

Exploring The Innovations and Outcomes of Domestic Violence Courts

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Outline of Presentation

- Description of domestic violence courts
- Discussion of common domestic violence court goals
- Common tools to achieve each goal
- Are domestic violence courts achieving their goals?
- Lessons learned from research/practitioner collaboration

Background of Domestic Violence Courts

- Since the late 1970s, advocates have attempted to transform inadequate criminal justice response to domestic violence
 - Pro-arrest policies
 - Evidence-based prosecution
 - Specialized prosecution units
 - Passage of Violence Against Women Act in 1994
- Massive influx of domestic violence cases into courts (178% increase from 1989-1999)

Definition of Domestic Violence Court

- No unifying definition
- Typical components:
 - All cases on one or more separate calendars
 - One or more "dedicated" judges
 - Dedicated staff
- Similarities and differences from other "problem-solving" court models



Domestic Violence Courts Today

- Growing rapidly with approximately 180 domestic violence courts in the United States
- Represents 27 states
- Over 150 domestic violence courts internationally
- Research indicates a vast diversity of models, policies and practices
- Lack of agreed upon principles or "best practices"

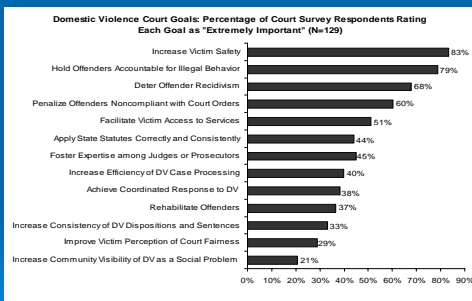
What is the role of domestic violence courts within the larger coordinated response?

What are the goals of domestic violence courts?

What are some of the strategies implemented to achieve the goals?

Are domestic violence courts achieving these goals?

What are Domestic Violence Court Goals?



Goal: Victim Safety and Services

- > The provision of frontloaded assistance, including court accompaniment, crisis intervention and shelter referral
- > Strategies:
 - Protective orders
 - Close offender monitoring
 - Courthouse safety measures for victims
 - Victim services
- > Domestic violence courts partner with local victim service agencies to provide victims with services and advocacy

Goal: Victim Safety and Services Results

- More victims linked to services
- Greater use of protection orders: 88% of DV courts routinely issue temporary orders (pending cases); 82% issue final orders (convictions)
- Increased victim satisfaction:
 - Perceive improved court process
 - Perceive fairer outcomes
 - Say more likely to report future violence and cooperate with future prosecutions

Goal: Accountability

- Holding domestic violence perpetrators responsible for their actions
- Strategies:
 - Swift responses to noncompliance with court orders
 - Consistent use of jail or other sanctions in response to noncompliance
 - Use of programs
 - Enhanced coordination in collaboration with specialized probation
 - Use of judicial monitoring
 - Constant communication between programs, probation and court

Goal: Accountability

- Sentencing – domestic violence courts have been associated with both a greater and lesser use of jail sentences than traditional courts
- Program mandates – widespread agreement that domestic violence courts are more likely to use programs (batterer programs, substance abuse treatment, etc.); special bail conditions, drug testing; and judicial status hearings

Goal: Accountability

- Court response to noncompliance
 - Use of programs, applied in tandem with judicial monitoring, can increase communication and opportunities to impose sanctions
 - JOD study – increased use of judicial monitoring significantly increases sanctions for noncompliance
- Specialized probation units
 - More special conditions
 - Higher violation & revocation rates
 - Reduced re-arrest rate among low-risk DV offenders
 - Reduced re-arrest rate – through enforcement, not deterrence in Milwaukee JOD site

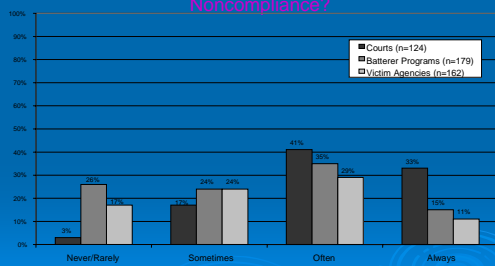
Goal: Accountability

Groundwork for an Accountability Model

- Submission of Compliance Reports: Reports submitted to the court under at least some circumstances by virtually all batterer programs – at least 94% in both the program and court surveys
- Re-calendar the Case: Only 26% of courts report bringing an offender back to court within two weeks of receiving a report of noncompliance; 63% report doing so within one month
- Written Protocol for Responding: Only 12% of courts report having a written protocol defining what actions to take in response to noncompliance

Goal: Accountability

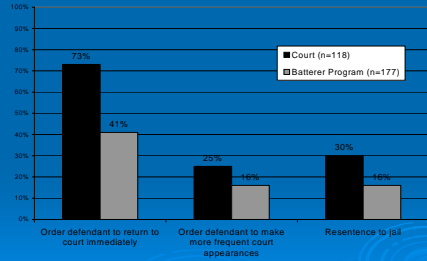
How Often Does the Court Impose Sanctions for Any Noncompliance?



Source: Labriola, Rempel, O'Sullivan, Frank, et al. (2007).

Goal: Accountability

Severity of the Court Response to Batterer Program Noncompliance



Source: Labriola, Rempel, O'Sullivan, Frank, et al. (2007).

Goal: Reduced Recidivism

- A decrease in the amount and severity of future domestic violence incidents and arrests among those processed by the court.
- Difficulties of proper measurement of recidivism
- Strategies:
 - Judicial monitoring
 - Use of programs

Goal: Reduced Recidivism

- Ten domestic violence courts have been evaluated.
 - 3 showed small to significant reductions in re-arrests
 - 5 showed no or negative findings
 - 2 showed ambiguous or mixed results
- How can we tease out why?

Goal: Efficient Case Processing

- Timely and effective management of the domestic violence caseload, including quick review and screening and the expeditious transfer and calendaring of the cases to the domestic violence docket.
- Strategies:
 - Trained court staff
 - Specialized stakeholders

Goal: Efficient Case Processing

- Overwhelming support that misdemeanor domestic violence courts do speed up case processing time
 - San Diego documented a 74% reduction in the median number of days to disposition
- However, a felony domestic violence court found that case processing time increased

Goal: Coordinated Response

- Establishment of a collaborative network of courts, criminal justice agencies, local victim service organizations, and social service programs working together to create policies and procedures to assist and increase the safety of victims of domestic violence.
- Strategies:
 - Include stakeholders in the conception and planning of the domestic violence court
 - Planning teams that can morph into stakeholder group that meets on an ongoing basis
 - Other strategies: discussed in previous presentation

Goal: Coordinated Response

- Collaboration leads to:
 - Greater access to services for victims
 - Improved information sharing by probation and programs
- Early participation promotes increased understanding, consensus, and buy-in
- Provides the opportunity for training to court staff and stakeholders on relevant issues

Implications for future research?

A few lessons learned from our research/practitioner collaboration

Lesson #1: Practitioners should help define research questions.

- What questions should be answered?
- What is the best research design to answer the questions?
- Work through planning, design, implementation, and interpretations together.

Lesson #2: Research on real world issues demands buy-in pre-grant.

- Chicken and egg problem.
- Perhaps most prevalent in violence against women research.

Lesson #3: Build a community advisory board.

- Adjust design based on concerns raised by stakeholders during project balancing needs of research integrity.
- Talk to everyone involved.
- Listen, listen, listen!

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