropriate attitudes about partner violence. See text box for public school dating violence requirements in state law.

State law requires public schools to provide **dating violence instruction annually** to seventh through twelfth grades, as well as all employees. Student education should include:

- the definition of dating violence
- warning signs
- characteristics of a healthy relationship

State law also requires schools to include dating violence information in student codes of conduct and to collect data relative to the number of dating violence incidents reported to school employees.

**Source:** R.S. 17:81(T)

In our survey of domestic violence shelter providers, 13 (81.3%) of 16 respondents stated that domestic violence training and education in public schools is not sufficient. One respondent stated that “getting into the schools is also an issue, prevention should start there.” A stakeholder in law enforcement also stated that more focus should be placed on prevention and education such as going into local schools and colleges to educate individuals on dating violence.

**Not all Louisiana public schools meet the dating violence education and reporting requirements for seventh- through twelfth-grade students mandated in state law.** The Louisiana legislature passed Act 321<sup>35</sup> in the 2010 Regular Legislative Session, which requires public schools to provide instruction on dating violence. In addition, Act 506 of the 2014 Regular Legislative Session added additional mandates to public schools regarding dating violence, including providing instruction on dating violence annually to all employees who have contact with students in grades 7 through 12, requiring public schools to include specific information on dating violence in their student code of conduct, and requiring superintendents to collect data on dating violence incidents and report them to the governing authority. However, the legislature did not allocate additional funds for schools to meet these mandates. We contacted

<sup>33</sup> [“The Need for School-Based Teen Dating Violence Prevention,” \*Journal of Applied Research on Children: Informing Policy for Children at Risk\*, 2013](#)

<sup>34</sup> Same source as above

<sup>35</sup> R.S. 17:81(T)

18 public school systems in both rural and urban areas of Louisiana<sup>36</sup> to determine whether they were providing students with the mandated instruction on dating violence and found that not all schools met these requirements. Exhibit 4 includes dating violence requirements outlined in state law and school system compliance.

<b>Exhibit 4</b> <b>Dating Violence Requirement Compliance in School Systems Surveyed</b> <b>As of July 2021</b>							
Requirement Description		Met	Percent	Not Met	Percent	Unsure	Percent
Employee Instruction	Annual instruction to all school employees having contact with students in grades 7 through 12 on: <ul style="list-style-type: none"> <li>Dating violence definition</li> <li>Warning signs</li> <li>How to address suspected or reported dating violence involving students</li> </ul>	9	50.0%	9	50.0%	0	0.0%
Student Education	Provide seventh- through twelfth-grade students in Health Education instruction on: <ul style="list-style-type: none"> <li>Dating violence definition</li> <li>Warning signs</li> <li>Characteristics of healthy relationships</li> </ul>	7	38.9%	8	44.4%	3	16.7%
Information in Code of Conduct	Include in student codes of conduct: <ul style="list-style-type: none"> <li>Dating violence definition</li> <li>Warning signs</li> <li>Instructions for reporting or seeking help</li> </ul>	5	27.8%	13	72.2%	0	0.0%
Data Collection*	Collect data on the number of incidents of dating violence reported to school employees and actions taken	5	29.4%	7	41.2%	1	5.9%
Superintendent Report**	Superintendent gives an oral report annually at the school governing authority meeting on: <ul style="list-style-type: none"> <li>Schools compliance with the dating violence requirements</li> <li>Aggregate dating violence data</li> <li>Any recommendations for reducing dating violence among students</li> </ul>	1	6.7%	8	53.3%	6	40.0%
*Four (23.5%) of the 17 schools that responded stated that they had no reported cases. **Only 15 schools responded to this question. <b>Source:</b> Prepared by legislative auditor's staff using information from R.S. 18:71(T) and survey responses from school systems.							

**No single entity is responsible for ensuring compliance with the law regarding dating violence, as school superintendents are only required to report to their local governing authority.** According to the Louisiana Department of Education and the Board of Elementary and Secondary Education, neither entity has authority to enforce compliance with these laws. Not all of the schools we contacted were aware of the dating violence requirements in

<sup>36</sup> We selected a cross-section of school systems based on the number of protective orders in the parish, general size of the parish, and both urban and rural areas.

state law, but expressed a desire to comply with the requirements once they learned about them. For example, one school stated that it would add information on dating violence into its 2021-2022 Student Code of Conduct, and another school stated that now that it is aware of the requirements, it will begin this school year to collect data on dating violence.

**Matter for Legislative Consideration 8:** The legislature may wish to request an entity, such as the Department of Education or the Board of Elementary and Secondary Education, to disseminate information to each school regarding the dating violence requirements in state law.

## APPENDIX A: MANAGEMENT AND STAKEHOLDER RESPONSES

1. Louisiana Commission on Law Enforcement
2. Louisiana District Attorneys Association
3. Louisiana District Judges Association
4. Louisiana Sheriffs' Association
5. Louisiana Supreme Court



**State of Louisiana**  
Office of the Governor  
Louisiana Commission on Law Enforcement  
and Administration of Criminal Justice

JOHN BEL EDWARDS  
GOVERNOR

JIM CRAFT  
EXECUTIVE DIRECTOR



December 14, 2021

Mr. Mike Waguespack  
Louisiana Legislative Auditor  
Post Office Box 94397  
Baton Rouge, Louisiana 70804-9397

RE: Challenges in Louisiana's Efforts to Address Domestic Violence Audit Report Number 40210012

Dear Mr. Waguespack:

This letter is in response to your letter dated October 8, 2021. Below is the Louisiana Commission on Law Enforcement's responses to the recommendations regarding efforts to address domestic violence.

**Findings 3:** While state law requires law enforcement training on domestic violence, other entities involved in addressing domestic violence are not required to have training. For example, there is no requirement for judges and district attorneys to receive domestic violence training. In addition, LCLE has not completed a domestic violence awareness training program to include all requirements.

**Recommendation 1:** POST should complete a domestic violence awareness training program to include all requirements in state law.

**Disagree:**

LCLE cannot speak about training standards for Judges and D.A.'s since LCLE has no authority to set standards and requirements for those entities. However, the LCLE has awarded over \$ 5,063,034 to the LA District Attorney's Association for training that includes domestic violence topics since 2001. Since 2014, LCLE has awarded federal grants to LDAA totaling \$ 1,269,798 specifically directed to domestic violence training and ensures procedures providing criminal justice advocacy to victims of domestic violence are uniform throughout the state.

Although state law required LCLE to complete a Domestic Violence Awareness Training program, LCLE was hampered with an unfunded mandate for this legislation. Eventually, LCLE



Mr. Mike Waguespack  
December 14, 2021  
Page 2

was able to utilize other sources for funding and is in the process of completing the training program.

**Recommendation 2:** POST should develop a process to maintain a list of all law enforcement officers who complete the domestic violence awareness training program as required by state law.

**Disagree:**

POST currently has the ability to maintain a list manually of officers completing the coursework, and is in the process of modifying our existing ability to electronically track all courses within a curriculum. POST is able to verify officers who have completed statutorily required training now.

**Additional comments:**

In light of the challenges facing victims of domestic violence cited in this report, we note that two different programs at LCLE not mentioned at all and missing in the report provide direct assistance to crime victims, particularly victims of domestic violence.

The first program is the **Crime Victims Reparations program**, which assists crime victims with their out-of-pocket expenses. One service provided by the program is the ability to generate an emergency award payment within hours upon request. In many cases, the emergency award is for relocation expenses, whereby an abuser has made serious threats against a victim, and the victim chooses to immediately leave their home to evade potential harm from the abuser. In the last three calendar years (CY 19-21), a total of 819 claims were paid to victims of domestic violence totaling \$ 578,210.19. Of the 105 assault claims involving domestic violence in CY 2021, 60 of those were emergency awards paid directly to the victim.

The second program is the **LA Victim Notification program** or **LA VINE**. In that program, a victim or their family may register with the program so they can be informed should an abuser be released from detention or jail, or for a pending court date has been scheduled. The program is free to all victims and can be extremely useful when seeking to avoid threatening abusers and the potential dangers they employ.

Both of these programs are missing from program list in Appendix C on pages C.1 and C.2.

Should you have any questions or need additional information, please feel free to contact me at 225-342-1500.

Sincerely,



Jim Craft  
Executive Director





# LOUISIANA DISTRICT ATTORNEYS ASSOCIATION

EXECUTIVE DIRECTOR  
LOREN M. LAMPERT

November 5, 2021

Mr. Michael J. Waguespack, CPA  
Legislative Auditor  
Office of the Louisiana Legislative Auditor  
1600 N. 3<sup>rd</sup> Street  
P.O. Box 94397  
Baton Rouge, LA 70804-9397

Dear Legislative Auditor Waguespack:

I would like to begin by thanking you for the opportunity to weigh in on the timely and important topic that is the subject of the Louisiana Legislative Auditor's Performance Audit Services Report, namely "Challenges in Louisiana's Efforts to Address Domestic Violence." Unquestionably, the Louisiana District Attorneys are committed to doing their part to eradicate this plague on our society.

The primary purpose of this correspondence is addressing those issues in which the role of the prosecutor is paramount. However, we are always willing to assist in bringing clarity and accuracy to any of the issues that concern the fair and efficient administration of justice in our great state.

- I. **Training** - *"While state law requires law enforcement training on domestic violence, other entities involved in addressing domestic violence are not required to have such training. For example, there is no requirement for judges and district attorneys to receive domestic violence training. In addition, LCLE has not completed a domestic violence awareness training program required by state law for law enforcement officers. Because domestic violence is a complicated, dynamic issue, education on current best practices could improve how the judicial branch and law enforcement protect victims and hold perpetrators accountable."* ("Challenges in Louisiana's Efforts to Address Domestic Violence," by Michael J. Waguespack, dated 10-27-21, at page 4, bullet 4).

The mission of the Louisiana District Attorneys Association (LDAA) from its inception in 1973 has prominently included education and training as primary instruments to improve Louisiana's justice system and the office of District Attorney. Consequently, the LDAA is the predominant provider of prosecutor training in Louisiana. Moreover, the LDAA frequently extends training to the judiciary, law enforcement, and other stakeholders when appropriate. Although the COVID-19 pandemic created some obvious challenges for our FY 2020-2021, the LDAA was able nonetheless to conduct 41 training events, with 2,675 attendees, offering a total of 324 CLE hours. I mention this only to illustrate the District Attorneys' commitment to training in compliance with La. R.S. 40:2405, *et seq.*

Included as "LDAA Appendix A" is a five-year detailed accounting of domestic violence-related training produced and conducted by the LDAA. In summary, from 2017 to present, the LDAA has trained 4,179 criminal justice professionals in the areas of domestic violence, dating violence, stalking, and violence against women and sexual assault within the domestic violence context.



The criminal justice professionals include prosecutors, judges, law enforcement, probation & parole officers, victim assistance coordinators, victim advocates and court personnel. We remain committed to our mission and, more pointedly, committed to delivering the best training available in the area of domestic violence.

Moreover, we are constantly seeking, evaluating, and delivering the most up-to-date training on the topic. Of note, we recently deployed the "In Her/Their Shoes" series across the state, training law enforcement, victim advocates and the judiciary staff. This revolutionary program, described in more detail in the appendix, was developed by the Washington State Coalition Against Domestic Violence (WSCADV).

Additionally, although mandatory prosecutor training may seem desirable on its face, we offer that such would be much less efficient than the current training delivery model. This is primarily because, in many jurisdictions, prosecutors are specialized. Prosecutors consistently select the training modules that are applicable to their area of practice. Mandating training on a topic that is not utilized by or germane to the prosecutor would be both inefficient and ineffective. Moreover, such has the real potential of reducing the available training for those who need it most. Additionally, as you are aware, mandatory legal education is exclusively within the purview of the Supreme Court of Louisiana.

2. **Policy standardization** - *"Louisiana does not have a standardized policy on court handling of domestic violence cases, nor any best practice guidelines for judges or district attorneys."* (*Id.* at 13, Inset #2).

The LDAA maintains and updates a proprietary "Domestic Violence Prosecution Manual" that is uniformly used by prosecutors across our state. This publication is a collaboration between many experienced prosecutors and other subject-matter experts. The latest version was updated and reissued in 2020, and the cover pages of the manual are attached as "LDAA Appendix B." The entire manual is available for inspection but is not subject to public dissemination as it contains information that quite frankly could be reverse engineered as a roadmap for defeating domestic violence prosecutions.

Additionally, LDAA's well-established "Basic Prosecutor Training" curriculum has a significant "Domestic Violence Prosecution" module which includes broad training and an introduction to the above-referenced manual. This in-depth training is updated annually and is taught by some of the most experienced domestic violence prosecutors and victim assistance coordinators in our state.

Finally, rigid standardized practice in the domestic violence prosecution arena is limited by the availability of resources within a given jurisdiction. Unfortunately, as we are all aware, disparity in resources dictates different approaches to reaching the same goal. Increasing resources in those jurisdictions wherein there is a paucity would go a long way to enhancing standardization potential and the delivery of services in this area of practice. Ultimately, increasing resources with concurrent commitment will reduce the instances and the impact of domestic violence within our great State.



3. **Plea practices** - "...[D]istrict attorneys often plead down cases to a lesser charge that does not prohibit firearm possession...." (*Id.* at 10, Inset).

Prosecutors are ethically limited to bring and advance only those charges which are reasonably calculated to lead to a conviction based upon admissible evidence and -- as your report points out -- domestic violence is a mosaic of issues marred by dozens of variables. Unfortunately, one of the most frequently encountered issues is the reluctance or outright refusal of some victims to cooperate with the prosecution. Louisiana prosecutors recognize this and have undertaken dozens of legislative and training initiatives to enhance the likelihood of "evidence-based" or "victimless prosecutions" (see "LDAA Appendix C"). However, as most who operate in this arena will recognize, these types of prosecutions present obvious challenges. Consequently, there are occasions where the admissible-available-evidence does not support some charges but may support others. In those instances, a plea to or even trial of the ethically prosecutable charge is the likely outcome.

Once again, thank you for the opportunity to bring to light the ongoing prosecutorial efforts and continued advancements to effectively combat domestic violence in Louisiana. As you can see, Louisiana District Attorneys are wholly committed to substantive training and utilizing best practices. We all know that this is a moving target and requires us to constantly lean into further improving both. Louisiana prosecutors are committed to that task.

Please do not hesitate to reach out with any additional inquiries.

Sincerely,

A handwritten signature in black ink, appearing to read "Loren M. Lampert", written over a white background.

Loren M. Lampert  
Executive Director

LML:rbj

Enclosures

**APPENDIX A**  
**PERFORMANCE & ASSESSMENT REPORT:**  
**LDAA AND LDAA-SPONSORED DOMESTIC VIOLENCE AND VIOLENCE AGAINST WOMEN-  
RELATED TRAININGS**

**I. INTRODUCTION**

The Mission of the Louisiana District Attorneys Association (LDAA) is to improve Louisiana’s justice system and the office of District Attorney by enhancing the effectiveness and professionalism of Louisiana’s District Attorneys and their staff through education, legislative involvement, liaison, and information sharing.

In furtherance of that mission, one of the primary tasks of the LDAA is to educate and share information by providing training and resources to all statewide prosecutors, victim assistance coordinators, and law enforcement officers. To that end, LDAA conducts a wide variety of conferences, seminars, and training sessions annually. These trainings are both local and statewide; both in-house and regional; and, both in-person and virtual. While these trainings cover a broad range of topics related to the Louisiana justice system, LDAA has made a particular point to provide focused training in domestic and dating violence. Of particular focus to LDAA is the Violence Against Women Act (VAWA) which is a landmark piece of legislation designed to improve criminal, legal and community-based responses to domestic violence, dating violence, sexual assault, and stalking. The LDAA and the Louisiana District Attorneys are devoted to supporting and assisting survivors of domestic violence, dating violence, sexual assault, and stalking.

In collaboration with various District Attorney’s offices and other stakeholders throughout the state, LDAA has provided statewide in-person training to law enforcement, prosecutors, victim assistance coordinators, victim service providers, and judicial staff on the “*In Her/Their Shoes*” Domestic Violence series created by the Washington State Coalition Against Domestic Violence (WSCADV) which is designed for experiential learning about domestic violence. This revolutionary program allows the participants to move, act, think and make choices as a person experiencing an abusive relationship. Based on the experiences of real survivors, participants walk “in the shoes” of the various characters experiencing abusive or controlling relationships. In doing so, awareness of the additional struggles of the economically challenged survivors of domestic abuse is increased dramatically.

In addition to the training provided by the LDAA as a member-driven organization, individual District Attorney's offices statewide offer in-house education to their respective staff and their local and regional law enforcement officers. Moreover, some District Attorney's offices have created specialized programs which have garnered national attention as being at the forefront of Domestic Violence prosecution. One such example is the 19<sup>th</sup> Judicial District where East Baton Rouge Parish D.A. Hillar Moore launched a breakthrough and successful program designated “*Stop the Loss Initiative.*” This strategy identifies and intervenes in patterns of abuse as early as possible. To do this, law enforcement and prosecutors identify the most serious abusers and “pull levers” available to them, by actionable offenses, such as revoking probation and prosecuting other offenses. Simultaneously, this initiative refers both the offender and the victim to available community resources. In doing so, offenders are put on notice that intimate partner violence is not tolerated by this community, that counseling and assistance for change is readily available, and that criminal justice action will be taken at the next level. This parallel affirmative action supports victims of domestic abuse, addresses safety concerns, and suggests all community services. Additionally, the



LDAA has partnered with the Louisiana Department of Justice, Office of the Attorney General, and other stakeholders, to provide training, materials and resources concerning domestic violence and violence Against women.

To reinforce these very targeted trainings, the LDAA has continued to develop, provide, update, and maintain training manuals in the specific areas of Domestic Violence, Sexual Assault, Human Trafficking, and Victim Assistance Coordinators. These manuals are reviewed annually and are updated to address the latest innovations, current legislation, and contemporary guidelines, and all are made available statewide to all prosecutors, victim assistance coordinators, and law enforcement officers. In July 2021, the LDAA published and distributed to prosecutors and law enforcement a definitive handbook on human trafficking and victimization titled "*Human Trafficking Manual*." In addition to developing and providing these resources, LDAA coordinates with all 42 District Attorney's offices and with specifically designated Domestic Abuse prosecutors, Elder Abuse prosecutors, and Victim Assistance Coordinators in each office to share information and support the offices in providing services to the survivors of domestic violence, dating violence, sexual assault, and stalking.

Additionally, the LDAA both sponsors and supports various legislation relative to victim services. The LDAA has been a vocal advocate and instrumental in the passage of legislation which benefits victims and provides greater victim services. Some of this legislation from the past five legislative sessions will be discussed in more detail in Section III.

## II. TRAINING

Domestic Violence training has always been at the forefront of LDAA's mission. As such, the LDAA has provided and continues to ensure comprehensive training of prosecutors, victim assistance coordinators and law enforcement. Over the course of the past five years, the LDAA has trained approximately 4,179 attendees in areas of domestic violence, dating violence, stalking, and violence against women, as well as training in areas of sexual assault, as follows:

- **2017:** LDAA trained approximately 1,198 law enforcement, judges, prosecutors, victim assistance coordinators, victim service providers, judicial staff, and other stakeholders in the areas of domestic violence/violent crimes/victim services - held a total of 7 trainings.
- **2018:** LDAA trained approximately 926 law enforcement, judges, prosecutors, victim assistance coordinators, victim service providers, judicial staff, and other stakeholders in the areas of domestic violence/violent crimes/victim services - held a total of 8 trainings.
- **2019:** LDAA trained approximately 673 law enforcement, judges, prosecutors, victim assistance coordinators, victim service providers, judicial staff, and other stakeholders in the areas of domestic violence/violent crimes/victim services - held a total of 8 trainings.
- **2020:** LDAA trained approximately 487 law enforcement, judges, prosecutors, victim assistance coordinators, victim service providers, judicial staff, and other stakeholders the area of domestic violence/violent crimes/victim services - held a total of 5 trainings.
- **2021:** LDAA trained approximately 895 law enforcement, judges, prosecutors, victim assistance coordinators, victim service providers, judicial staff, and other stakeholders in the areas of domestic violence/violent crimes/victim services - held a total of 18 trainings.

A detailed list of all LDAA-sponsored/co-sponsored domestic violence-related training is provided herein-below.

## 2017

### (PROSECUTORS, LAW ENFORCEMENT OFFICERS (LEOs), JUDGES, VICTIM ASSISTANCE COORDINATORS (VACs), AND VICTIM SERVICE PROVIDERS)

DATE	EVENT	# OF ATTENDEES	ATTENDEES/PARTICIPANTS
February 1-3, 2017	LDAA/LA DOJ Criminal Justice Conference on Sexual Assault	400	Prosecutors, LEOs, VACs, and Victim Service Providers
DESCRIPTION: This Conference offered the following sessions: <ul style="list-style-type: none"> <li>• Trauma-Informed Interviewing Techniques</li> <li>• Debunking the Myths of Sexual Assault</li> <li>• The Trauma-Informed Response-Understanding the Neurobiology of Trauma</li> <li>• Stalking: Know It. Name It. Stop It.</li> <li>• Interviewing Sex Offenders: The Behavioral Component</li> <li>• Prosecuting Alcohol-Facilitated Sexual Assault Cases</li> <li>• Leave Your Baggage at the Door: Understanding the Complexity of Sexual Assault Investigations</li> <li>• Assisting Victims After Conviction: Explaining the Sexual Offender Registry</li> <li>• Locating and Preserving Corroborative Evidence</li> <li>• Pediatric Sexual Assault Protocol</li> </ul>			
DATE	EVENT	# OF ATTENDEES	ATTENDEES/PARTICIPANTS
May 17-18, 2017	LDAA 14 <sup>th</sup> Annual VAC/Victim-Witness Assistance Seminar	75	Prosecutors, LEOs, VACs, and Victim Service Providers
DESCRIPTION: This Seminar offered the following sessions: <ul style="list-style-type: none"> <li>• Human Trafficking in Louisiana</li> <li>• Trauma-Informed Human Trafficking Interviews</li> <li>• Louisiana Automated Victim Notification System (LAVNS) Update</li> <li>• Juvenile Crimes and Juvenile Victims of Human Trafficking</li> <li>• Best Practices in Communicating with Survivors of Sex Trafficking</li> <li>• Identifying Human Trafficking Victims in Your Community</li> <li>• Victim Notice and Registration Forms/LAVNS/DOC Notice</li> <li>• Cultural Diversity &amp; Human Trafficking Victims</li> </ul>			
DATE	EVENT	# OF ATTENDEES	ATTENDEES/PARTICIPANTS
May 31-June 2, 2017	LDAA Basic Prosecutor Course, Baton Rouge	46	Prosecutors
DESCRIPTION: This Course was a three-day training for new prosecutors which includes 2 hours of training on Victim's Rights, Domestic Violence Prosecution, and victim services legislation.			



<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
July 6-10, 2017	LDAA 40 <sup>th</sup> Annual Conference, Sandestin, FL	370	Judges, Prosecutors, LEOs, VACs, and Victim Service Providers
<p>DESCRIPTION: This Conference offered the following sessions:</p> <ul style="list-style-type: none"> <li>• The Trauma-Informed Responding-Understanding the Neurobiology of Trauma</li> <li>• Using Experts in Sexual Assault Cases</li> <li>• Alcohol-Facilitated Sexual Assault</li> <li>• CINC, FINS, And Victim Issues in Juvenile Court</li> <li>• Gun Control Restraining Orders and/or Protective Orders</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
August 27-30, 2017	LDAA State Victim Assistance Academy (LSVAA), Many, LA	70	VACs and Victim Service Providers
<p>DESCRIPTION: This Conference offered the following sessions:</p> <ul style="list-style-type: none"> <li>• Victim Rights Law</li> <li>• Domestic Violence</li> <li>• Sexual Assault</li> <li>• Human Trafficking</li> <li>• Louisiana Protective Order Registry</li> <li>• Louisiana Victim Notice Registration Form (LVNR)/Louisiana Automated Victim Notification (LAVNS)/Crime Victims Reparations (CVR)</li> <li>• Trauma Informed Interviewing</li> <li>• Preparing Children for Court</li> <li>• Mock Trial</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
November 15-17, 2017	LDAA Fall Seminar, New Orleans	200	Prosecutors, Judges, LEOs, VACs, and Victim Service Providers
<p>DESCRIPTION: This Seminar offered the following sessions:</p> <ul style="list-style-type: none"> <li>• Inside the Mind of a Victim: Counter Intuitive Victim Behavior Stopping Victim Bashing</li> <li>• Defining Consent and Overcoming the Consent Defense</li> <li>• Best Policies and Practices: Sexual Assault on College Campuses: Overview and Panel</li> <li>• Campus Sexual Assault: Louisiana Statutory Guidelines</li> <li>• Inside the Mind of the Perpetrator</li> <li>• Working with Your Sane and Multi-Disciplinary Team</li> <li>• Understanding Trauma</li> <li>• Issues in Juvenile Prosecutions</li> <li>• Voir Dire in Sexual Assault Cases</li> <li>• Issues in Domestic Violence Prosecutions</li> <li>• Alcohol and Drug Facilitated Rape</li> <li>• Witness Issues: Recanting Witnesses, Forfeiture by Wrongdoing, and When the Victim Testifies for the Defendant</li> <li>• Documenting the Sexual Assault Crime Scene</li> </ul>			

<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
November 27, 2017	LDAA Campus Sexual Assault Investigation Seminar, Natchitoches, LA	37	LEOs, College University Staff, Attorneys, and Victim Services Providers
<p>DESCRIPTION: This Seminar offered the following sessions:</p> <ul style="list-style-type: none"> <li>• What Is The "Neurobiology of Trauma?"</li> <li>• Interviewing Victims of Sexual Assault</li> <li>• Alcohol-Facilitated Sexual Assault</li> <li>• Clery Act and Title IX</li> <li>• Louisiana Sexual Assault Laws</li> </ul>			

## 2018

### (PROSECUTORS, LAW ENFORCEMENT OFFICERS (LEOs), JUDGES, VICTIM ASSISTANCE COORDINATORS (VACs), AND VICTIM SERVICE PROVIDERS)

<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
March 14-18, 2018	LDAA Basic Prosecutor Training, Baton Rouge	36	Prosecutors
<p>DESCRIPTION: This is a three-day training for new prosecutors and includes 2 hours of training on Victim's Rights and Domestic Violence Prosecution.</p>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
May 16-18, 2018	LDAA 15 <sup>th</sup> Annual VAC/Victim-Witness Assistance Seminar, Baton Rouge	90	Prosecutors, LEOs, VACs, and Victim Service Providers
<p>DESCRIPTION: This Seminar offered the following sessions:</p> <ul style="list-style-type: none"> <li>• Protecting Domestic Violence Victims</li> <li>• Protecting Victims from Identity Theft</li> <li>• Victim Privacy</li> <li>• Victim Registration</li> <li>• Preparing Child Victims for Court</li> <li>• Vicarious Trauma</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
June 25-29, 2018	LDAA Annual Conference, Sandestin, FL	330	Judges, Prosecutors, DA Investigators, LEOs, VACs, and Victim Service Providers
<p>DESCRIPTION: This Conference offered the following the following sessions:</p> <ul style="list-style-type: none"> <li>• Justice Reinvestment/Felony Class System</li> <li>• What Makes Someone an Expert Witness</li> <li>• Protecting Victims from Identity Theft</li> <li>• Using Victim Statements</li> </ul>			



<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
September 19-21, 2018	LDAA Co-sponsored -Sex Offender/Child Predator Enforcement Conference, LSP Auditorium, Baton Rouge	200	Federal & State LEOs, Federal & State Probation & Parole Officers, Prosecutors, DA Investigators, and VACs, Victim Service Providers
<p>DESCRIPTION: This Conference offered the following sessions:</p> <ul style="list-style-type: none"> <li>• Sex Offender Registry</li> <li>• A Victim's Story</li> <li>• Victim Privacy</li> <li>• Standing with Victims of Child Sexual Abuse</li> <li>• Sex Offender Sentencing</li> <li>• The Trauma Informed Response</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
October 5, 2018	LDAA/St. Bernard Parish DA's Office, "In Her/Their Shoes" Domestic Violence Training Workshop	20	LEOs, Prosecutors, VACs, and Victim Service Providers
<p>DESCRIPTION: This interactive domestic violence training put participants "in the shoes" of a domestic violence victim. By participating in this activity, participants are able understand the emotional and physical abuse that a battered woman experiences over the course of many years. The scenarios are based on true stories and relate the compelling experiences of women with abusive partners as told to us by them. The stories reflect the complex and dynamic nature of domestic violence, while also calling out the barriers that battered women face.</p>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
October 3-5, 2018	LDAA Basic Prosecutor Course	30	Prosecutors
<p>DESCRIPTION: This is a three-day training for new prosecutors and includes 2 hours of training on Victim's Rights and Domestic Violence Prosecution.</p>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
October 18, 2018	LDAA & Safe Harbor Domestic Violence Shelter, and Junior League of Greater Covington, Covington, LA	20	LEOs, Prosecutors, Victim Service Providers, and Other Stakeholders
<p>DESCRIPTION: This interactive domestic violence training put participants "in the shoes" of a domestic violence victim. By participating in this activity, participants are able understand the emotional and physical abuse that a battered woman experiences over the course of many years. The scenarios are based on true stories and relate the compelling experiences of women with abusive partners as told to us by them. The stories reflect the complex and dynamic nature of domestic violence, while also calling out the barriers that battered women face.</p>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
November 14-16, 2018	LDAA Fall Seminar, Lafayette	200	Judges, Prosecutors, DA Investigators, LEOs, VACs, and Victim Service Providers
<p>DESCRIPTION: This Conference offered the following sessions:</p> <ul style="list-style-type: none"> <li>• Prosecuting Elder Abuse</li> <li>• Interviewing Child Victims</li> <li>• Financial Abuse Against Elder Victims</li> <li>• Physical and Sexual Abuse of the Elderly</li> </ul>			

## 2019

### (PROSECUTORS, LAW ENFORCEMENT OFFICERS (LEOs), JUDGES, VICTIM ASSISTANCE COORDINATORS (VACs), AND VICTIM SERVICE PROVIDERS)

DATE	EVENT	# OF ATTENDEES	ATTENDEES/PARTICIPANTS
January 25, 2019	LDAA / Caddo Parish District Attorney's Office, "In Her/Their Shoes" Domestic Violence Training Workshop	31	LEOs, Prosecutors, Victim Assistance Coordinators, Victim Service Providers
DESCRIPTION: This interactive domestic violence training put participants "in the shoes" of a domestic violence victim. By participating in this activity, participants are able understand the emotional and physical abuse that a battered woman experiences over the course of many years. The scenarios are based on true stories and relate the compelling experiences of women with abusive partners as told to us by them. The stories reflect the complex and dynamic nature of domestic violence, while also calling out the barriers that battered women face.			
DATE	EVENT	# OF ATTENDEES	ATTENDEES/PARTICIPANTS
April 12, 2019	LDAA / Caddo Parish District Attorney's Office, "In Her/Their Shoes" Domestic Violence Training Workshop	23	Prosecutors, VACs, and Victim Service Providers
DESCRIPTION: This interactive domestic violence training put participants "in the shoes" of a domestic violence victim. By participating in this activity, participants are able understand the emotional and physical abuse that a battered woman experiences over the course of many years. The scenarios are based on true stories and relate the compelling experiences of women with abusive partners as told to us by them. The stories reflect the complex and dynamic nature of domestic violence, while also calling out the barriers that battered women face.			
DATE	EVENT	# OF ATTENDEES	ATTENDEES/PARTICIPANTS
June 12-14, 2019	LDAA Basic Prosecutor Course, Baton Rouge	39	Prosecutors
DESCRIPTION: This is a three-day training for new prosecutors and includes 2 hours of training on Victim's Rights and Domestic Violence Prosecution.			
DATE	EVENT	# OF ATTENDEES	ATTENDEES/PARTICIPANTS
June 20, 2019	LDAA / Desoto Parish District Attorney's Office, "In Her/Their Shoes" Domestic Violence Training Workshop, Many, LA	17	LEOs, Prosecutors, VACs, victim advocates, and Victim Service Providers
DESCRIPTION: This interactive domestic violence training put participants "in the shoes" of a domestic violence victim. By participating in this activity, participants are able understand the emotional and physical abuse that a battered woman experiences over the course of many years. The scenarios are based on true stories and relate the compelling experiences of women with abusive partners as told to us by them. The stories reflect the complex and dynamic nature of domestic violence, while also calling out the barriers that battered women face.			



<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
July 7-11, 2019	LDAA Annual Conference, Sandestin, FL	275	Judges, Prosecutors, DA Investigators, LEOs, VACs, and Victim Service Providers
<p>DESCRIPTION: This is Conference offered the following sessions:</p> <ul style="list-style-type: none"> <li>• "In Her/Their Shoes" Domestic Violence Training Workshop</li> <li>• 313 / "Gwen's Law" Hearings</li> <li>• Prosecuting Child Sexual Abuse Cases</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
October 23, 2019	LDAA 16 <sup>th</sup> Annual VAC/ Victim-Witness Assistance Seminar, Lafayette, LA	90	LEOs, Prosecutors, VACs, and Victim Service Providers
<p>DESCRIPTION: The Seminar offered the following sessions:</p> <ul style="list-style-type: none"> <li>• Enhanced Crime Victim Resources</li> <li>• Domestic Violence Firearm Surrender Overview and Enforcement</li> <li>• First, Do No Harm: Trauma-Informed Interviewing</li> <li>• Appellate Procedure, Probation and Parole, and Dept. Of Corrections Victim Notification</li> <li>• Is He / She Just Crazy? Helping Advocates Respond to Victims / Witnesses with Mental Health Disorders</li> <li>• Witness Relocation, Threats Against Victims and Witnesses, Challenges for VAC, and Available Resources</li> <li>• Legislative Update / Justice Reinvestment</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
November 20-22, 2019	LDAA Fall Seminar	168	LEOs, Prosecutors, VACs, and Victim Service Providers
<p>DESCRIPTION: This Seminar offered the following sessions:</p> <ul style="list-style-type: none"> <li>• The Crime Victim in the Criminal Justice System: The Various States of Recovery</li> <li>• Domestic Violence Prosecutions</li> <li>• Human Trafficking/Sex Trafficking/Labor Trafficking Prosecutions</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
December 3, 2019	LDAA / Natchitoches Parish District Attorney's Office, "In Her/Their Shoes" Domestic Violence Training Workshop	30	LEOs, Prosecutors, VACs, and Victim Service Providers
<p>DESCRIPTION: This interactive domestic violence training put participants "in the shoes" of a domestic violence victim. By participating in this activity, participants are able understand the emotional and physical abuse that a battered woman experiences over the course of many years. The scenarios are based on true stories and relate the compelling experiences of women with abusive partners as told to us by them. The stories reflect the complex and dynamic nature of domestic violence, while also calling out the barriers that battered women face.</p>			

## **2020 (COVID-19 PANDEMIC YEAR)**

**(PROSECUTORS, LAW ENFORCEMENT OFFICERS (LEOs), JUDGES, VICTIM ASSISTANCE COORDINATORS (VACs), AND VICTIM SERVICE PROVIDERS)**

<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
January 29-31, 2020	LDAA Basic Prosecutor Course, Baton Rouge, LA	45	Prosecutors
DESCRIPTION: This is a three-day training for new prosecutors and includes 2 hours of training on Victim's Rights and Domestic Violence Prosecution.			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
June 16 and June 18, 2020	LDAA Victim Services Webinar Series	79	Prosecutors and VACs
DESCRIPTION: Two-day online seminar series (1.5 hours each) – Included information on working with victims and the neurology of trauma.			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
July 23, 2020	Victims Legislation Webinar	100	Criminal Justice Personnel, Prosecutors, VACs, and Victim Service Providers
DESCRIPTION: This one-hour online seminar provided information on legislation that was passed in the 2020 session that would impact victims and victims related prosecution. This included legislation on sexual assault, domestic violence, dating violence, protective orders, crime victim's reparations, and human trafficking.			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
November 15-17, 2020	LDAA Fall Seminar (Virtual)	233	LEOs, State & Federal Prosecutors, and Other Stakeholders
DESCRIPTION: This Virtual Conference offered the following sessions: <ul style="list-style-type: none"> <li>• Crime Scene Analysis/Testimony in Violent and Victim Related Crimes</li> <li>• Cross Examination of an Expert Witness</li> <li>• Federal Response to Domestic Violence Involving Possession of Firearms</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
December 16-17, 2020	LDAA New DA Orientation	30	District Attorneys and Prosecutors
DESCRIPTION: This is a two-day training for newly elected DAs and includes training on Victim's Rights and Domestic Violence Prosecution.			



## 2021

### (PROSECUTORS, LAW ENFORCEMENT OFFICERS (LEOs), JUDGES, VICTIM ASSISTANCE COORDINATORS (VACs), AND VICTIM SERVICE PROVIDERS)

DATE	EVENT	# OF ATTENDEES	ATTENDEES/PARTICIPANTS
January 12, 2021	LDAA / LA DOJ Regional Domestic Violence Protecting Families Training, Bogalusa, LA	10	LEOs, Prosecutors, and Victim Services Providers
DESCRIPTION: This Conference offered the following sessions: <ul style="list-style-type: none"> <li>• Brain Story (Trauma and Stress)</li> <li>• Strangulation</li> <li>• Case Study/Effective Report Writing in Crimes of Violence</li> </ul>			
DATE	EVENT	# OF ATTENDEES	ATTENDEES/PARTICIPANTS
January 27-29, 2021	LDAA Basic Prosecutor Training, Baton Rouge, LA	43	Prosecutors
DESCRIPTION: This is a three-day training for new prosecutors and includes 2 hours of training on Victim's Rights and Domestic Violence Prosecution.			
DATE	EVENT	# OF ATTENDEES	ATTENDEES/PARTICIPANTS
February 2, 2021	LDAA/LA DOJ Regional Domestic Violence Protecting Families Training, LA, Morgan City, LA	45	LEOs, Prosecutors, Victim Service Providers
DESCRIPTION: This training offered the following sessions: <ul style="list-style-type: none"> <li>• Brain Story (Trauma and Stress)</li> <li>• Strangulation</li> <li>• Case Study/Effective Report Writing in Crimes of Violence</li> </ul>			
DATE	EVENT	# OF ATTENDEES	ATTENDEES/PARTICIPANTS
February 25, 2021	LDAA / LA DOJ Regional Domestic Violence Protecting Families Training, Vidalia, LA	19	LEOs, Prosecutors, Victim Service Providers
DESCRIPTION: This training offered the following sessions: <ul style="list-style-type: none"> <li>• Brain Story (Trauma and Stress)</li> <li>• Strangulation</li> <li>• Case Study/Effective Report Writing in Crimes of Violence</li> </ul>			
DATE	EVENT	# OF ATTENDEES	ATTENDEES/PARTICIPANTS
March 3, 2021 March 18, 2021 April 4, 2021	LDAA Victim Assistance Coordinator Webinar Series	46	Prosecutors and Victim Assistance Coordinators
DESCRIPTION: This three-day online seminar series (1.5 hours each) provided training on domestic violence related issues, included information on the history of domestic violence and providing services to victims of domestic violence.			

<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
March 5, 2021	LDAA NEW Victim Assistance Coordinator (VAC) Orientation, Baton Rouge	32	Victim Assistance Coordinators and Prosecutors
<p>DESCRIPTION: This training offered the following sessions:</p> <ul style="list-style-type: none"> <li>• Victim Assistance-An Introduction/Getting Started</li> <li>• Professional Techniques, Tips, and Information for VACs</li> <li>• "Gwen's Law" &amp; Restraining Orders, Brady evidence, and Post-Conviction Process</li> <li>• Enhanced Victim Services Program Overview</li> <li>• Ethics/Professionalism/Diversity in Victim Services</li> <li>• Resources/Sample Forms/Victim Notification Form/DOC Form/ Crime Victims Reparations</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
March 12, 2021	LDAA NEW Victim Assistance Coordinator (VAC) Orientation, Baton Rouge	27	Victim Assistance Coordinators and Prosecutors
<p>DESCRIPTION: This training offered the following victim/violent crimes sessions:</p> <ul style="list-style-type: none"> <li>• Victim Assistance-An Introduction/Getting Started</li> <li>• Professional Techniques, Tips, and Information for VACs</li> <li>• "Gwen's Law"/Restraining Orders, Brady evidence &amp; Post-Conviction Process</li> <li>• Enhanced Victim Services Program Overview</li> <li>• Ethics/Professionalism/Diversity in Victim Services</li> <li>• Resources/Sample Forms/Victim Notification Form/DOC Form/ Crime Victims Reparations</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
March 9, 2021	Regional LDAA/LA DOJ Domestic Violence Protecting Families Training, Opelousas, LA	57	LEOs, Prosecutors, Victim Assistance Coordinators, Victim Service Providers, Criminal Justice Personnel, Other Stakeholders
<p>DESCRIPTION: This Conference offered the following sessions:</p> <ul style="list-style-type: none"> <li>• Brain Story (Trauma and Stress)</li> <li>• Strangulation</li> <li>• Case Study/Effective Report Writing in Crimes of Violence</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
March 16, 2021	Regional LDAA/LA DOJ Domestic Violence Protecting Families Training, Harvey, LA	36	LEOs, Prosecutors, Victim Assistance Coordinators, Victim Service Providers, Criminal Justice Personnel, Other Stakeholders
<p>DESCRIPTION: This Conference offered the following sessions:</p> <ul style="list-style-type: none"> <li>• Brain Story (Trauma and Stress)</li> <li>• Strangulation</li> <li>• Case Study/Effective Report Writing in Crimes of Violence</li> </ul>			



<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
April 8, 2021	Regional LDAA/LA DOJ Domestic Violence Protecting Families Training, Many, LA	19	LEOs, Prosecutors, Victim Assistance Coordinators, Victim Service Providers, Criminal Justice Personnel, Other Stakeholders
DESCRIPTION: This training offered the following sessions: <ul style="list-style-type: none"> <li>• Brain Story (Trauma and Stress)</li> <li>• Strangulation</li> <li>• Case Study/Effective Report Writing in Crimes of Violence</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
April 15 and 30, 2021	LDAA Best Practices for Providing Victim Services to Children and Adults with Disabilities	28	Prosecutors, Victim Assistance Coordinators
DESCRIPTION: Two days of In-Person Training (6 hours each) on providing services to children and adults with disabilities who are victims of domestic violence, child abuse, and sexual abuse.			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
April 22, 2021 May 13, 2021 May 27, 2021	LDAA Best Practices for Providing Victim Services to Immigrant Victims	20	Prosecutors, Victim Assistance Coordinators
DESCRIPTION: Three-day online seminar series which trained on providing services to immigrant victims of domestic violence, dating violence, stalking, child abuse, child neglect, sexual assault, and human trafficking.			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
May 24, 2021	LDAA/La. DOJ Violence Against Women, Addressing Domestic Violence and Mental Wellness Training, Shreveport, LA	26	LEOs, Prosecutors, Victim Assistance Coordinators, Victim Service Providers, Other Stakeholders
DESCRIPTION: This Training offered the following sessions: <ul style="list-style-type: none"> <li>• Domestic Violence Task Force Overview</li> <li>• Diversity/Bias Awareness; Offender-Focused Investigations</li> <li>• Brain Story (Trauma &amp; Stress)</li> <li>• Neurobiology of Trauma/Mental Wellness</li> <li>• Case Study/Effective Report Writing in Violent Crimes Cases</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
June 3, 2021 June 10, 2021 June 17, 2021 June 24, 2021	LDAA Best Practices for Providing Victim Services to Under Served Victims	146	Prosecutors, Victim Assistance Coordinators
DESCRIPTION: Four-day online seminar series (1.5 hours each) on providing services to victims of domestic violence and sexual assault who are LGBTQ, Deaf or Hard of Hearing, and Non-English Speakers.			

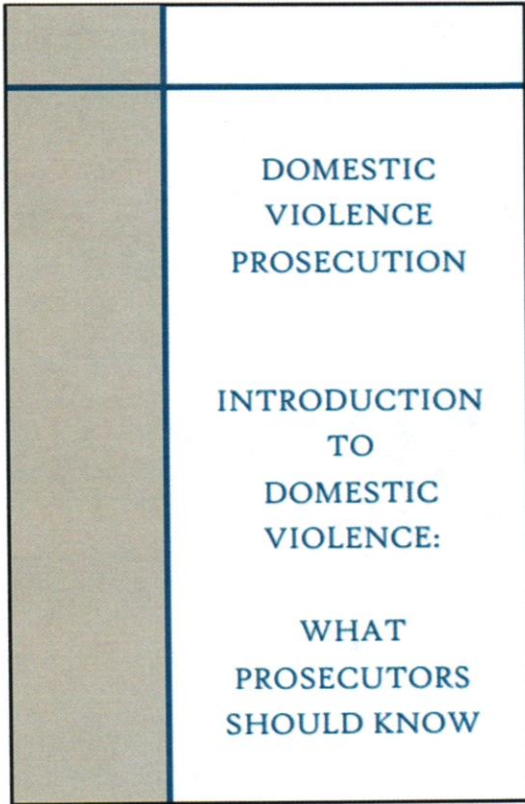


<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
June 9, 2021	LDAA Human Trafficking Training Seminar, Lafayette, LA	72	LEOs, State/Federal Prosecutors, Victim Assistance Coordinators, Victim Service Providers, Other Stakeholders
<p>DESCRIPTION: This Conference offered the following sessions:</p> <ul style="list-style-type: none"> <li>• Human Trafficking Prosecutor Manual Overview</li> <li>• Human Trafficking Overview &amp; Trends in HT</li> <li>• Coercion Based HT Prosecutions</li> <li>• Human Trafficking Case Study</li> <li>• Why Human Trafficking Victims Are Different</li> <li>• Eliciting &amp; Corroborating Evidence in Human Trafficking Cases</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
June 28-July 2, 2021	LDAA 43 <sup>rd</sup> Annual Conference	269	LEOs, State/Federal Prosecutors, Victim Assistance Coordinators, Victim Service Providers, Other Stakeholders
<p>DESCRIPTION: This Conference offered the following sessions:</p> <ul style="list-style-type: none"> <li>• Legislative Update</li> <li>• Truckers Against Trafficking</li> <li>• Voir Dire to Verdict – Navigating Domestic Violence Cases</li> <li>• Opioids, Overdoses and Violent Crime: Augmenting the Prosecutor’s Role</li> <li>• Trauma Informed Prosecution</li> <li>• Multi-Disciplinary Investigative Teams and Child Advocacy Center</li> <li>• Louisiana Child In Need of Care “CINC” Benchbook Overview</li> <li>• Ethics and Professional</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
November 10, 2021	LDAA Regional Upcoming Year’s End CLE Training	TBA	Judges, Prosecutors, Victim Assistance Coordinators
<p>DESCRIPTION: This training offered the following sessions:</p> <ul style="list-style-type: none"> <li>• Victim Services: Building the Gap Between Prosecutors and Victim Assistance Coordinators</li> <li>• Human Trafficking</li> </ul>			
<b>DATE</b>	<b>EVENT</b>	<b># OF ATTENDEES</b>	<b>ATTENDEES/PARTICIPANTS</b>
December 14-15, 2021	Upcoming LDAA Juvenile Prosecutor & Court Improvement Program (CIP) Training (Virtual & In-Person), Baton Rouge	TBA	LEOs, Prosecutors, Judges, Victim Service Providers, Criminal Justice Personnel
<p>DESCRIPTION: This training offered the following sessions:</p> <ul style="list-style-type: none"> <li>• Role &amp; Attributes of High-Quality Representation of DA/ADA in CINC Cases</li> <li>• Overview of CINC Process</li> <li>• Hearings, and Timeliness</li> <li>• Child Welfare and Safety Decision Making</li> <li>• A Conversation with Office of Juvenile Justice</li> <li>• Appellate Practice in Juvenile Court</li> <li>• Understanding the Forensic Interview Process &amp; Working with the Child Victim</li> </ul>			

### **III. CONCLUSION**

Unquestionably, the LDAA has been a leader in providing ongoing state-of-the-art training not only to prosecutors and victim assistance coordinators, but to the law enforcement community at large. In its partnerships with other stakeholders, the LDAA continues to ensure that the rights of domestic abuse victims are preserved, the safety of the community is ensured, and the offenders are held accountable. Equally so, the LDAA continues to lead the charge in furthering victims' rights legislation to afford those most at risk a safe harbor, and to the voiceless, a right to be heard.

## LDAA APPENDIX B



This project is a collaborative effort between the Louisiana Department of Justice, Office of the Attorney General's Office and the Louisiana District Attorney's Association. Material presented was gathered from several resources including "The Domestic Violence Prosecution Handbook" provided by the Louisiana District Attorney's Association, 2001.

Credits can be found in the reference section of this manual.  
Collaborative Partners include:

Louisiana Department of Justice, Office of the Attorney General  
Louisiana District Attorney's Association  
Louisiana Commission on Law Enforcement

Michelle Anderson, J.D., 4<sup>th</sup> Judicial District Attorney's Office

Jennifer Johnson, J.D., 4<sup>th</sup> Judicial District Attorney's Office  
Cynthia Lavaspere, J.D., 4<sup>th</sup> Judicial District Attorney's Office  
Melanie Fields, J.D. 19<sup>th</sup> Judicial District Attorney's Office  
Sunny Funk, J.D., 24<sup>th</sup> Judicial District Attorney's Office  
Margaret Hay, J.D., 24<sup>th</sup> Judicial District Attorney's Office  
Becki Truscott Kondkar, J.D., Tulane Domestic Violence Law Clinic  
Ayn Stehr, J.D.

2

This public document is published at a total cost of \$1475.00. 250 copies of this public document were published in this first printing at a cost of \$1475.00. The total cost of all printings of this document including reprints is \$1475.00. This document was published by Moran Printing, Inc. at 5424 Florida Blvd., Baton Rouge, LA 70806 for the Louisiana Department of Justice to be used as a training resource for prosecutors when prosecuting domestic violence cases. This material was printed in accordance with standards for printing by State Agencies established in R.S. 43:31. Printing of this material was purchased in accordance with the provisions of Title 43 of the Louisiana Revised Statutes. Printing of this material was supported by Subgrant number 2012-WF-05-1566 awarded by the Louisiana Commission on Law Enforcement through the office on Violence Against Women.

### INTRODUCTION

#### Domestic violence: The prevalence and the problem

The Huffington Post published an article in 2014 titled *30 Shocking Domestic Violence Statistics That Remind Us It's An Epidemic*. "Huffington Post, 10/23/2014, updated 02/13/2015. The statistics cited in the article are staggering. The number of American troops killed in Afghanistan and Iraq between 2001 and 2012 was 6,488. The number of American women who were murdered by current or ex male partners during that time was 11,766. In the U.S., 3 women are murdered every day by a current or former male partner. The number of women who have experienced physical intimate partner violence in their lifetime is 38,028,000. This article states, "Domestic violence is not a singular incident, it's an insidious problem deeply rooted in our culture - and these numbers prove that." 4,774,000 women experience physical violence by an intimate partner every year. One in four women, and one in seven men will be victims of severe violence by an intimate partner in their lifetime. 10,000,000 children are exposed to domestic violence every year. It is estimated that only 25% of physical assaults perpetrated against women are reported to law enforcement.

Against this epidemic stands law enforcement and the district attorney's office. As an assistant district attorney, you can help end this "cycle of violence" through the effective prosecution of domestic violence cases in your office.

Louisiana ranks **second** in the nation in the rate of women murdered by men, according to a study by The Violence Policy Center, who analyzed FBI homicide statistics for 2017.

3



## LDAA APPENDIX C

### I. LEGISLATION

The LDAA has been instrumental in the passage of numerous pieces of legislation benefiting the victims of domestic violence, as well as victims' rights overall. The following are some highlights of LDAA-proposed or LDAA-supported legislation in recent years.

- Act 694 of the 2004 Legislative Session authorized the use of “prior inconsistent statements” as substantive evidence and is likely the single most important factor in “evidence-based” prosecutions of domestic violence perpetrators.
- Act 7 of the 2009 Legislative Session and Act 543 of the 2010 Legislative Session – created the forfeiture by wrongdoing exception to hearsay and set the standard for admission of the statements.
- Act 399 of the 2016 Legislative Session – allowed for the admission of prior bad acts evidence in domestic violence and child abuse cases.
- Act 79 of the 2017 Legislative Session – amended the definition of a household member to include those that live together but were not married.
- Act 84 of the 2017 Legislative Session – created the crime of battery of a dating partner
- Act 293 of the 2018 Legislative Session – expanded the list of crimes of violence to include domestic abuse battery with serious bodily injury, battery of a dating partner with serious bodily injury, and violation of a protective order involving at battery; it also enhanced some of the penalties in domestic violence and dating violence crimes when the victim is pregnant, when there is a child present, and when it involves strangulation or burning.
- Act 417 of the 2019 Legislative Session – added the requirement that a petitioner be advised that the granting of a protective order does not file criminal charges against the abuser.
- Act 427 of the 2019 Legislative Session – made changes to the firearms transfer for those who are prohibited from Possession a Firearm in domestic abuse cases.
- Act 101 of the 2020 Legislative Session – expanded the list of crimes of violence to include more domestic violence and dating violence crimes; updated the definitions of family members and household members in the domestic abuse statutes.
- Act 246 of the 2020 Legislative Session – expanded the availability of protective orders and no-contact orders as part of bail; mandated that protective orders be issued as part of parole in certain circumstances; allowed for protective orders to remain in place for the pendency of the criminal case.
- Act 320 of the 2021 Legislative Session – created the Domestic Violence Fatality Review Team within the Department of Health and the LDAA has a representative on the panel.
- SCR 45 of the 2021 Legislative Session – created the Survivor Informed Task Force and LDAA has two members on the task force.

## **Challenges in Louisiana’s Efforts to Address Domestic Violence Report of the Legislative Auditor**

Louisiana District Judges Association – Comments  
November 8, 2021

---

Upon request of the Legislative Auditor and under the leadership of Judge Scott Schlegel, Louisiana District Judges Association President, the following comments are offered regarding Domestic Violence issues in Louisiana.

### Training and Education

The report addresses the need for more advanced domestic violence training for entities involved in criminal justice. This training should be offered not just to judges but to all members of the justice system, including district attorneys, public defenders, and law enforcement. The training should be offered on a more consistent and uniform basis and include instruction regarding:

- psychological and social dynamics of domestic violence;
- trauma, including PTSD, and the effect on children as witnesses or victims of domestic violence;
- identification and effective examination of domestic violence at the misdemeanor level;
- awareness training, including victim-centered and trauma-informed approaches.

### Social Services

The report identifies the current services available to victims and perpetrators of domestic violence. From the perspective of the judiciary, these services are deficient in the following areas:

- Inconsistency in curriculum for Batterer’s Intervention Programming;
- Insufficient number of providers for rehabilitative services where training is part of an offender’s sentence;
- Lack of standards and oversight in rehabilitative services;
- Lack of sufficient resources addressing the needs of children.

### Individual District Judge Statements:

“...[P]roper training and understanding of domestic violence by judges and prosecutors, as well as the treatment of domestic abusers while incarcerated, could make a huge impact in the effort to stop the cycle of abuse and ... to save lives in Louisiana.”

*Judge David Ritchie, 14<sup>th</sup> Judicial District Court*

“The Family Justice Centers around the state are excellent resources for training as well as local DV Prevention Entities....There is no consistency in what is being taught in DAIP (Batterer’s Intervention Programs). In my area of the state, there are very few providers. These programs should have some standards and oversight.”

*Judge Laurie Brister, 6<sup>th</sup> Judicial District Court*

-end-



# Louisiana Sheriffs' Association

1175 Nicholson Drive  
Baton Rouge, Louisiana 70802  
225.343.8402  
Fax 225.336.0343  
www.lsa.org

Michael A. Ranatza  
Executive Director

Gary K. Bennett  
Assistant Executive Director

December 13, 2021

Louisiana Legislative Auditor  
1600 N. Third Street  
Baton Rouge, Louisiana 70802

Mr. Waguespack,

Thank you for allowing us to review your report on domestic violence in Louisiana. As Sheriffs, protecting victims is our top priority. We will continually seek ways to improve or enhance the process and training as it relates to domestic violence prevention and victim protection.

When it comes to safety, we continually strive for perfection. As such, we reviewed the report that was sent to us by your office on protective orders served in Louisiana. In looking at all available information, we feel it is paramount that this point be made clear: we are looking at a documentation issue that needs to be addressed, not a service of process or scope of protection issue. We feel that it is important that the public understand that while we are most assuredly working to protect those persons covered by these protective orders, we need to work on our administrative process involving the paperwork to be filed after the protective orders are actually served. Our Sheriffs' offices have always prioritized the service of temporary restraining orders (TROs) and protective orders such as these to ensure the safety of actual and potential victims and will continue efforts to do so.

We are very grateful that you have engaged us in this conversation, as we took note of some discrepancies in data between what your office issued, what our offices maintain, and what is on the website of the Louisiana Supreme Court Protective Order Registry. We appreciated being able to meet with the staff of the Louisiana Supreme Court Protective Order Registry and agreed to work together to improve communication and reporting processes.

We acknowledge that reporting the service return document to the Registry is important administratively and that we can do better in effecting this reporting. We found sheriffs were submitting the return to the Clerk of Court locally in many instances, but not additionally with the Supreme Court Registry. To address this lack of back-up reporting, we have scheduled additional training on the Protective Order Registry process to emphasize the importance

of completing the administrative reporting of service information, ensuring that the process is maintained.

We also noted that your report includes the conclusion that some Sheriffs' offices did not have third-party firearm transfer policies. After surveying Sheriffs' offices, we found that the practice of transferring firearms is being accomplished safely across the state; however, a policy was not in place in some offices other than having available the transfer form itself. To address this item, we are sending a notice to every Sheriff's office to help ensure that a policy is in place to help foster compliance with this law.

We continue to do everything humanly possible to serve protective orders as issued by the Court and understand the severity of risk and the importance of the accomplishment of the tasks involved, including finding perpetrators who run or hide from law enforcement to avoid personal service of these orders. We want to make clear that this is a reporting, documentation and record retention issue, not a deficit in services or protection. Protecting victims is of utmost importance to our sheriffs.

We look forward to working together with the Courts, the community, victims, advocates, and the Legislature to make improvements to this process and continue being a part of the solution to protect victims of these terrible crimes.

Sincerely,

*Michael Ranatza*

Michael Ranatza  
Executive Director  
Louisiana Sheriffs' Association





# Supreme Court

STATE OF LOUISIANA  
400 ROYAL STREET  
SUITE 1190  
New Orleans  
70130-8101

CHIEF JUSTICE

**JOHN L. WEIMER**

JUDICIAL ADMINISTRATOR

**SANDRA A. VUJNOVICH**

TELEPHONE: (504) 310-2550

FAX: (504) 310-2587

December 14, 2021

Please accept this Management Response on behalf of the Office of the Judicial Administrator, Louisiana Supreme Court.

As mentioned in the audit, the Louisiana Protective Order Registry (LPOR) is a statewide registry established by law for court orders that are issued to prevent domestic abuse. To provide more information on LPOR, the registry was created for the purpose of enhancing court-ordered protections for victims and their minor children, and to aid law enforcement, prosecutors and the courts in handling cases involving intimate partner violence. LPOR is not a public access database. The Judicial Administrator's Office of the Louisiana Supreme Court is responsible for developing and disseminating standardized forms, called "Louisiana Uniform Abuse Prevention Order" forms, and for collecting and entering the protection order data from all courts into the registry. From the Louisiana Supreme Court's website, [www.lasc.org](http://www.lasc.org), one can view and download [legal forms](#) and [software programs](#) developed by LPOR to assist those who fill out forms on a regular basis. One can also learn about the [LPOR training seminars](#) held annually around the state, and register online to attend. Additional information at this site includes a compilation of Louisiana and federal [laws](#) related to domestic violence, including a table of relevant cases, and the [filing steps](#) a petitioner takes to get a restraining order. A translation of these steps is also available in pdf format in the following languages:

- [Spanish \(en español\)](#)
- [Vietnamese \(bằng tiếng việt\)](#)
- [Arabic \(بالعربية\)](#)
- [Mandarin \(用普通话\)](#)

In short, LPOR is not only a repository of court orders but also serves as an excellent resource.

In 2020, 25,696 orders were entered into the Registry. Of this total, approximately 64% of the orders were civil and 36% of the orders were criminal.

The audit comments that Louisiana does not have a standardized policy on court handling of domestic violence cases, nor any best practice guidelines for judges. However, as previously mentioned, LPOR regularly provides training seminars across the state to explain how the registry works, highlight relevant state and federal laws, and disseminate the standardized forms and interactive software. These seminars are designed for, but not limited to, judges, magistrates, commissioners, hearing officers, judicial administrators, clerks of court, other court personnel, prosecutors, probation and parole officers, law enforcement personnel, victim assistance providers, victim advocates, legal services providers, and attorneys. Training is offered both at regular judicial conferences sponsored by the Louisiana Judicial College, as well as additional training sessions sponsored by LPOR throughout the year. Training is offered in “judge-only” sessions as well as in sessions where court personnel is invited to participate as well as other criminal justice agencies.

In addition, to ensure that Louisiana judges have the most recent and relevant information available, all judges receive the “LPOR Quick Reference Guide to the Forms and Statutes”, which is updated and published as per the passage of new legislation. This guide is sent to the judiciary in electronic form, as well as, hard copy. The guide outlines Louisiana’s Civil Domestic Abuse, Dating Violence, Stalking and Sexual Assault Law and LPOR mandatory forms. The Guide also provides a reference to Firearm prohibitions in civil and criminal orders of protection. The nineteen-page Guide can be accessed here: [LPOR Quick Reference Guide](#).

The audit also discusses the issue of successful service of protective orders. Service of protective orders is a responsibility of law enforcement, and LPOR stands ready to cooperate and assist law enforcement, such as by maintaining records of successful service and assisting with education of officers. We look forward to further discussions with the Louisiana Sheriffs Association on this issue.

Thank you for the opportunity to offer this response.

Yours very truly,



Sandra A. Vujnovich, Judicial Administrator

## APPENDIX B: SCOPE AND METHODOLOGY

This report provides the results of our evaluation of the challenges Louisiana faces in its efforts to address domestic violence. We conducted this performance audit under the provisions of Title 24 of the Louisiana Revised Statutes of 1950, as amended. This audit covered fiscal years 2016 through 2020. Our audit objective was:

### **To identify challenges Louisiana faces in its efforts to address domestic violence.**

We conducted this performance audit in accordance with generally accepted *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide reasonable basis for our findings and conclusions based on our audit objective. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective. To answer our objective, we reviewed internal controls relevant to the audit objective and performed the following audit steps:

- Reviewed Louisiana state laws and federal laws related to domestic violence.
- Interviewed the following stakeholders to identify challenges: the Department of Children and Family Services (DCFS), the Louisiana Commission on Law Enforcement (LCLE), the Louisiana Coalition Against Domestic Violence, the Louisiana Domestic Violence Prevention Commission, State Representative Aimee Adatto Freeman, State Representative Larry Bagley, State Senator Fred Mills, the East Baton Rouge Parish District Attorney's Office, the Attorney General's Office, the Louisiana Department of Health's Office of Public Health, the Louisiana Supreme Court, the Louisiana Protective Order Registry, Chez Hope, Faith House, 19th Judicial District Court Judge Fred Crifasi, Family Services of Baton Rouge, the Lafourche Parish Sheriff's Office, the New Orleans Police Department, Louisiana Appleseed, and the Louisiana Sheriffs' Association.
- Reviewed best practices, research materials, and reports related to domestic violence from sources including, but not limited to, Amnesty International, the Louisiana Coalition Against Domestic Violence, the Louisiana Domestic Violence Prevention Commission, Violence Policy Center, National Coalition Against Domestic Violence, and Centers for Disease Control and Prevention.
- Surveyed all 16 domestic violence program providers to obtain feedback on challenges in addressing domestic violence and received responses from all of them.
- Surveyed each state's domestic violence coalition to obtain information on domestic violence in other states. We received 11 responses.

- Obtained and reviewed domestic violence funding information from DCFS and LCLE for state and federal fiscal years 2016 through 2020.
- Contacted a targeted selection of sheriff's offices across the state to identify whether those offices had developed policies and procedures regarding firearm relinquishments and transfers as required by law. We selected 20 sheriff's offices based on the number of protective orders in the parish, including parishes with the highest, middle range, and lowest number of protective orders. We also included a cross-section of urban and rural parishes. We received responses from 16 sheriff's offices.
- Contacted a targeted selection of school districts across the state to identify whether each school system included dating violence education and reporting as required by law. We selected 21 school systems in 19 parishes to get a cross-section based on the number of protective orders in the parish, general size of the parish, and both urban and rural areas. We received responses from 18 school systems.
- Obtained and analyzed protective order data from the Louisiana Protective Order Registry (LPOR) to identify the number and type of protective orders by parish. This data is unaudited, as we received aggregated data. Based on results from our analysis, we determined through interviews with the Supreme Court, sheriff's offices, and the Louisiana Sheriffs' Association that not all sheriff's offices have been submitting proof of service to LPOR which results in incomplete LPOR data.
- Obtained and reviewed domestic violence training modules developed by LCLE for law enforcement.
- Incorporated feedback from stakeholders into the final report.
- Met with the Louisiana Supreme Court and Louisiana Sheriffs' Association regarding LPOR and related processes.
- Allowed the following entities the opportunity to provide written responses to the audit report:
  - Louisiana Coalition Against Domestic Violence
  - Louisiana Domestic Violence Prevention Commission
  - DCFS
  - LCLE
  - Louisiana Supreme Court
  - Department of Education

- Board of Elementary and Secondary Education
- Louisiana Sheriffs' Association
- Louisiana District Attorneys Association
- Louisiana District Judges Association



## APPENDIX C: ENTITIES IN LOUISIANA INVOLVED WITH DOMESTIC VIOLENCE SERVICES

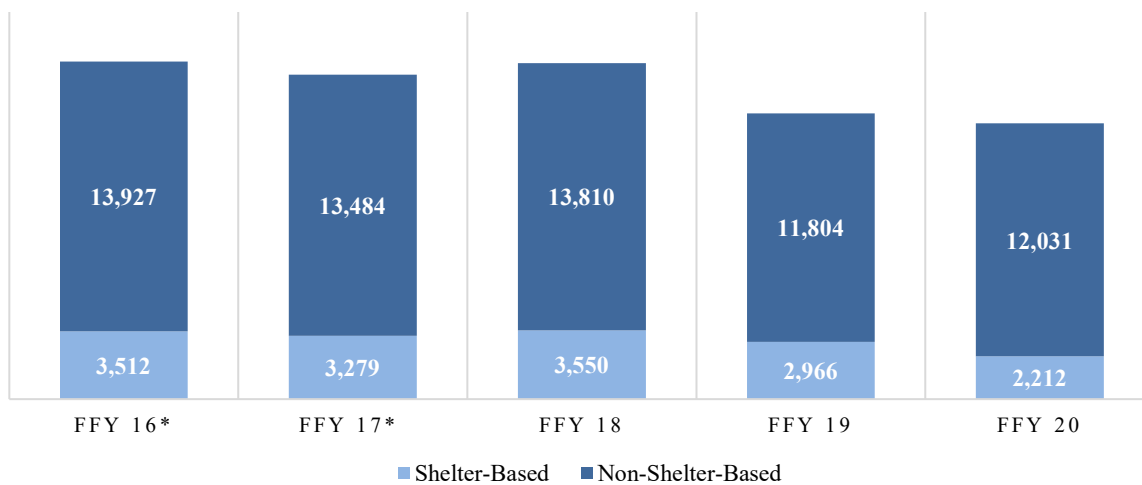
Entity	Role	Description
Louisiana Coalition Against Domestic Violence (LCADV)	State Advocacy and Coordination	The federally-designated statewide coalition of shelters, non-residential programs, and individuals working to end domestic violence in Louisiana. LCADV's mission is to eliminate domestic violence through public education, systems change, social change, and public policy, as well as to promote and strengthen quality comprehensive services for member programs and all individuals affected by domestic violence.
Louisiana Domestic Violence Prevention Commission	Policy and Statewide Research	The Commission assists local and state leaders in developing and coordinating domestic violence programs, conducts a continuing comprehensive review of all existing domestic violence programs to identify gaps in services, develops a state needs assessment, makes recommendations to improve prevention and intervention, and develops a plan to ensure state laws on domestic violence are properly implemented, as well as provides training to law enforcement and the judiciary.
Department of Children and Family Services (DCFS)	Grant Administration; Quality Assurance of Shelters	Through its Family Violence Prevention and Intervention Program, DCFS works to provide safe and stabilized home environments for children, families, and individuals in crisis or particularly those at risk of domestic violence. DCFS administers federal grant funding from Temporary Assistance for Needy Families and Family Violence Prevention and Services to domestic violence shelters and service providers and conducts quality assurance monitoring for these providers.
Louisiana Commission on Law Enforcement (LCLE)	Grant Administration; Law Enforcement Training	LCLE administers federal grants (STOP Violence Against Women Grant and Victims of Crime Assistance) and state funds (Justice Reinvestment Initiative) for domestic violence-related activities. LCLE carries out staff functions of the Peace Officer Standards and Training Council, which develops and evaluates the curriculum of mandatory basic and in-service training for law enforcement.
Louisiana Department of Health (LDH)	Domestic Violence Fatality Reviews	LDH's Office of Public Health maintains the Louisiana Violent Death Reporting System as part of the National Violent Death Reporting System. The purpose of this initiative is to understand why a death occurred and how to prevent it in the future. In addition, Act 320 of the 2021 legislative session created the Louisiana Domestic Abuse Fatality Review panel within LDH to identify domestic abuse fatalities in the state, identify trends, and make recommendations for systematic improvements.



Entity	Role	Description
Attorney General's (AG's) Office	Training	The AG's Office receives federal STOP grant funds to provide domestic violence training to law enforcement around the state.
Louisiana Supreme Court	Louisiana Protective Order Registry (LPOR)	The Supreme Court maintains the LPOR, a statewide repository of court orders issued to prohibit domestic abuse, dating violence, stalking, and sexual assault.
District Attorneys (DAs)	Judicial	DAs are responsible for prosecuting criminal cases of domestic violence. DAs determine to accept or reject charges made by law enforcement, recommending bail, and offering plea deals. Some DA offices also work to link victims to needed services.
Judges	Judicial	Judges approve protective order requests, preside over criminal domestic violence cases, and may mandate domestic violence intervention programming for abusers.
Clerks of Court	Judicial	Clerks of court receive and process protective order paperwork and send protective order information to the LPOR and sheriff's offices.
Law Enforcement	Emergency Response; Criminal Justice	Law enforcement is often the first point of contact in domestic violence cases. They determine whether or not to make an arrest, identify the predominant aggressor, link victims with services, collect evidence for prosecution, serve protective orders, and assist in the relinquishment of firearms for those prohibited from possessing them.
Service Providers/ Shelters	Direct Services to Victims/ Abusers	Domestic violence services available in Louisiana include domestic violence shelters, which offer temporary, safe housing; advocacy services; crisis intervention; group counseling; legal advocacy; etc. Other services include financial assistance to secure housing, food, etc.
School Systems	Education	According to state law, school systems are to provide dating violence education to students in grades 7-12.
<b>Source:</b> Prepared by legislative auditor's staff using information from LCLE, DCFS, LDH, LCADV, state AG's Office, Department of Justice, Amnesty International, International Association of Chiefs of Police, and state and federal laws.		

## APPENDIX D: INDIVIDUALS SERVED BY DOMESTIC VIOLENCE PROGRAM PROVIDERS

**Number of Individuals Served by Domestic Violence Program Providers  
Federal Fiscal Years (FFY) 2016 through 2020**



\*FFYs 2016 and 2017 included 17 domestic violence shelters, but in FFY 2017 a shelter located in New Iberia closed.  
**Source:** Prepared by legislative auditor's staff using information provided by DCFS.



## APPENDIX E: DOMESTIC VIOLENCE FUNDING AND ANNUAL AVERAGE AMOUNTS, 2016 THROUGH 2020\*

Funding Type	2020 Funding Amount	Average Annual Amount	Average Entities Receiving Funds	Services Funded
Victims of Crime Act Program (VOCA)	\$6,544,426** (43%)	\$9,856,677***	121	<i>Federal grant administered by LCLE</i>  Direct services to victims of crime, including immediate health and safety needs, personal advocacy, mental health counseling, legal assistance, transportation, relocation, transitional housing, and public awareness.
Temporary Assistance for Needy Families (TANF)	\$4,371,976 (29%)	\$4,436,697	17	<i>Federal grants administered by DCFS</i>  At least 70% of funds shall be for the primary purpose of providing immediate shelter and supportive services to adult and youth victims; At least 25% of funds shall be for providing supportive and prevention services, such as crisis intervention and group counseling.
Family Violence Prevention and Services Act (FVPSA)	\$1,628,024 (11%)	\$1,572,358	17	
STOP Violence Against Women (STOP)	\$1,267,807** (8%)	\$1,251,875	53	<i>Federal grant administered by LCLE</i>  Funds are divided among law enforcement, prosecution, victim services, courts, and discretionary to provide direct services to victims of domestic violence, as well as domestic violence training.
Justice Reinvestment Initiative (JRI)	\$1,148,580 (7%)	\$1,148,580	2	<i>Dedicated state funds administered by LCLE</i>  Funds are awarded for victim services, including shelters and transitional housing for domestic violence victims and their children. 2020 was the first year of JRI funds available.



Funding Type	2020 Funding Amount	Average Annual Amount	Average Entities Receiving Funds	Services Funded
Marriage & Civil Fees	\$373,222 (2%)	\$444,087	16	<p><i>Fees and statutory dedications administered by DCFS</i></p> <p>Self-generated revenues are obtained from one-half of the fee charged for marriage licenses, and the statutory dedications are the Battered Women's Shelter Fund (R.S. 13:998), which are derived from civil fees charged to persons filing any suit or proceeding for divorce, annulment of marriage, or establishment or disavowal of the paternity of children.</p>
State General Fund	None	None****	n/a	State funds, when available, are administered by DCFS, along with FVPSA and TANF grants.

\* Based on state or federal fiscal year depending on funding source.  
 \*\*Estimated totals based on historical average percent of federal award spent on domestic violence. LCLE has not yet disbursed all of the FFY 2020 grant award amounts.  
 \*\*\*LCLE can disperse its annual award funds over four years.  
 \*\*\*\*In 2018, \$2.4 million of state funds was used as maintenance of effort for TANF.  
**Source:** Prepared by legislative auditor's staff using information from DCFS and LCLE.

## APPENDIX F: TYPES OF PROTECTIVE ORDERS IN LOUISIANA

Order Type	Description
Temporary Restraining Order	Order issued in response to victim’s petition to the court for protection prior to a court hearing
Final Protective Order	Order granted after court hearing under the Domestic Abuse Assistance Act, Protection form Dating Violence Act, Children’s Code Domestic Abuse Assistance Act, Protection from Stalking Act, or Protection for Victims of Sexual Assault Act
Preliminary Injunction	Order issued after hearing under the Post-Separation Family Violence Relief Act, Code of Civil Procedure Articles, or in conjunction with divorce proceeding
Permanent Injunction	Order issued after a trial on the merits under the Post-Separation Family Violence Relief Act, Code of Civil Procedure Articles, or in conjunction with divorce proceeding
Criminal Order of Protection	Order issued when a defendant is charged or convicted with a crime involving domestic violence
<b>Source:</b> Prepared by legislative auditor’s staff using information from the Louisiana Supreme Court.	